

---

---

# City of Bethel, Alaska

## City Council Minutes

---

---

August 12, 2003

Regular Meeting

Bethel, Alaska

---

### CALL TO ORDER

A regular meeting of the Bethel City Council was held on August 12, 2003, at 6:30 p.m. in the council chambers, Bethel, Alaska.

Mayor Short called the meeting to order at 6:30 p.m.

### ROLL CALL

Comprising a quorum of the Council, the following were present:

David Trantham

Carl Berger

Andrei Jacobs

Stanley "Tundy" Rodgers

Joy Shantz

Hugh Short, Jr.

Jerry Drake

Excused absence(s):

Unexcused absence(s):

Also in attendance were the following:

Bob Herron, City Manager

Amanda Roudebush, City Clerk

### PEOPLE TO BE HEARD

#### A. Pam Bumsted

- She said she was concerned about the materials used to make the fire logs, and the product liability of the materials.
- She suggested that the use of waste paper could be a safe alternative.
- She requested Council to look at other options before making the final decision.

<b>MOVED BY:</b>	Berger	To change from unexcused to excused absence for Jerry Drake for 7-22-03 meeting.
<b>SECONDED BY:</b>	Jacobs	

<b>VOTE ON MOTION</b>	Carried by unanimous vote.
-----------------------	----------------------------

### APPROVAL OF MINUTES

<b>MOVED BY:</b>	Shantz	To approve the amended minutes of the 7-22-03 regular meeting
<b>SECONDED BY:</b>	Rodgers	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
-----------------------	---

**Motion to Approve Consent Agenda**

<b>MOVED BY:</b>	Jacobs	To approve agenda as presented to Council
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.
-----------------------	-----------------------------------

**MAYOR'S REPORT**

Included in the Mayor's report:

- Memorandum from City Manager Re: 8-13-03 town meeting with U.S. Senator Lisa Murkowski
- Letter from Department of Transportation and Public Facilities Re: Bethel Airport Master Plan Environmental assessment
- Invitation to the Yuut Elinaurviat The Peoples Learning Center ground breaking ceremony
- Letter from Bentleys Porter House Bed and Breakfast Re: water and sewer utility foreman and customer service representative
- Letter and information from Department of Community and Economic Development Re: Supplemental notice of proposed changes in the regulations of the Department of Community and Economic Development

**MANAGEMENT TEAM'S REPORT**

City Manager Herron's report included the following:

- Bethel Airport Improvements Public Information Workshop
- Tsikayak (Larson) Subdivision
- Crow property purchase and sales agreement
- RFP for legal services

**Comments**

**Council Member Shantz**

She stated that the Finance Director made some inappropriate comments in his report about a council member. She has requested that he refrain from this in the future.

**Council Member Trantham**

He stated that he would like the council to approve the use of the City's attorney. This is the second time the Finance Director had attacked him. He asked for a public apology as well.

**Council Member Rodgers**

He also requested that there be a public apology to Council Member Trantham.

**Council Member Jacobs**

He talked about how important the lines of communication are, and suggested that the Council really could benefit from taking advantage of legislative workshops offered.

**Council Member Drake**

He stated that he would like the situation to be handled by City Manager Herron. He felt that it would be more beneficial to both the city and the council being handled by the City Manager Herron.

**Council Member Berger**

Council Member Berger agreed that the situation should be handled through the city administration.

**Mayor Short**

He agreed that City Manager Herron should be held responsible for any action concerning the Finance Director. He requested that in the future the Finance Director please refrain from personal attacks in his reports to the City Manager. Comments to Council Member Trantham about legal services discussed and it was decided that it is an administrative issue.

<b>MOVED BY:</b>	Drake	To let City Manager Herron handle the situation of the Finance Director's report.
<b>SECONDED BY:</b>	Jacobs	

<b>VOTE ON MOTION</b>	Carried by unanimous vote.
-----------------------	----------------------------

**REPORTS OF STANDING COMMITTEES**

**Senior Advisory Board**

Council member Berger stated that the senior advisory board has not met since the last Council meeting. He wanted to encourage community to bring in donations for the seniors such as fish and berries. He announced that Louise Charles has returned to work and welcomed her back.

**Parks and Recreation Committee**

Council Member Jacobs had no report.

**Planning Commission**

Council Member Shantz states that there has not been a meeting since the last Council Meeting. There is a scheduled meeting for August 14, 2003. There is no report at this time.

**Port Commission**

Council Member Rodgers stated that the Port Commission held a special meeting on August 7, 2003. The major topic of discussion was the Crow Property purchase. He also wanted some more information on Browns Field Grant; he would like a copy of it as well. Next meeting is scheduled for August 18, 2003. He invited more public to attend the meeting.

**Public Works Committee**

Council Member Trantham reported that the Public Works Committee has not met since the last Council meeting. The next scheduled meeting is for August 19, 2003. There is on going discussion on the possibility of establishing a Utilities Commission. He just received a report from Louann Cutler, the city attorney on this matter.

### **Public Safety and Transportation Commission**

Council Member Drake is reporting on two meetings. The first was held on July 14, 2003. The topic of conversation was the cab drivers encountering accidents due to exhaustion. The second meeting was held on August 6, 2003. Here the commission talked about the short staffing of the cab companies. The commission also voted unanimously on the introduction of Ordinance 03-13. He also said that the meetings were going to be held at noon instead of at 7:30 at night for the next three months.

### **Finance Committee**

Mayor Short reported that there has not been a meeting of the Finance Committee since the last Council meeting. The next meeting is scheduled for August 28, 2003.

