

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



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

City of Bethel
Regular Council Meeting Minutes
May 27, 1997

I. CALL TO ORDER

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

II. ROLL CALL

Present: Miller, Notti, O'Brien, Phillips, Williams
Absent: Richardson, Rodgers (both excused)

Also present: City Manager Ken Weaver, City Clerk L.J. Tanner, and 29 persons in the audience.

III. PEOPLE TO BE HEARD

Michael Lavinger of the State DOT&PF spoke about the Ridgecrest Drive Rehabilitation Project. In response to Council questions about room for bikes, Mr. Lavinger noted that the road will be paved 15' on either side of the center line, leaving a total of 4' of paved shoulder. This wouldn't be an "approved" bike path per se, but would leave some room for bikes. Mr. Lavinger's office is set up in a trailer near Watson's Corners and people are welcome to stop by if they have questions.

IV. APPROVAL OF MINUTES OF MAY 13, 1997 REGULAR MEETING, MAY 14, 1997 SPECIAL MEETING, MAY 20 BUDGET SESSION, and MAY 21, 1997 BUDGET SESSION.

Mayor Phillips noted corrections on Page 1, Page 4, and Page 5 of the May 13, 1997 minutes. Mayor Phillips also noted that the motion to add \$70,000 to the Public Works budget for Professional Engineering services was missing from the May 21, 1997 budget session minutes.

motion M/M by Miller, 2nd by O'Brien to approve the minutes of the May 13, 1997 regular meeting, May 14, 1997 special meeting, May 20 budget session, and May 21, 1997 budget session, as amended.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

City Manager Weaver asked to add New Business Item D, Discussion - Stop Sign relocation at Watson's Corners. Council member Miller asked to move Old Business Item D, City Encroachment on Elsie Active property, to the June 10 meeting.

motion M/M by O'Brien, 2nd by Williams to approve the agenda as amended.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips thanked former Mayor Richardson and former Acting Mayor Miller for their dedicated service, and expressed appreciation for the vote of confidence from the Council and people in Bethel.

Mayor Phillip's appointed Gary Vanasse to the Public Works Committee.

motion M/M by Miller, 2nd by O'Brien to ratify Mayor Phillip's appointments.

vote Voice vote. Motion carried unanimously.

Mayor Phillip's noted that she will attend a meeting of the Chugachmiut HIV Case Management Team at the City Offices, on June 2, 1997, 3:30 p.m. Other Council members are welcome to attend.

VII. MANAGER'S REPORT

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

- Village Safe Water Grant Forms: Mr. Weaver indicated that he had another Village Safe Water agreement that he needed signed by the Mayor and several members of the Council.
- Rock for Seawall Maintenance: Mr. Weaver described a proposal he has received from Red Samm Construction, to exchange sand from the City's sandpit for size A rock. The City is required by the Army Corps to stockpile 12,000 tons of size A rock for maintenance. Currently, the City's purchasing ordinance does not allow a transaction such as the one proposed by Red Samm.

motion M/M by Miller, 2nd by O'Brien to amend the agenda by adding New Business Item E, Resolution #97-28, authorizing the acquisition of rock from Red Samm.

vote Voice vote. Motion carried unanimously.

- Reduced Residential Speed Limits - Mr. Weaver noted that he had received a memo from City Attorney Lee Sharp with regards to reducing speed limits. The State Department of Public Safety must approve any change in speed limit, after reviewing a traffic engineering study submitted by the City. Mr. Sharp is investigating just how extensive the engineering study must be. The Council directed the City Manager to respond with a letter citing the health problems caused by dust that is kicked up by cars exceeding 20 mph.
- Police & Fire Department Painting: Several Council members had questions about the bidding process for painting. City Manager Weaver said he would look into their concerns.
- Park near Housing: Council member Miller asked the City Manager to look into zoning for a park at the corner of Owl and Ptarmigan.
- Trailer Court Dumpsters: Council member Williams brought up the problem of the dumpsters across from the Trailer Court. City Manager Weaver noted that the problem is still being resolved.
- Senior Center Salary Increases: Mayor Phillips questioned why two employees at the Senior Center received two-step increases instead of the one-step authorized by the union contract. Senior Center Director Julius Pleasant explained that the employees had not received their step increases for the previous year.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

Finance Committee: Mayor Phillips reported that the next meeting of the Finance Committee will be June 12th. They will also hold work sessions to discuss changes to the Sales Tax Ordinance.

