

**CITY COUNCIL**

*Tad Miller*  
*Dario Notti*  
*Mike O'Brien*  
*Agnes Phillips*  
*Ruth Richardson, Mayor*  
*Stanley Rodgers*  
*Thor Williams*



**CITY MANAGER**  
*Ken Weaver*

**CITY CLERK**  
*L.J. Tanner*

**City of Bethel**  
**Regular Council Meeting Minutes**  
**March 11, 1997**

**I. CALL TO ORDER**

The meeting was convened at 6:30 p.m. by Mayor Richardson in the Log Cabin, Bethel, Alaska.

**II. ROLL CALL**

Present: Miller, Notti, Phillips, Richardson, Rodgers, Williams  
Absent: O'Brien

Also present: City Manager Ken Weaver, City Clerk L.J. Tanner, 16 persons in audience.

**III. PEOPLE TO BE HEARD**

There were no people to be heard.

**IV. APPROVAL OF MINUTES**

**motion** M/M by Miller, 2nd by Phillips to approve the minutes of the February 25, 1997, regular meeting as presented.

**vote** Voice vote. Motion carried unanimously.

**V. APPROVAL OF AGENDA**

Council member Miller asked to add New Business Item J, Resolution #97-16, Support for Power Cost Equalization.

**motion** M/M by Miller, 2nd by Williams to approve the agenda as amended.

**vote** Voice vote. Motion carried unanimously.

**VI. MAYOR'S REPORT**

Mayor Richardson noted that funding for completion of the seawall project has been included in the Governor's Capital Budget request.

Next, Mayor Richardson proclaimed the week of March 9-15 as Dental Assistants Week. She asked everyone to recognize the work done by the Y-K Delta Regional Dental Clinic and its' Dental Assistants.

Mayor Richardson also noted that DCRA will hold a Charitable Gaming workshop on March 20, at the KVNA building. Interested parties should call Ken Berlin at DCRA.

Lastly, Mayor Richardson stated that the Council had held a work session to discuss sales tax issues on March 10. She felt that Finance Director Bonnie Duke did a great job facilitating the discussion and answering the Council's questions. Ms. Richardson asked that the Finance Committee also review the questionnaire that Ms. Duke had prepared.

## VII. MANAGER'S REPORT

City Manager Weaver referred Council to his written reports, and discussed the following:

- **VSW Funding for Water/Sewer Projects:** Mr. Weaver explained that the City did not qualify for additional VSW funding, based on a state-wide ranking program. One cause may have been the size of the City's request. It was suggested by several Council members that the City discuss the matter with our legislators. Council member Miller noted that since VSW funding was the City's main reason for remaining a Second Class city, perhaps now is a good time to re-investigate adopting a Home Rule charter. Mayor Richardson added that a study on Home Rule was done several years ago, and asked the City Manager to review the study.
- **Bank Stabilization Land Credits:** Mr. Weaver pointed out a letter from attorney Brooks Chandler regarding the land credits we will receive towards the cost of the seawall project.
- **Small Boat Harbor Dredging -** Mr. Weaver noted that a number of boats still remain in the small boat harbor. They will be removed by City crews to allow for dredging by the Army Corps. The City Manager was asked to report back to the Council on the cost of removing the boats left in the harbor.
- **Dust Control:** Council member Miller reminded Mr. Weaver that he would like to see a dust control plan in the very near future.

## VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

**Finance Committee:** Council Member Phillips reported that the Committee had not met.

**Planning Commission:** Council Member Notti stated that the Commission had not met.

**Port Commission:** Council Member Rodgers reported that the Port Commission meeting scheduled for March 17 had been canceled due to no quorum, and the Port Director's absence.

**Public Works Committee:** Council Member O'Brien was absent, so there was no report.

**Public Safety Commission:** Mayor Richardson asked Commissioner Shari Neth to address the Council with an update of the Commission's doings. Ms. Neth reported that they have continued to investigate the idea of an alcohol delivery site, to be run by the City. They have 3 legal questions that they would like to submit to the City Attorney, Lee Sharp. Ms. Neth distributed a copy of the Commission's legal questions. The Council agreed that City Manager Weaver would work with Mr. Sharp to answer the Commission's questions. Ms. Neth answered several questions posed by Council members.

**Transportation Commission:** Council Member Williams stated that the Commission had not met.

**Youth Services Committee:** Council Member Miller reported that the Committee had not met.

## IX. OLD BUSINESS

### Item A: Discussion - Resolution #97-09, Commending the Public Works Director and his Staff

**motion** M/M by Miller, 2nd by Notti to amend Resolution #97-09 by changing "efficient handling of each sewer break incident" to read "efficient handling of the *most recent* sewer break incident," and by changing "recognizes the Director of the Public Works Department, Harry Parsi" to "recognizes the Director of the Public Works Department, Harry Parsi, *and his staff*"

**vote** Voice vote. Motion carried unanimously.

**motion** M/M by Notti, 2nd by Phillips to adopt Resolution #97-09 as amended.

Discussion followed the motion. Council member Williams stated that the Resolution should commend the families who endured the effects of the sewer line break, and that he felt the Public Works Director was simply doing his job by repairing the breaks. Council member Miller disagreed, stating that other departments and individuals are recognized for doing their jobs, and the Public Works Director deserves the commendation.