## **COMMENTS**

### **Council Member Drake**

He wanted to comment on the legislative workshop that he attended. He reported that they reviewed and changed the legislative platform. They consolidated platform issues, and addressed them. They also reviewed the first draft platform for next year. He said that the tax issue needs to be addressed for next year as well.

### **Council Member Trantham**

He had a question about the Crow Property Purchase for Council Member Rodgers. Has anyone ever removed contaminated soil from the property?

### **Council Member Rodgers**

He answered Council Member Trantham with a yes and then proceeded to discuss a letter in the council packet from Howard Elliot – Port Director. In this letter Mr. Elliot talks about the much needed extra space.

***A break was taken from 7:25 p.m. until 7:31 p.m.***

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

**Item A – Introduction of Ordinance #03-13: Amending the Bethel Municipal Code section 5.20.170 to restrict children under the age of twelve years old from riding in a regulated vehicle front seat that has a passenger air bag.**

**Item A**

<b>MOVED BY:</b>	Drake	To set public hearing for Ordinance #03-13 on August 26, 2003
<b>SECONDED BY:</b>	Jacobs	

<b>VOTE ON MOTION</b>	Carried by unanimous vote.
-----------------------	----------------------------

*Ordinance #03-13 was introduced and set for public hearing under the consent agenda on 8-26-03.*

**Item B – Discussion of the Law firm confirmation**

City Manager Herron explained the issue to be voted on. He also explained the city should advertise for an in-house attorney, supported by the law firm. The evaluation committee (John Malone, George Young, Laurie Walters, Bob Herron) recommend Preston Gates and Ellis.

**Item B**

<b>MOVED BY:</b>	Berger	To confirm Preston Gates and Ellis as City attorney
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Carried by vote of 4 - 3 (Trantham, Rodgers, Shantz)
-----------------------	--

*A break was taken from 7:33 p.m. to 7:44 p.m.*

**Item C 1 – USDA loans for Water Trucks**

City Manager Herron requests the Council make a decision tonight. He explained the option to buy now or pay over time. He explained that USDA has an obligation deadline on the money available.

Council Member Trantham is concerned about the interest rate being 4.25% since banks are giving out loans at 1 - 2%.

Council Member Berger explains to Council Member Trantham that those rates are for saving accounts not loans. He said that most commercial loans are usually around 8 – 10%. He also states that he agrees with City Manager Herron that buying now and paying over time is wise, so the City can keep money on hand for emergencies if needed.

Council Member Drake talks about the economic ratification of getting loan now as opposed to paying out right now.

Mayor Short had question about early pay off penalties. He was answered by City Manager Herron by saying he is unaware of a penalty.

**Item C-1**

<b>MOVED BY:</b>	Rodger	To approve City Manager to pursue the USDA loans for purchase of water trucks
<b>SECONDED BY:</b>	Jacobs	

<b>VOTE ON MOTION</b>	Motion carried by vote of 6 to 1 (Trantham)
-----------------------	---

**Item C 2 – USDA loans for the recycling project – fire logs**

This item has been postponed until Jill Maynard can attend council meeting with more information on this subject.

**Item D – Award of Kasayuli subdivision water and sewer feasibility study**

City Manager Herron gives background information.

Council Member Trantham comments that YKHC has already made a commitment to this same issue, and asked why nothing had been done yet.

Council Member Rodgers stated Gene Peltola was given \$10 million given on behalf of YKHC for this issue, and wanted to know why nothing had been done yet.

Council Member Drake commented on the history of the YKHC commitment and explained that once the feasibility study was complete then YKHC will move forward.

**Item D**

<b>MOVED BY:</b>	Trantham	To accept CRW bid on Kasayuli subdivision feasibility study
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.
-----------------------	-----------------------------------

**Item E – Award City Sub WTF Retaining wall**

City Manager Herron explains that there will be no money from the City to fund this project. All funds are coming from Village Safe Water.

**Item E**

<b>MOVED BY:</b>	Rodgers	To award city sub WTF Retaining Wall
<b>SECONDED BY:</b>	Jacobs	

<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.
-----------------------	-----------------------------------

**COUCIL MEMBER COMMENTS**

**Council Member Berger** He wants to remind the citizens of Bethel that the Lieutenant Governor Loren Leman will be in Bethel at the Chamber of Commerce at 12:00 p.m. He invites the public to attend.

**Council Member Jacobs** He comments on the new elected officials training. He also talked about the JACO inspection at YKH. Home-care ranked the highest score. He commends YKHC for their continued improvement.

**Council Member Shantz** She has no comment.

**Council Member Trantham** Encouraged Bethel residents to run for City Council. He reminds everyone that there are three, three year seats available. The deadline is August 20, 2003 at 4:00 p.m. Subsistence fishing opening tomorrow; he wants to see everyone fishing.

**Council Member Rodgers** Wanted to remind everyone to hug an elder.

**Council Member Drake** He wants to thank Gary Vanasse for the Golf Tournament and said it was a lot of fun.

**Mayor Hugh Short, Jr.** Gave his condolences to Council Member Rodgers' for his family's loss.

**ADJOURNMENT**

<b>MOVED BY:</b>	Trantham	To adjourn the meeting at 8:30 p.m.
<b>SECONDED BY:</b>	Rodgers	

<b>VOTE ON MOTION</b>	Motion carried by unanimous vote
-----------------------	----------------------------------

**APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2003.**

\_\_\_\_\_  
Hugh Short, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Amanda Roudebush, City Clerk