Planning Commission: Council member Notti stated that he was unable to attend the last meeting of the Commission. Planning Manager John Malone gave the Council a brief review of the meeting.

Port Commission: Council member Rodgers was absent; no report given.

Public Works Committee: Council member O'Brien reported that the Committee has recommended against privatization of water, sewer, and refuse services. Council member Miller questioned why they had come to that conclusion. Acting Public Works Director Clair Grifka explained that with the arrival of new water, sewer, and refuse trucks, the Department can perform those services more efficiently. The Committee has also recommended that the City investigate trading the Hitachi for a smaller, more maneuverable model.

Public Safety Commission: Council member Richardson was absent; no report given.

Transportation Commission: Council member Williams stated that the Commission will hold their next regular meeting on June 5th at the City Office Conference Room.

Youth Services Committee: Council member Miller reported that the Committee has approved an increase in booth fees for the 4th of July, and decided to offer more games of skill at the fair. They will consider at their next meeting a change in name to the "Parks & Recreation Committee."

IX. OLD BUSINESS

Item A: Public Hearing - Ordinance #97-04, Amending the FY97 Budget for E-911

City Manager Weaver briefly explained the purpose of the appropriation. Mayor Phillips opened the Public Hearing. Hearing and seeing no one to be heard, Mayor Phillips closed the Public Hearing.

motion M/M by Miller, 2nd by Notti to adopt Ordinance #97-04.

vote Voice vote. Motion carried, unanimously.

Item B: Public Hearing - Ordinance #97-05, Changes to Vehicle for Hire Ordinance

Mayor Phillips opened the Public Hearing. The following people spoke: Terryl Miller, Sherry Libby, James Libby, David O'Malley (Transportation Commissioner), Rick Robb (Transportation Commissioner), Robert Testa, and Doreen O'Brien (Transportation Commissioner). Mayor Phillips closed the Public Hearing. A lengthy discussion about the ordinance followed. Several members of the Transportation Commission expressed their thinking that the ordinance should have been introduced as 4 separate ordinances, because it addresses 4 very different areas.

motion M/M by O'Brien, 2nd by Williams to send Ordinance #97-05 back to the Transportation Commission, to be re-worked with the City Attorney and brought back to the Council as 4 separate ordinances.

vote Roll call vote. Motion failed, 3-Yes, 2-No (Miller, Notti)

Item C: Discussion - Korean Church location issues (Weaver)

City Manager Weaver explained the current situation with the location of the Korean Church (Eunkang Church of God). A memo from City Attorney Lee Sharp, included in the Council packet, explained the various options open to the City.

motion M/M by Miller, 2nd by O'Brien to direct the City Manager to pursue Option #4, and invite Planning Commissioner Warner to the negotiation meetings.

motion S/M by Williams, to amend the previous motion by placing the Bill of Sale for the building in escrow, and having the building revert to the City if it isn't moved by a specified date.

failed Motion failed for lack of a second.

vote M/M Voice vote. Motion carried, 4-Yes, 1-No (Williams)

Mr. Weaver agreed that Option #4 was the best one to pursue, but asked the Council to specify exactly which section of the lot they would like the Church moved onto. The question is how does the Council wish to use the property of the City. City Planner John Malone can assist the Council in selecting a good site, if desired.

motion M/M by O'Brien, 2nd by Miller to direct the City Manager to report back to the City Council within 45 days as to the status of negotiations and relocation; at which point the Council can again discuss how to proceed.

vote Voice vote. Motion carried, unanimously.

Item D: Discussion - City Encroachment on Elsie Active property (Miller) - removed.

Item E: Resolution #97-27, Support for Community Recreation Facility (Miller)

Council member Miller read the Resolution, amending it by adding support for the "Antone Anvil Bike Path" in addition to the Community Multi-purpose Recreation Facility.

motion M/M by O'Brien, 2nd by Williams to adopt Resolution #97-27.

vote Voice vote. Motion carried, unanimously.