**vote** Roll Call vote. Motion failed, 3-Yes, 3-No (Richardson, Rodgers, Williams)

**Item B: Discussion - City Council Rules of Procedure**

Council Member Williams, who requested the agenda item, stated that he believes the Rules of Procedure are out of date, and not adhered to all of the time. He would like to see the Rules of Procedure updated, then adopted as part of the City Code. At Mayor Richardson's request, the City Clerk explained that the current rules of procedure were drafted by a previous City Clerk, with assistance from the former City Attorney, based on Rules of Procedure used in other Alaskan cities. There were no additional comments from the Council. City Manager Weaver stated that he has noted several discrepancies that he would like to see corrected. The City Clerk was directed to work with the City Manager, City Attorney, and other Council members to revise the Rules of Procedure, and to report back at the April 8th Council meeting.

**Item C: Ridgcrest Memorial Cemetery - Update**

Council Member Williams, who requested the agenda item, stated that he thought the Council should be brought up to date with developments at the new cemetery. The City Clerk reported on the March 4th meeting of the Ad-hoc cemetery committee. Two questions remained after the cemetery committee met: should the City charge a burial fee; and should the City provide markers when the family cannot? After some discussion, the following motion was made:

**motion** M/M by Miller, 2nd by Rodgers to neither charge a burial fee, nor provide markers.

City Manager Weaver suggested that perhaps a fee could be charged when people reserve cemetery plots for future use. Council member Williams noted that it will cost the City money to maintain the cemetery.

**vote** Voice vote. Motion carried unanimously.

**X. NEW BUSINESS**

**Item A: Discussion - John Y. Alexie Homicide Case**

Council Member Rodgers, who requested the agenda item, stated that he would like the Council to direct the Police Chief to re-open the case. There is no statute of limitations on murder. The original file on the case has been misplaced, either at the Police Station, or the DA's office. Council member Notti stated that the Police Department should be given a little more time to find the file. Council member Miller questioned why files were being lost at the Police Station, and stated that he had a serious concern with it. Council member Rodgers commended Chief Eilers for being honest with him about the status of the case. It was agreed by the Council that Chief Eilers should re-open the case.

**Item B: Resolution #97-11 - Honoring Mr. Jimmy Aloysius.**

Council member Rodgers read the Resolution.

**motion** M/M by Notti, 2nd by Miller to adopt Resolution #97-11.

**vote** Voice vote. Motion carried, unanimously.

**Item C: Resolution #97-12, Regarding Reconveyance of the Sand Pit from BNC**

City Manager Weaver read and explained the Resolution. The lands were reconveyed pursuant to ANSCA years ago, but neither BNC nor the Council had ever adopted Resolutions recognizing the reconveyance, as required by law.

**motion** M/M by Williams, 2nd by Rodgers to adopt Resolution #97-12.

Council member Miller questioned the property in question. Council member Notti pointed out the property on a map hanging on the wall of the Log Cabin. Council member Miller stated that in the future, he would like to have a map accompany these types of resolutions.

**vote** Voice vote. Motion carried, 5-Yes, 1-Abstain (Richardson, Chairman of the Board, BNC)

**Item D: Resolution #97-13, Regarding Reconveyance of the Petro Port and part of Sewer Lagoon**

City Manager Weaver read the Resolution and explained that it was essentially the same as Resolution #97-12.

**motion** M/M by Williams, 2nd by Rodgers to adopt Resolution #97-13.

Council member Miller asked what would happen if the Council didn't adopt the Resolution. Council member Williams stated that he had discussed the resolutions with the City Planner, John Malone, and understood that the resolutions were a housekeeping matter. Council member Notti noted that the other Council members should educate themselves on ANSCA.

**vote** Voice vote. Motion carried, 5-Yes, 1-Abstain (Richardson, Chairman of the Board, BNC)

**Item E: Resolution #97-14, Regarding the Y-K Delta Community Leader's Conference**

Council member Notti, who requested the agenda item, read the Resolution. He would like the City to join the Community Leader's Conference. In addition, he was elected to the Executive Board. Mayor Richardson asked if the Resolution could be amended, to remove Council member Notti's name as a member of the Executive Board. The reason, Ms. Richardson explained, is so that if Mr. Notti is not a member of the Council next year, the new Council won't have to adopt another Resolution removing his name.

**motion** M/M by Notti, 2nd by Miller to amend #97-14, by removing the fourth "Whereas" statement, removing "and approves the election of Council member Dario Notti to the Conference's Executive Board" from the resolving clause, and removing "and authorizing Council Member Dario Notti to serve on the Executive Board of the Conference" from the title of the Resolution.

**vote** Voice vote. Motion carried, unanimously.

**motion** M/M by Miller, 2nd by Williams to adopt #97-14, as amended.

**vote** Voice vote. Motion carried, unanimously.

**motion** M/M by Miller, 2nd by Phillips to recognize Council member Notti as the City Council's representative on the Executive Board of the Community Leader's Conference.

