

CALL TO ORDER

Mayor Guinn called the meeting to order at 7.37 pm.

ROLL CALL

Present: Binkley, Buttane, Carpenter, Guinn,
Sullivan, Veit

Absent: Hoffman

APPROVAL OF MINUTES

M/M by Buttane, 2nd by Sullivan to accept the minutes of the 9/19/84 Council meeting as presented. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Sullivan, 2nd by Carpenter to approve the agenda with the following changes:
a. place Canvass of Election after Agenda Approval
b. add to New Business:
Item E: Resolution 442
Item F: Council Retreat
Voice vote, motion carried.

CANVASS OF ELECTION

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The canvass of the October 16 run-off election for Council seats 4 and 7. The canvass was scheduled for October 18; however, the canvass board could not be properly constituted on that day and the canvass was re-scheduled for October 22.

Council recessed from 8.43 - 8.50 pm.

Motion

M/M by Sullivan; 2nd by Buttane not to accept 15 questioned ballots for the following reasons:

- a. improper registration
- b. no registration
- c. late registration

Voice vote, motion carried.

motion

M/M by Sullivan, 2nd by Buttane to accept 27 questioned ballots. Voice vote, motion carried.

motion

M/M by Buttane, 2nd by Sullivan to accept 20 absentee ballots. Voice vote, motion carried.

motion

M/M by Buttane, 2nd by Sullivan to certify the results of the run-off election for Council seats 4 and 7 as follows:

SEAT 4:	Bainton	378	Hoffman	287
SEAT 7:	Fenn	393	Anvil	272

Voice vote, motion carried.

MANAGER'S REPORT

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City Manager Hoffman reported on the following items:

- a. the Council selection of a Mayor will take place at the November 12 Council meeting
- b. Weinland Circle access road has been put in
- c. former Police Chief Varnell will vacate his City owned housing on November 1
- d. the Y-K Delta needs assessment is available at City offices
- e. the Roland case material will be presented to Council later in the week
- f. information from the City Attorney regarding the Pensgard drainage problem should be available from the City Attorney later in the week
- g. Mr. Hoffman read a statement requesting Council to buy out the remainder of his contract, the buy-out to be effective January 1, 1985. (Council took no action on the request)

Councilmember Buttane urged Council to seriously consider the buy-out request by the City Manager.

MAYOR'S REPORT

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Mayor Guinn reported to Council on the following items:

- a. Corliss Taylor was appointed to the Police Chief selection committee
M/M by Binkley, 2nd by Sullivan to approve the appointment of Corliss Taylor to the Police Chief selection committee. Voice vote, motion carried.
- b. a preliminary meeting of the Police Chief selection committee will be held on October 29 at 3 pm
- a. c. Andy Edge has resigned as Chairperson of the Port Commission; recommend Stephen Constantino for membership on the Port Commission
M/M by Sullivan, 2nd by Carpenter approving the appointment of Stephen Constantino to the Port Commission. Voice vote, motion carried.
Councilmember Binkley abstained from voting.

motion

motion

Councilmember Buttane recommended that a letter of appreciation be sent to Mr. Edge for his work on behalf of the City. Council concurred in the recommendation and referred the matter to Administration.

POLICE CHIEF REPORT

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Acting Police Chief Clayton reported to Council on the following items:

- a. the officer in charge of the drug dog has resigned; the City is reviewing the drug dog program with the possibility of transferring the dog to the State Troopers. Councilmember Buttane recommended that the dog be loaned but not transferred to the Troopers. City Manager Hoffman noted that the Troopers were to report back to the City on the proposal.
- b. review of the handling of protective custody cases; the Department now takes PC's to PHS for examination which is a time consuming process for the Officers. Acting Chief Clayton asked for Council direction in the matter. The matter will be addressed later in the agenda.
- c. curfew violators are being picked-up; the Department is having a City-wide siren installed to notice curfew time
- d. a cadet officer program is being organized
- e. an Officer Bill program is being organized for the school system
- f. the river patrol ceased operation October 22
- g. the Department has established a drop-card security check; information is available on the program from the Police Department
- h. additional arrests are expected in the drug investigation
- i. animal control report
- j. recommended that the City establish trails for 3-wheelers and snow machines within Bethel
- k. Officer Schneider has completed the Police Academy training; all officers have completed academy training

Councilmember Sullivan informed Council that the Planning Commission is developing a trail system.

REPORTS OF STANDING
COMMITTEES

REPORTS OF STANDING COMMITTEES

There were no Standing Committee reports.

PEOPLE TO BE HEARD

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Al Kramer addressed Council concerning the drinking problem in Bethel and the resultant number of intoxicated people on the streets. Mr. Kramer suggested that a facility is needed to provide a place for people who come to Bethel to shop or visit.

Mr. Chuck Nemec was introduced by Mr. Kramer. Mr. Nemec is a certified counselor who expressed an interest in assisting with the alcohol problem at Bethel.

PEOPLE TO BE HEARD
CONTINUED

Thom Foote asked Council if the Council committee system was going to be re-established. Mayor Guinn suggested that the new Council should address the question of the function of Council committees.

