

CITY OF BETHEL
CITY COUNCIL

Regular Meeting of July 27, 1993

I. CALL TO ORDER

The meeting was convened at 7:30 p.m. by Mayor Feaster in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Feaster, Jones, Metcalfe, Trantham,

Absent : Vanasse (unexcused), Warner (unexcused);
Wintersteen (excused)

III. APPROVAL OF MINUTES

M/M by Jones, 2nd by Trantham to approve the minutes of July 13, 1993, regular Council meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

motion M/M by Trantham, 2nd by Metcalfe to approve Item B under New Business on the Consent Agenda. Voice vote. Motion carried unanimously.

Item approved by consent was: Award of Senior Center Barge Order.

motion M/M by Metcalfe, 2nd by Jones to approve the regular agenda as amended by adding to the Executive Session, update on the Tomaganuk property. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

Mayor Feaster referred Council to his written report, and in addition addressed the following:

1. Announced vacancies on the Port Commission and Transportation Commission resulting from the resignations of John Hawkins and Warren Manwill, respectively.
2. It was the consensus of the Council to schedule the meeting to plan the program for a public forum

addressing with the honey bucket situation in Bethel for August 18, 1993.

3. The issue of placing an alcohol use tax on the ballot and the preparation of a proposed use tax ordinance was explained. Following some discussion, Council directed Administration to request the City Attorney's office to proceed with the required research for Council consideration.

VI. MANAGER'S REPORT

City Manager Hunter reviewed his written report with Council, and specifically, addressed the following items:

1. On-the-job-training subcontract with AVCP for the training of new Community Service Officer, Anthony Olick.

motion

M/M by Metcalfe, 2nd by Trantham to enter into the subcontract with AVCP for the training of Community Service Officer, Anthony Olick. Voice vote. Motion carried unanimously.

2. Recommendation from VSW to hire an engineering firm for contract management for construction of the lagoon control structures and the Bethel Heights Western Addition/Tundra North project. Councilman Trantham advised Mr. Hunter that a non-engineer who possessed technical experience such as the ability to read, interpret and apply knowledge of blueprints and specification documents may be suitable as the contract manager. Mr. Hunter stated he would discuss Mr. Trantham's suggestion with VSW and Farmer's Home Administration.
3. City Manager Hunter referred Council to a draft of his summary report on ASPA's National Training Conference.
4. In response to a question from Councilman Trantham regarding a reconciliation of PATC grant #06-1108 and 06-1023 and request for refund in the amounts of \$249 and \$1,023, respectively, City Manager Hunter provided a brief explanation of the current situation. Further, Mr. Hunter suggested that the City not act on the request immediately, pending negotiations with the Department of Health and Social Services with respect to lease of property for the Bethel Receiving Home. A detailed report

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on the current status of each of the PATC grants in question will be provided at the next meeting.

Some discussion was held regarding the letter from the KYUK Development Director requesting additional funding in the amount of \$4,000 to underwrite "City Talk" if the City wished to continue the program on a weekly basis. Otherwise, as the letter pointed out, the \$1,000 approved through the City FY 94 budget would entitle the City to 10 programs with two additional programs per year or one per month for 12 months.

motion M/M by Jones to discontinue the "City Talk" show and funding for the show. Motion died due to lack of a second.

Councilman Jones stated that he was not pleased with the request and that he would address the matter again at the next Council meeting.

VII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming committee meetings were announced.

Councilman Jones stated he had been out of town when the last Finance Committee meeting was held, and referred Council to the minutes included with the agenda packet.

Councilman Trantham reported that the Transportation Commission had met July 21, 1993, and addressed the following matters: 1) Working with Dr. Bergen of the Bethel Family Clinic to standardize physical examinations for taxi cab drivers, the Commission proposes that the City follow the requirements of those for a private pilot; 2) heard an appeal for chauffeur's license; 3) discussed contracting out vehicle inspections for taxi cabs instead of assigning this responsibility to the Police Department as is the current practice. By letter, the Commission, will contact local garages to determine if there is an interest in contracting this work.

In addition, Councilman Trantham requested that the subject of the City Clerk's office hours of operation be placed back on the agenda for August 10, 1993.

