

CALL TO ORDER

The meeting of the City Council was called to order at 7.30 pm.

ROLL CALL

All members present except for Councilmember Dale (excused - out of town)

APPROVAL OF MINUTES

motion

M/M by Kelly, 2nd by Warner to approve the minutes of the 10/13/87 Council meeting with the following corrections: p 3, Selection of Mayor, change to read: M/M by Dale, 2nd by Kelly nominating Councilmember Carpenter for Mayor. M/M by Anvil, 2nd by Dale to close the nominations. There were no other nominations. Council, by acclamation, selected Councilmember Carpenter as Mayor. Mayor Carpenter addressed Council expressing her appreciation to outgoing Mayor Warner and welcomed the new Councilmembers. p 1, Councilmember Comment, paragraph 2, delete "No action was taken" and add: The matter was referred to Police Chief Clayton for review and direction to report back to Council on the matter. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Warner, 2nd by Kelly to approve the agenda with the following changes and additions: Item C, Unfinished Business, to read: Introduction of Ordinance 176, Animal Control; New Business, change Item D, Attorney Report, to Item F and add new Item D, Resolution 508, Municipal Immunity, and Item E, Brass Buckle Lighting Request. Voice vote, motion carried.

MAYOR'S REPORT

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Mayor Carpenter reported to Council on the following items:

- a. proposed luncheon on November 6 with agency and organization representatives regarding Municipal League resolutions. Council concurred with the proposal. Administration was directed to contact Nome, Dillingham, and Aniak regarding support for the resolutions.
- b. read for Council letters sent to Attorney General Schaible and Senators Binkley and Hensley thanking them for their participation in local conferences regarding the criminal justice system and suicide prevention.
- c. recommended that the City sponsor a community gathering at the Fire Station. Council referred the matter to Administration for scheduling.

MANAGER'S REPORT

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City Manager Chinn reported to Council on the following items:

- a. meeting with Governor Cowper, Senator Binkley, and Representative Hoffman regarding the proposed water/sewer project for Bethel
- b. the hiring of Bob Aloysius as the Community Services Director
- c. the drafting of new personnel rules
- d. preparation of a legislative request package for Juneau
- e. a Council orientation work session for new Council members. Council set 10 am, Saturday, October 31, as the date for the work session.

COUNCILMEMBER COMMENT

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Councilmember Kelly recommended that Council establish a student representative seat with Council in an effort to get high school and college students involved with municipal government. The matter was set for the next Council agenda.

Councilmember Trantham addressed Council on the following items:

- a. thanked the citizens of Bethel and Tim Oosterman for their efforts during the green-up campaign this past summer
- b. noted that police officers are coming under more frequent physical attack due to the increase in the number and type of protective custody cases being handled by the police department
- c. recommended that Council increase the size of the public works committee from 5 to 7 members and have a member of the City staff be assigned to the committee as an observer

Councilmember Anvil requested that action be taken regarding cabs blocking parking areas at businesses. Council directed Administration to send a letter to the businesses asking the store managers to assist in the matter by designating cab waiting areas. Mr. Anvil also noted that there is a need for the City to enforce the curfew ordinance.

Police Chief Clayton noted that curfew enforcement is a problem; that the parents have a responsibility to control their children; that the City does fine parents whose children are curfew violators.

Councilmember Kelly suggested that the City purchase equipment to enable the City to hold teen dances after the departure of Bruce Barker who has been providing equipment for teen dances. Council referred the matter to Administration for review.

Councilmember Hoffman asked for clarification of police policy regarding drunk driving. Police Chief Clayton noted that the police officer has some discretion in handling such cases with respect to taking people home; that the general policy of the department is to vigorously enforce drunk driving laws.

REPORTS OF STANDING COMMITTEES

There were no Standing Committee reports.

PEOPLE TO BE HEARD

There were no public comments.

UNFINISHED BUSINESS

COUNCIL BUDGET DISCUSSION

Item A: Council Budget

Council reviewed the monthly budget report and discussed the issue of payment for Councilmembers. Councilmember Trantham noted that in a phone poll conducted by himself, 98 people opposed compensation for Councilmembers, 3 people favored compensation. Councilmembers Trantham, Warner, and Kelly spoke in opposition to Councilmember compensation. The matter was tabled until a future Council meeting.

Item B: Dog Pound

DOG POUND

motion

City Manager Chinn reported to Council on the use of the old Guinn Lumber building as combination dog pound/storage building noting that the building is large enough to accommodate both functions. M/M by Warner, 2nd by Kelly directing Administration to present a detailed plan and cost comparison to Council between moving and utilizing the old Guinn Lumber building or the green building near the sewage lagoon as a dog pound facility. Voice vote, motion carried. Council set the matter for the next Council agenda.

Item C: Ordinance 176 - Animal Control

ORDINANCE 176 - ANIMAL CONTROL ORDINANCE

motion

M/M by Warner, 2nd by Kelly to introduce Ordinance 176, Animal Control, and to set the ordinance for a public hearing at the next Council meeting. Voice vote, motion carried.

