

CALL TO ORDER

Mayor Vanasse called the meeting to order at 7:33 PM

POLL CALL

Present: Dale, Feaster, Lilienthal, Richardson,  
Trantham and Vanasse.  
Absent: Wallace (out of town).

APPROVAL OF MINUTES

Following corrections were made by the City Clerk and Council to the minutes of 01/08/91: Page 1 - on paragraph 6, 1st sentence change the word 'what' to 'if'; paragraph 6, 3rd sentence change word concerns to 'concerned'; paragraph 6, 22nd sentence delete words 'to need' and also delete words 'cleared and' on the same sentence; paragraph 10, last sentence add word 'had' before the word requested. Page 2 - paragraph 2, 12th sentence, add an apostrophe 's' to word officer; same sentence delete decided and add words 'decision regarding'; same sentence add word 'which' before word favored; paragraph 4, 1st sentence delete words 'do of' and replace with word 'with'; change Mayor Warner to Mayor Vanasse; paragraph 6, add to City Attorney's comments, that that it was a courtesy to have legal counsel present during executive session, and not a requirement; paragraph 6, 17th sentence change Mayor Warner to Mayor Vanasse; on the following sentence change word does to did; on the last sentence add the words 'to the next agenda' after the word on; add words 'to the sender' to the very last sentence of the page. Page 3 - under Councilman Trantham's comments, number of 14 acres to 4 acres. Page 4, change Ad Hog to Ad Hoc; paragraph 8, add words 'he was' to the beginning of the 3rd sentence. Page 5 - paragraph 3, indicate that Councilman Feaster was reporting on behalf of the Finance Committee; same paragraph, 2nd sentence, change word in to 'on'; paragraph 6, 5th paragraph, add word 'information' before the words solar heating; paragraph 7, add word 'had' before word been on the 4th sentence, delete word 'and' on the 5th sentence, delete word 'also' on 6th sentence and on page 6, under New Business, Item A: add 'AVCP Inc' to the paragraph heading; page 7, under Executive Session, add to the first motion, 'Poll vote, motion carried. 4-yes; 1-no (Trantham); under Executive Session, 4th motion, clarify further that it is to accept Hoffman Fuel Sales Tax settlement offer.

motion

M/M by Feaster, 2nd by Richardson to table the approval of 01/08/91 minutes until the wording of Councilman Trantham's comments regarding the Community Think Tank Task Force committee have been checked. Voice vote, motion carried unanimously.

APPROVAL OF AGENDA

M/M by Feaster, 2nd by Richardson to approve the agenda with the following addition: Travel Policies as Item C under New Business, and legal matter to be discussed would be: Herrera vs City of Bethel. Voice vote, motion carried unanimously.

MAYOR'S REPORT

Mayor Vanasse reported on some mail that he had received recently, one of them being that there is a Village Participation Conference to be held in Juneau on March 26th through the 29th. Mayor Vanasse made the following Committee/Commissions nominations at this time:

Public Safety Committee - Susan Rapoza, Peter Twitchell, Don Dinius and Sharon Smyth.

Finance Committee - Pat Jennings and Carolyn Walters and indicated he had pending nominations to make at a later date to the Port and Planning Commission.

motion

M/M by Feaster, 2nd by Lilienthal to ratify Mayor Vanasse's nominations. Voice vote, motion carried unanimously.

Mayor Vanasse at this time welcomed the new members to the Public Safety Committee and Finance Committee.

MANAGER'S REPORT

City Manager Earnest reviewed his written Manager's report with Council on the following subject items:

- City to receive full funding from Corps of Engineers; worked with Bethel Native Corporation which they have agreed to provide land - at this time, appreciation was expressed to BNC for that;
- Eddie Hoffman Senior Center recieved grant to help submit a planning grant for Adult Day Care Center; indicated that there were 6 program proposals, which only 4 program proposals would be awarded for FY'93; recognized Agnes Griffith for her work at this time;
- Department of Transportation meeting been rescheduled to 2/21/91 due to new members and to coincide with the visit from DOT;
- copy of an invitation to apply for flood hazard mitigation grant assistance from the Alaska Department of Military & Veterans Affairs, Division of Emergency Services provided; grants available to eligible communities for projects that will mitigate the effects of flooding, which these funds are in conjunction with the June 10, 1989 Presidential Declaration of Major Disaster for Spring Breakup Flooding;
- copy of draft travel policies attached which are established by the City Manager, and to become effective February 1, 1991;
- attached are copies of recent damage survey reports which requests for funding advancements, and a summary of the rock that has been purchased in conjunction with the Spring 1989 and 1990 disasters; if funding advancements are received, City will have received total of \$1,626,063 for 19,932 tons of rock which does not include engineering costs, pipe pile repair project, miscellaneous force account projects, small boat harbor dredging, administrative overhead, emergency rock stockpile, or fall 1990 storm damage;
- attached is conceptual plan in form of a separate memorandum for transferring regional alcohol treatment programs from City to another entity;