Item F: Discussion - Council sponsoring of other Ballot Initiatives - Bed Tax, 2% Increase in Sales Tax, and \$200/year heavy road equipment fee, and \$50/year fee for all other vehicles (Miller)

Council member Miller, who requested the agenda item, explained his reasons for requesting the ballot initiatives. Mr. Miller challenged the Council to put forward a series of revenue-producing ideas. Council member Williams questioned why a bed tax would be on the ballot, when it doesn't require voter approval. Mr. Miller responded that he wants to get input from the voters. Council member Notti stated that road use fees should be lower, and should be levied on all non-registered vehicles.

motion M/M by Williams, 2nd by Miller to place on the regular October ballot an initiative to increase the sales tax by 2%.

motion S/M by Miller, 2nd by O'Brien to amend the motion by adding road use tax, bed tax, and municipal classification to the ballot.

vote S/M Voice vote. Motion failed, 3-Yes, 2-No (Notti, Williams)

vote M/M Voice vote. Motion carried, 4-Yes, 1-No (Notti)

Council member Williams referred the bed tax issue to the Finance Committee for further discussion. Council member Miller added that he would like the Finance Committee to develop an ordinance authorizing road use taxes. Council member Notti noted that the road use tax ordinance

should include all off-road vehicles. Council member Miller stated that he would prefer off-road vehicles to be addressed in a separate ordinance.

X. NEW BUSINESS

Item A: Introduction of Ordinance #97-06 - Fiscal Year 1997-1998 Budget (Weaver)

Finance Director Bonnie Duke reviewed the budget, which had been updated based on changes made during Council budget work sessions. One major change is a large reduction in the cost to repair Ptarmigan Street and 4th Avenue. Ms. Duke answered several questions from the Council.

motion M/M by Miller, 2nd by O'Brien to add \$5,000 for recycling to the Landfill Operations budget.

City Manager Weaver noted that the \$5,000 would be used to assist with the Bethel Recycling Center's pilot recycling project in Bethel Heights.

vote Voice vote. Motion carried, 4-Yes, 1-No (Williams)

motion M/M by O'Brien, to add \$120,000 for a new ambulance to the Fire Department budget, contingent upon the sale of the old ambulance and the review and application for all available grant funds.

motion S/M by Notti, to amend the main motion by adding \$40,000 rather than \$120,000.

failed Motion failed for lack of a second.

withdrawn M/M withdrawn by Council member O'Brien.

motion M/M by O'Brien, 2nd by Williams, to add \$60,000 for a new ambulance to the Fire Department budget, contingent upon the review and application for any and all available grant funds.

Discussion followed on the cost of a new ambulance, the potential resale value of the old ambulance, and the value of keeping the old ambulance. Fire Chief George Young answered questions from the Council.

vote Voice vote. Motion carried, unanimously.

motion M/M by Williams, 2nd by Notti, to suspend the rules of procedure to allow the meeting to continue past 10:00 p.m.

vote Voice vote. Motion carried, 4-Yes, 1-No (Miller)

motion M/M by O'Brien, 2nd by Miller, to add \$25,000 for work on the new cemetery to the Community Services budget.

Discussion followed on what the \$25,000 would cover. Acting Public Works Director Clair Grifka noted that it would pay for a chain link fence on three sides of the cemetery, improvements to the access road, and sandfill and leveling for one of the nine sections of the cemetery.

vote Voice vote. Motion carried, 4-Yes, 1-No (Notti)

motion M/M by Miller, 2nd by O'Brien, to introduce Ordinance #97-06 as amended.

vote Voice vote. Motion carried, 4-Yes, 1-No (Williams)

Item B: Introduction of Ordinance #97-07 - City Classification Plan (Weaver)

motion M/M by Williams, 2nd by O'Brien to introduce Ordinance #97-07.

vote Voice vote. Motion carried, unanimously.

Item C: Discussion - City-owned Apartment Rentals

City Manager Weaver noted that the Council had requested a discussion of the two City-owned apartments currently being rented. Fire Chief George Young distributed copies of the current lease for the apartment behind the Fire Station, and spoke in favor of continuing to rent the Fire Station Apartment, and the Pumphouse Apartment, to City employees. Mr. Young explained that the tenant of the Fire Station apartment is required to be an EMT, to be proficient on all Fire Station equipment and vehicles, and to assist during emergencies. A similar agreement and lease could be developed for the Pumphouse Apartment.

motion M/M by Notti, 2nd by O'Brien to continue leasing the Fire Department apartment in accordance with the current lease agreement, and to direct the City Manager to work out a similar lease with the occupant of the Pumphouse Apartment.

vote Voice vote. Motion carried, unanimously.