Item D: City Manager Contract

CITY MANAGER CONTRACT

motion

Mayor Carpenter reviewed for Council the request by City Manager Chinn to amend his employment contract to include the employee utility benefit. Councilmembers Warner and Kelly spoke in opposition to the amendment. Mayor Carpenter noted that the City Manager is the only City employee not receiving the employee utility benefit. M/M by Warner, 2nd by Anvil to not approve amending the City Manager's contract to include the employee utility benefit. Poll vote, 4 yes, 2 no (Carpenter, Hoffman). Motion carried.

NEW BUSINESS

Item A: Council Meeting Schedule

motion

Item B: Amendment 1 to Ordinance 161, Budget Control

motion

Item C: Committee/Commission Appointments

Item D: Resolution 508 - Municipal Immunity

motion
7j274

COUNCIL MEETING SCHEDULE

After discussion, Council set the following dates for Council meetings for November and December:
November 3, Work Session
November 17, Council meeting
December 1, Work Session
December 15, Council meeting
M/M by Warner, 2nd by Trantham to adopt the revised Council schedule for November and December. Voice vote, motion carried.

AMENDMENT 1 TO ORDINANCE 161 - BUDGET CONTROL

City Manager Chinn reviewed with Council the proposed amendment to the ordinance establishing budget control of department budgets. City Manager Chinn noted that the proposed amendment would grant greater flexibility to the City Manager in moving funds between departments up to the amount of \$10,000. City Manager Chinn noted that under the present ordinance the City Manager cannot move funds from one department to another; that personnel funds cannot be utilized but for personnel; that there is a \$5000 limit as to how much the City Manager may spend or move, within a department, without prior Council approval. City Manager Chinn noted that the present ordinance is too restrictive and unduly hinders the City Manager in his efforts to carry out the directives of Council. Councilmember Warner and Mayor Carpenter expressed opposition to amending the present ordinance with Mayor Carpenter noting that the City Manager through the budget amendment and 6 month budget review process can achieve the spending flexibility needed to carry out projects. Councilmember Trantham suggested Council proceed slowly in this area to give new Councilmembers a chance to get their feet on the ground before changing the process. Councilmember Trantham complimented City Manager Chinn on the Manager's control of the budget. M/M by Warner, 2nd by Kelly to table the matter until the 6 month budget review. Voice vote, motion carried.

COMMITTEE/COMMISSION APPOINTMENTS

Mayor Carpenter, with Council approval, appointed Councilmember Hoffman to the Library Advisory Board. All other appointments were deferred to the next Council meeting.

RESOLUTION 508 - MUNICIPAL IMMUNITY

City Manager Chinn reviewed for Council the proposed resolution asking the legislature to extend immunity to municipalities in carrying out municipal duties with respect to protective custody matters. M/M by Warner, 2nd by Kelly to adopt Resolution 508. Voice vote, motion carried.

Item E: Brass
Buckle Lighting
Request

BRASS BUCKLE LIGHTING REQUEST

Mayor Carpenter reviewed with Council the request by the Brass Buckle for street lighting around the Brass Buckle disco. Councilmember Warner asked Administration the status of the City's street lighting plan. City Manager Chinn noted that the Planning Department is preparing a street lighting plan for the City. The matter was referred to the Police and Planning Departments for review and with the direction to bring back to Council the costs to upgrade lighting in the City.

motion

M/M by Warner, 2nd by Anvil to go past 10 pm.
Motion carried on voice vote.

Item F: City
Attorney Report

CITY ATTORNEY REPORT

City Attorney Chandler reported to Council on the following items:

- a. the proposed animal control ordinance
- b. utility collections on past due accounts noting that past due accounts can be categorized into different classes; that the recommendation to Council is to proceed through the City Attorney on collection of those accounts that are 6 months overdue for an amount of over \$500 and not on a payment schedule. M/M by Kelly, 2nd by Warner to approve the collection policy as outlined by the City Attorney for overdue utility payments for accounts over \$500, at least 6 months overdue, and not on a payment schedule. Voice vote, motion carried. The City Attorney also recommended that a list of such overdue accounts be submitted to the City Attorney on a quarterly basis; that the utility ordinance be amended to better facilitate collection of overdue accounts.

motion

motion

The City Attorney requested an executive session to review with Council the Nicolai Japhet case. M/M by Warner, 2nd by Kelly to go into executive session to discuss the Nicolai Japhet case. Voice vote, motion carried. Council took no action upon return from executive session.

ADJOURNMENT

M/M by Warner to adjourn. The meeting adjourned at 10.45 pm.

PASSED AND APPROVED THIS 17 DAY OF ^{November} DECEMBER, 1987.

ATTEST:

Anna McGowan
Wayne J. Maiers, City Clerk
7j275 *W. Maiers*

Diane Carpenter
Diane Carpenter, Mayor