MANAGER'S REPORT  
continued

should be noted that this project proceeding under the direction of PATC Director with the assistance of Finance Director, Administrative/Personnel Officer, and the City Manager;

- enclosed is stale dated check from back in 1984 that was never cashed/deposited, another check to be reissued and posted to the contingency account;
- department heads and program managers with general fund budgets preparing revised FY'91 budget reflecting a 6% reduction in general fund expenditures which represents a very significant mid-year adjustment; anticipate having a plan ready by Council worksession next week;
- difficult issues associated with closing the Yugtarvik Musuem and the Visitor Center were discussed and what plans were made;
- indicated revenue sharing letter was received;
- indicated that Department of Transportation & Public Facilities as of July 1, 1991 will no longer maintain the class 3 roads, with exception of Eddie Hoffman Highway and Ridgecrest and will be maintained by the City from that date.

Councilman Trantham asked if the roads would be brought up to code before July 1, 1991 - City Manager indicated that he would look into the issue. Councilman Trantham indicated to City Manager Earnest that he was not confused about the Travel Policies procedure. Discussion of the PATC Transfer was discussed at this time; and it was indicated that the report was valid as 1986.

motion

M/M by Dale, 2nd by Feaster to approve conceptual PATC plan as proposed.

Councilman Trantham indicated that once transferred, that City continue contributing to PATC Treatment to help people with alcoholism problem; also suggested leasing the property for One Dollar a year, receiving agency pay full building maintenance costs; insurance for building, pay for liability insurance.

Councilman Dale felt that Councilman Trantham made good points, felt that building should not be given away, but fair rent value be paid. City Manager indicated that the buildings were built by the City, which were the assets that the City had. Mayor Vanasse indicated he concurred with most of the comments and at the same time felt City should divest itself of PATC and feels a Committee should be formed to review issues. Madam Richardson indicated that there was a time frame to consider and rate should be established for Organizations if they choose to use City building and if funding were to be reduced, it can be discussed at that time. Tom Warner also expressed that Council was discussing this as if decision had been made, indicated that time frame was short, rental fees can easily be established and concluded by indicating that \$1 a year was not in City's best interest.

MANAGER'S REPORT  
continued

Council further discussed the transfer proposal and making the lease term no more than 3 years.

Poll vote on motion

Poll vote, motion passed unanimously.

COUNCILMEMBER COMMENT

Madam Richardson indicated that she would be out of town on 2/12/91 and would not be at the next Council meeting; indicated that she had received a call appreciating public works for their work during the crazy weather; and concluded by respectfully asking the Mayor to limit Councilmember comments to 3 - 5 minutes if possible. Mayor Vanasse indicated that he will try.

Councilman Dale commented regarding the streets & roads and heavy equipment mechanic positions, both been advertised; streets & roads foreman position been offered but turned down and the heavy equipment mechanic was not filled due to low salary and suggested City redo salary at next budget process; also suggested that City contact Alaska Municipal League regarding the Municipal Attorney, since they have quite a list available as salaried employees; and concluded by asking City Manager Earnest about an Attorney representing City Manager and Administrative/Personnel Officer, had approached him in regards to rumors, asked if it would have been proper to ask Council himself in person. City Manager Earnest indicated that he had attempted to.

Councilman Trantham referred Councilman Dale to Public Works Committee's minutes regarding the 2 positions he had mentioned; and also requested that the Employee Committee be reactivated and pointed out that it was separate from the APEA union. Most of the Councilmembers showed no objection; Councilman Feaster indicated that he would like to see a copy of the mission statement for Council. Madam Richardson volunteered to be a Council representative for the Committee.

Councilman Dale asked what the status of the dumpster truck purchase was; Councilman Trantham indicated he would report under Committee reports.

Mayor Vanasse indicated he received a call from a concerned resident regarding excessive smoking at the laundromat, felt there was no proper ventilation during winter and that her clothes smell like smoke after going home from laundromat; City Manager Earnest indicated he would look into the matter. Mayor Vanasse regarding the equipment operator at a low salary, felt all employees needed raises.

REPORTS OF STANDING  
COMMITTEES

Madam Lilienthal reported that there was no scheduled Port Commission meeting that she knew of, and that the Port Director was on leave.

Madam Richardson indicated that Public Safety has a full Committee now and will schedule a meeting soon.

REPORTS OF STANDING  
COMMITTEES cont.

Councilman Trantham reviewed the Public Works Committee's minutes with Council. Thanked the Public Works Committee's Administrative Assistant for attending the meeting and typing up the minutes. He also indicated that the Public Works Director's goals and objectives for '91 and '92 budget were submitted; Public Works Director briefed them in great detail of projects. Public Works Committee recommends Council that an open IFB be prepared and money be available at a moments notice for purchase of garbage truck. Next meeting to be held 2/29/91.