Councilmember Veit requested that Council in the near future seek an alternative sight for Council meetings.

Steven Constantino asked council what type of insurance company was defending the City in its suit with Mr. Southern. City Manager Hoffman indicated that the defense would be undertaken within the City's public official liability coverage.

UNFINISHED BUSINESS

PUBLIC HEARING, ALCOHOL/VIOLENCE TASK FORCE

Item A: Alcohol/
Violence Task Force

Diane Carpenter, Chairperson of the Task Force, reviewed for Council the work of the Task force. The Governor's Criminal Justice Working Group will be in Bethel on November 2 to meet with the Task Force on the problem. The Task Force is negotiating with the Johnson Institute for assistance with solving the alcohol problem at Bethel.

Public Hearing from 8.40 - 9.20 pm.

A discussion took place concerning the problem of how to handle protective custody cases. Joe Ryan, PHS Administrator, informed Council that the present system of bringing PC's to the hospital has placed a strain on the hospital's limited resources and manpower; that a clarification of the law is needed so as to better define responsibilities under the law. Mr. Ryan suggested that screening needs to be done at less than physician level; perhaps para-medics could assume that role.

Another problem to be addressed by the Task force is potential over-crowding at the new jail facility and the impact that will have on the facility's handling of PC cases.

Ms. Carpenter informed Council that a citizens group is meeting at Thursday noon, Kusko Inn, to discuss economic issues within the Bethel community as they relate to the alcohol problems.

Councilmember Veit suggested that the Council needs to give direction to the Police Department concerning PC's.

Councilmember Binkley expressed concern regarding City liability in handling PC cases; that the present State law does not allow arrest for public drunkenness.

UNFINISHED BUSINESS
CONTINUED: Item A

Councilmember Veit noted that drunks locating at businesses pose a problem for the businessman and recommended that the Police remove such drunks; that PC's need to be held accountable for their actions.

Ms. Carpenter requested that Council adopt the draft statement of the Task Force. Councilmember Buttane opposed adopting the draft statement at this time and recommended that the Task Force continue to work from within the scope of the draft document. Ms. Carpenter indicated that the Task Force required direction from Council and was not asking the Council to adopt the preliminary report as the final report by the Task Force. Mr. Buttane suggested that Council has already given conceptual approval to the work of the Task Force and that it should continue.

motion

M/M by Binkley, 2nd by Sullivan to adopt the preliminary report of the Alcohol and Violence Task Force as presented and to direct the Task Force to proceed. Poll vote, motion passed unanimously.

Councilmember Sullivan suggested that Council may want to establish a commission to work in this area.

Councilmember Buttane urged the residents of Bethel and the Delta to continue to meet concerning the problem and to seek village elder input into the discussions.

Item B: Permit
Transfer

PERMIT TRANSFER

City Manager Hoffman reviewed the request to transfer Isaac Mute's 2 limo permits to Larry Black. At this time there are no recommendations from the Public Safety committee.

Mayor Guinn indicated that the Planning Commission will review transportation within Bethel in its review of the Bethel Comprehensive Plan.

Councilmember Carpenter indicated that the City needs a formula to determine how many cab permits should be issued.

Councilmember Binkley expressed a concern that the City may be responsible for any monetary value attached to the permits if the City seeks to take back a permit that it has issued.

Councilmember Veit supported the transfer.

UNFINISHED BUSINESS
CONTINUED: Item B

motion

M/M by Binkley, 2nd by Sullivan to table the matter until a time certain. Voice vote, motion failed

M/M by Veit, 2nd by Buttane to approve Modification 8 to Resolution 242 granting the transfer of Isaac Mute's limo permits to Larry Black. Voice vote, motion carried.

Item C: Land
Disposal Ordinance

PUBLIC HEARING ON LAND DISPOSAL ORDINANCE

A Public Hearing was held on the proposed ordinance from 9.37 9.45 pm.

City Manager Hoffman reviewed the ordinance for Council and informed Council that the Planning Commission recommends passage of the ordinance.

motion

M/M by Buttane, 2nd by Sullivan to adopt Ordinance 151 with the following deletion: p 3(B) ...or otherwise provided within this title. Poll vote, motion carried unanimously. The effective date for Ordinance 151 was set for November 1, 1984.

motion

M/M by Buttane, 2nd by Sullivan to repeal Ordinance 74, the present land disposal ordinance. Poll vote, motion passed unanimously.

motion

M/M by Sullivan, 2nd by Binkley to go past 10 pm. Voice vote, motion passed.

Council recessed from 9.58 - 10.09 pm.

Item D: Water Tank
Size Ordinance

PUBLIC HEARING ON AMENDMENT 1 TO ORDINANCE 82,
WATER TANK SIZE REQUIREMENTS

Public Hearing from 10.10 - 10.33 pm.