**vote** Voice vote. Motion carried, unanimously.

**Item F: Resolution #97-15, Supporting SB 29, "Safe Communities"**

**motion** M/M by Miller, 2nd by Rodgers to discuss the Resolution, and vote on its' adoption, in the absence of Resolution sponsor, Council member O'Brien.

Mayor Richardson stated that at this time, she could not support the Resolution, but would like to discuss it with Mr. O'Brien. Council member Williams requested information on the bill from the City's lobbyist.

**withdrawn** Council member Miller withdrew the motion.  
**motion** M/M by Miller, 2nd by Williams to table Resolution #97-15 until the March 25 meeting.  
**vote** Voice vote. Motion carried, unanimously.

**Item G: Discussion - Honeybucket Waiver Deadlines and Penalties**

**motion** M/M by Miller, 2nd by Notti to table the discussion until the March 25 meeting.  
**vote** Voice vote. Motion carried, unanimously.

**Item H: Discussion - Community Recreation Center**

Council member Miller, who requested the agenda item, explained that several members of the Y-K Delta Lifesavers organization were in the audience, and would like to address the Council.

Dan Poe explained some of the history behind the Recreation Center project. Using funds from a 1989 grant, drawings and plans were prepared for a recreation center. The City set aside land near the bowling alley, but nothing more was done to further to project. The Y-K Delta Lifesavers have joined forces with other interested citizens, and formed 4 sub-committees: Youth Activities, Grants, Fundraising, and Paperwork/Politics. They don't want to re-invent the wheel.

Other citizens who spoke in support of the project were Eb Pope, Jim Blake, and Laura Hohman. Council member Notti suggested that the group work with LKSD. Mr. Blake responded that they have tried, but LKSD has not finalized plans for new school buildings and is hesitant to make any commitments.

The Council discussed the need for a Recreation Center, and the issues of running and maintaining such a facility. Council member Miller stated that appreciates what citizens are doing to move the project forward. He urged interested persons to attend the group's meetings, Monday nights at 7:00 p.m., at the KVNA building.

**Item I: State-wide Boards and Commissions (ADA Compliance)**

Council member Williams, who requested the agenda item, explained that state organizations cannot hold conferences or training sessions in facilities that do not comply with the Americans with Disabilities Act. There are many buildings in Bethel, including City buildings, that are out of compliance. Council member Miller suggested that Mr. Williams attend a Public Works Committee, and start a project list on City facilities that need improvements. Council member Notti asked where a person could find information on what the requirements are. Mr. Williams responded that the office of Vocational Rehabilitation could provide the information.

**Item J: Resolution #97-16, Supporting Power Cost Equalization**

Mayor Richardson read the Resolution

**motion** M/M by Williams, 2nd by Phillips to adopt Resolution #97-16.  
**vote** Voice vote. Motion carried, unanimously.

**XI. COUNCIL MEMBER COMMENTS**

**Miller** - Said he was disappointed that Council couldn't thank the Public Works Department for their efforts. Noted that the OSHA repairs at the City shop are almost complete and have made a big difference in the working conditions. Supports performance audits of each City department.

**Notti** - Enjoyed hearing about the Recreation Center need. Received a letter from a citizen who would like to connect to the City water and sewer pipes. Will have a Resolution regarding snow-machine trails at the next Council meeting. Urged people to volunteer at the Camai Festival.

**O'Brien** - absent, no comment.

**Phillips** - Thanked everyone who has volunteered to help or dance at Camai. Reminded people to get involved, and be a part of solutions, not problems.

**Richardson** - Stated that appreciates the brief meeting.

**Rodgers** - Thanked the community for the efforts on a Recreation Center. Thanked the Council for adopting Resolution #97-11. Suggested that people honor the living, instead of waiting for people to die.

**Williams** - Is concerned about hearing that the Youth Center is the second best place in Bethel to buy drugs. Would like to visit various City Departments on March 31.

### **XIII. EXECUTIVE SESSION**

City Manager Weaver stated that, although *Rodgers v. City of Bethel* was on the agenda, there was actually nothing to discuss at this time. Council agreed to remove it from the agenda. Mayor Richardson stated that, due to her position on the BNC board, she would abstain from the Tideland Conveyance discussion.

**motion** M/M by Williams, 2nd by Rodgers to take a 5-minute break, and then reconvene in Executive Session for the purpose of discussing the Tideland Conveyance case, at 8:40 p.m.

**vote** Voice vote. Motion carried unanimously. *Mayor Richardson left the Council chambers at this time.*

**motion** M/M by Williams, 2nd by Rodgers to come out of Executive Session at 9:15 p.m.

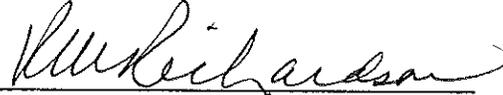
**vote** Voice vote. Motion carried unanimously.

### **XIII. ADJOURNMENT**

**motion** M/M by Miller, 2nd by Williams to adjourn the meeting at 9:15 p.m.

**vote** Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 25TH DAY OF MARCH, 1997.

  
Ruth M. Richardson, Mayor

ATTEST:

  
L.J. Tanner, City Clerk