Councilman Feaster reported that the Finance Committee met and following are items discussed: pool steering Committee's information request was discussed; letter from Brooks Chandler regarding money could not be dedicated to the pool; laundry operations was reviewed; \$10,000 gap of City sales tax was also reviewed.

Mayor Vanasse reported that he had been out of town and no report from the Parks & Recreation Committee, but the next scheduled meeting was on February 4th, at the log cabin.

PEOPLE TO BE HEARD

Hal Jones of Cutting Edge Fur Buyers asked what was going to be done of the Musuem inventory; suggested all leftover sellable items be put out to bid. City Manager Earnest referred to the Manager's report and indicated that they can either be auctioned off or put out to bid, but option to be considered later.

Tom Warner asked if audit services for next year would be out to bid for future services; City Manager Earnest indicated that it was in the drafting process.

Irv Kreider asked about the public sewer use; City Manager Earnest asked Mr. Kreider to get together with him tomorrow on this.

COUNCIL BREAK - 9:37 PM to 9:51 PM.

OLD BUSINESS:

Item A: Public Hearing Amend 1 to Ord 188-Planning Comm. Ordinance

PUBLIC HEARING AMENDMENT #1 to ORDINANCE #188

Before opening the floor for public input, Councilman Feaster expressed that he would be willing to be a Council representative. Mayor Vanasse at this time nominated Councilman Feaster to the Planning Commission.

motion

M/M by Dale, 2nd by Richardson to approve nomination Voice vote, motion carried unanimously.

motion

M/M by Richardson, 2nd by Trantham that Amendment #1 to Ordinance #188 do not pass. Poll vote, motion passed unanimously.

NEW BUSINESS:

Item A: Long Branch  
Rest. Sales tax  
appeal

LONG BRANCH RESTAURANT SALES TAX APPEAL

M/M by Dale, 2nd by Richardson to table the item until the people appealing can be present. Voice vote, motion carried unanimously.

Item B: Approval of  
FY'90 Audit Report

APPROVAL OF FY'90 AUDIT REPORT

At this time, Dave Cottrell of Mikunda, Cottrell Auditing firm reviewed with Council the FY'90 Audit report. Madam Richardson expressed her appreciation for the audit worksessions and could see changes had been made from the worksessions; also felt the Management letter was a good tool to implement with, and would like to see Finance comply with suggestions made in the management letter and finance report to Council on the suggested changes. Also suggested maybe seeing the management letter every month. After further discussion on the audit, it was requested that the copy of the report regarding the \$713,000 transfer from utilities to general fund be provided to Council.

motion

M/M by Feaster, 2nd by Richardson to approve the FY'90 Audit report as presented. Voice vote, motion carried unanimously.

Item C: Travel  
Policies

TRAVEL POLICIES

Councilman Trantham indicated to Council that the per diem rates needed to be changed, since the current per diem rates were low and not enough for employees on travel. Councilman Trantham referring to the draft travel policies set by the City Manager suggested adding words 'per day' before the word rates.

City Manager Earnest indicated that the travel policy per diem rates were to be established by the City Manager and felt that Council did not need to approve the Travel Policy since City policies were established by the City Manager. Councilman Trantham indicated that Council sanctions the policy.

motion

M/M by Trantham, 2nd by Richardson that Council accept travel policies as presented, dated 1/29/91, with an effective date of February 1, 1991.

Council at this time reviewed the wording of Section #3 of the draft travel policies. Administrative/Personnel Officer Taylor asked Council if Council was going to keep approving policies that are suppose to be set by the City Manager. Councilman Trantham indicated that this had a fiscal impact on the City.

After further discussion, Madam Richardson withdrew her 2nd to the motion made by Councilman Trantham. Hearing no other 2nd to the motion, motion dies due to lack of a 2nd.

Item D: Executive  
Session - Legal  
Matters

EXECUTIVES SESSION - LEGAL MATTERS

Hearing no objection, Council went into executive session to discuss legal matters - Herrera vs City of Bethel at 10:54 PM.

Council came out of executive session at 12:16 AM.

motion

M/M by Richardson, 2nd by Lilienthal to instruct the City Attorney to settle the Herrera vs City of Bethel lawsuit for \$20,000.00 plus Attorney's fees, per Brooks Chandler's letter dated 1/15/91. Poll vote, motion carried unanimously.

motion

M/M by Feaster, 2nd by Richardson to adjourn the meeting at 12:20 AM. Voice vote, motion carried unanimously.

PASSED AND APPROVED THIS 12 DAY OF March, 1991.

Gary Varasse  
Gary Varasse, Mayor

ATTEST:

Anna McGowan  
Anna McGowan, City Clerk