Item D: Discussion - Change of Stop Sign at Corner by QFC-I.

The City Manager explained that the DOT&PF would like Council endorsement of their plans to move the stop sign across from the QFC-I. The change is a part of the Ridgecrest Drive Rehabilitation Project. The plan calls for the stop sign to be moved so that south-bound traffic on Ridgecrest must stop at the intersection with Akakeek.

motion M/M by Williams, 2nd by O'Brien to endorse the DOT&PF's plans to move the Stop Sign across from the QFC-I.

Discussion on the motion followed. Council member Notti questioned why the DOT&PF would slow traffic on Ridgecrest, after paving the road. City Manager Weaver explained that the stop sign will divert traffic away from the schools on Ridgecrest between Akakeek and Ptarmigan, and route more traffic past the ANICA store on Akakeek.

vote Voice vote. Motion carried, unanimously.

Item E: Resolution #97-28, authorizing the acquisition of rock from Red Samm.

motion M/M by Miller, to adopt Resolution #97-28, authorizing the acquisition of rock from Red Samm, in exchange for sand from the City's sandpit, per the current proposal offered by Red Samm.

City Attorney Lee Sharp, on teleconference, explained that to acquire the rock from Red Samm per the current proposal, would be a violation of the City's purchasing ordinances. The rock will have to be acquired via a competitive bid.

failed Motion failed for lack of a second.

Mr. Sharp continued to explain the City's options. He recommended an ordinance to amend the City's Purchasing laws, Title 4.20 of the Bethel Municipal Code. The amendment would provide for a more expedient purchasing process in situations where a favorable price or condition of sale is contingent upon the City's ability to quickly complete an acquisition. Further discussion followed. Mr. Sharp also explained that he believes the City's agreement with Calista does allow for the sale of sand from the sandpit for projects of this nature.

motion M/M by Notti, 2nd by O'Brien, to schedule a special meeting for Thursday, May 29, at 7:30 p.m. at the City Office Conference Room to introduce ordinances allowing for expedited purchasing, and sale of sand from the City's sandpit.

Council member Miller noted that he would be unable to attend the meeting.

vote Voice vote. Motion carried, unanimously.

XI. COUNCIL MEMBER COMMENTS

Miller - Pre-screening for enrollment of children ages 3-5 is available at AVCP Headstart. Will attempt to reduce 4th of July booth fees for seniors. Encouraged people to nag Council members about dust control.

Notti - Thanked the cab drivers who attended the meeting to speak about Ordinance #97-05.

O'Brien - Wished everyone a safe and fun Memorial Day Weekend.

Phillips - Encouraged Council members and the public to maintain proper decorum in speech and dress at meetings. Thanked Elizabeth Benson for her efforts on the Comprehensive Plan update. Thanked Maureen Harwood for her work on the FAS Walk. Congratulated Don Reardon, BHRS Class of '93, as first college graduate of that class.

Richardson - absent, no comment.

Rodgers - absent, no comment.

Williams - Encouraged everyone on the river to wear their PFD's.

XII. EXECUTIVE SESSION

motion M/M by Williams, 2nd by O'Brien to take a 5-minute break, and reconvene in Executive Session for the purpose of reviewing legal matters handled by Hicks, Boyd, Chandler & Falconer and the mediation strategy in the Rodgers v. City of Bethel case, at 11:25 p.m.

vote Voice vote. Motion carried, unanimously.

motion M/M by Williams, 2nd by O'Brien to come out of Executive Session, at 11:55 p.m.

vote Voice vote. Motion carried, unanimously.

XIII. ADJOURNMENT

motion M/M by Williams, 2nd by O'Brien to adjourn the meeting, at 11:55 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 10TH DAY OF JUNE, 1997.

Agnes L. Phillips
Agnes L. Phillips, Mayor

ATTEST:

L.J. Warren
L.J. Warren, City Clerk