VIII. PEOPLE TO BE HEARD

Brian Glasheen, representing the Recycling Center, requested Council approval to hold a benefit concert and barbecue on City property. The fund raiser is scheduled for August 14, 1993, from 7 PM to midnight at the Quonset Hut. Mr. Glasheen assured Council that he would provide security and trash pickup. In addition, he was working with the Finance Director to obtain event liability

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insurance in which the City will be designated as an additional insurer.

motion M/M by Metcalfe, 2nd by Trantham to approve the request from the Recycling Center to use the parking area adjacent to the Quonset Hut for the benefit concert scheduled for August 14, 1993, during the hours 7 PM to midnight, pending proof of event insurance. Voice vote. Motion carried unanimously.

"Niam" a Bethel taxi driver addressed Council regarding his concerns with respect to the vehicle for hire ordinance, specifically, the fact that there are too many taxi permits issued and that the ordinance does not regulate the minimum amounttcharge for taxi fares. In response to his request to Council to correct these problems, Mayor Feaster explained the process to amend an ordinance and recommended he contact the City Clerk for additional information regarding the process.

IX. OLD BUSINESS:

ITEM A: Sales Tax Issue Regarding Isan Enterprises

Council heard Lee Hajadari's appeal for forgiveness of penalty and interest which had been assessed on delinquent sales tax owed by Isan Enterprises. Finance Director, Larry Elam, provided Council a financial accounting of the monies owed by Isan Enterprises and a summary of the status of four previous appeals for relief of penalty and interest on delinquent sales tax accounts. Mr. Elam also advised Council that there was a summary judgment against Isan's for the amount owed. Additionally, the City Attorney indicated that an agreement for payment had not been secured.

A discussion regarding Council's authority to forgive penalty and interest was held as well as the possible violation of the ordinance if Council authorized forgiveness. Councilman Metcalfe questioned whether a precedent had been set by previous City Councils, and requested Administration obtain a legal opinion from the City's attorney regarding this question. It was recommended that Mr. Hajdari work out a plan for payment of the amount owed.

PEOPLE TO BE HEARD

By resolution, the People to Be Heard portion of the meeting was reopened by the Mayor at 8:30 PM. There were no people to be heard at this time.

break Council broke at 8:31 PM for a short recess. At 8:40 PM, Mayor Feaster called the meeting back to order.

X. NEW BUSINESS

ITEM A: Presentation by the Cenaliulriit Coastal Management District Regarding Air Quality Issues in Bethel

Council heard a presentation by John Oscar, Program Coordinator for the Cenaliulriit Coastal Management District, concerning the quality of the air in Bethel, specifically, the dangers of blowing dust. Mr. Oscar presented a petition asking the City of Bethel, the City Council, and Bethel Native Corporation to do something about the dust. Mr. Oscar also submitted a letter that detailed the dangers associated with the blowing dust and presented a report that identified ways to solve the problem and a plan of action. It was recommended that the City appoint a task force to examine ways to control the problem.

Councilman Trantham recommended City Administration forward copies of the handouts and materials submitted by Mr. Oscar to the Public Works Director and to members of the Public Works Committee and Planning Commission. Councilman Metcalfe stated that he would inform the Planning Commission and come back with a recommendation regarding the appointment of a task force.

Councilman Trantham requested a report regarding the dust control materials that was used this spring on the roads.

ITEM C: Executive Session: Legal Strategy--City of Bethel vs. Alaska Department of Labor, et.al., and Update on Tomaganuk Property

motion M/M by Jones, 2nd by Metcalfe to go into Executive Session for the purpose of discussing legal strategy concerning the City of Bethel vs. Alaska Department of Labor, et.al., and to receive an update on the status of the Tomaganuk property. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Trantham to come out of Executive Session. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Councilman Trantham suggested that it might be of value to have a list of households in Bethel who do not receive water/sewer services for planning purposes when addressing the illegal dumping of honeybuckets and the elimination of honeybuckets in the community.

Councilman Metcalfe stated that he was pleased that the problem of dust in Bethel was being addressed, and that he was in favor of

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appointing a task force to examine methods to control the problem. Councilman Metcalfe also stated that he had received complaints from citizens about the lack of recreational facilities (basketball courts, swimming pool) for young people in Bethel, and suggested that the City might take the lead in obtaining funds to provide better facilities for its youth.

Councilman Jones offered an apology to City Manager Hunter for the poor taste exhibited by a Bethel resident.

XII. ADJOURNMENT

motion M/M by Metcalfe, 2nd by Jones to adjourn the meeting at 10:00 PM. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 10th DAY OF August, 1993.

James H. Feaster III
James H. Feaster III, Mayor

ATTEST:

Jane Elam
Jane Elam, City Clerk