Planning and Public Works Departments recommended that sewer tank sizes be 200 gallons larger than water tank size and that each additional bedroom require an additional 100 gallons water tank capacity. A discussion took place concerning the tank size requirements. Concern was expressed by those in attendance that increases in the mandatory water tank size would eliminate low priced housing from the Bethel market and that mandatory water tank sizes were impractical for existing older homes. Mayor Guinn informed Council that if the City does not establish a minimum tank size then the D.E.C. 1000 gallon/bedroom would be applied to Bethel. Councilmember Buttane stated that the ordinance does not meet the needs for small, efficient housing at Bethel.

motion

M/M by Sullivan, 2nd by Binkley to adopt Amendment 1 to Ordinance 82 with the following changes to paragraph 8:

- a. 300 gallons per tank per one bedroom unit
- b. 100 additional gallons per additional bedroom
- c. sewage holding tanks shall be sized 200 gallons larger than the minimum size water tank
- d. ...such approval or denial subject to review by the Bethel City Council.

Poll vote, 5 yes, 1 no (Buttane)

Item E: AVCP
Land Lease

AVCP LAND LEASE

Public Hearing from 10.39 - 10.44. No public comment. M/M by Buttane, 2nd by Sullivan to table the matter until the next Council meeting. Voice vote, motion carried.

motion

Council noted that the lease should be specific as to the use and should contain a reverter clause running to the City for non-performance.

Item F: Small
Boat Harbor

SMALL BOAT HARBOR

M/M Binkley, 2nd by Sullivan to table the matter until the next Council meeting. Voice vote, motion carried.

NEW BUSINESS

Item A: Oath
of Office

OATH OF OFFICE

City Clerk Maiers administered the oath of office to new Councilmembers Suzanne Fenn and Marge Bainton.

Council recommended that outgoing Councilmembers receive a letter of appreciation and plaque honoring their service on Council.

Councilmember Buttane was excused from the meeting.

Item B: Fire
Fighter Resolution

RESOLUTION 440 REQUESTING FIRE TRAINING TOWER FUNDS

M/M by Sullivan, 2nd by Binkley to approve Resolution 440. Voice vote, motion carried.

Item C: Capital
Projects FY '85

FY '85 CAPITAL PROJECT LIST

Public Hearing from 11.10 - 11.38.

Dan Boyette, Special Assistant to the City Manager, presented to Council a proposed list of projects for consideration by Council.

motion

M/M by Sullivan, 2nd by Carpenter to recess until 5 pm on October 24. Voice vote, motion carried.

motion

M/M by Sullivan to recess. The meeting recessed at 11.45 pm until 5 pm on October 24.

10/24/84 - 5.10 pm
CONTINUATION OF
10/22/84 MEETING

City Manager Hoffman called the meeting back to order at 5.10 pm. Councilmembers Binkley and Guinn were absent from the reconvened session of Council.

Item C: Capital
Projects Cont.

Public Hearing from 5.10 - 5.20 pm.

motion

The following list of projects was set by Council for submission to the Governor. The list is in priority order.

motion

1. M/M by Carpenter, 2nd by Fenn setting the PATC expansion as the City's top capital project for FY '85. Voice vote, motion carried.
2. M/M by Bainton, 2nd by Carpenter setting the recreation center as the City's second priority for FY '85. Voice vote, motion carried.
3. M/M by Veit, 2nd by Bainton setting emergency equipment as the City's third priority for FY '85. Voice vote, motion carried.
4. M/M by Carpenter, 2nd by Veit setting wing walls for the petro port as the City's fourth priority for FY '85. Voice vote, carried.
5. M/M by Veit, 2nd by Bainton setting Mission Road Extension of Seawall (700') as the City's fifth priority for FY '85. Voice vote, motion carried.

motion

NEW BUSINESS CONT

Item D: City
Attorney Contract

CITY ATTORNEY CONTRACT

City Manager Hoffman reviewed for Council the present City Attorney contract and asked for Council direction in the matter.

Councilmember Veit suggested either hiring a full-time attorney to work on staff or to hire an out-of-town firm and have an assistant on staff at Bethel. Councilmember Veit supported hiring a local attorney to serve as the City's attorney.

motion

M/M by Veit, 2nd by Carpenter directing Administration to have the City Attorney present at all Council meetings. Voice vote, motion carried.

Council set November 5, 7.30 pm, as a Council work session on the matter of the Bethel City Attorney.

Item E: Resolu-
tion 442

RESOLUTION 442, REVENUE SHARING

motion

M/M by Carpenter, 2nd by Fenn to approve Resolution 442, a resolution requesting revenue sharing funds for FY '85. Voice vote, motion carried.

Item F: Council
Retreat

COUNCIL RETREAT

Council discussed the possibility of a retreat for Councilmembers. Councilmember Carpenter suggested a Saturday - Sunday format with a facilitator present to conduct the retreat. Council concurred with the idea of a retreat but set no date for the retreat. The matter will be discussed at the November 5 work session.

Council set November 7, 7.30 pm, as a work session with Parks/Recreation concerning the proposed recreation center.

ADJOURNMENT

M/M by Carpenter to adjourn. The meeting adjourned at 6.20 pm.

PASSED AND APPROVED THIS *10th* DAY OF DECEMBER, 1984.

ATTEST:

Wayne J. Maiers
Wayne J. Maiers, City Clerk

Joe Sullivan
Joe Sullivan, Mayor