CITY COUNCIL
Antone Anvil
Dario Notti
Mike O'Brien
Agnes Phillips, Mayor
Stanley Rodgers
Karol Sanchez-Pobrislo
Thor Williams

CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

City of Bethel
Regular Council Meeting Minutes
October 14, 1997

I. CALL TO ORDER

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

II. ROLL CALL

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

Also present: City Manager, City Clerk, and 13 members of the public.

III. PEOPLE TO BE HEARD

Marc Stemp, President of Bethel Native Corporation, addressed the Council with regards to the proposed land exchange with BNC for property near the small boat harbor.

Rex Young, Area Planner for the Alaska DOT&PF, discussed the City's STIP (Statewide Transportation Improvement Plan) nominated projects. Mr. Young stated that he would write a project nomination for a bike trail from the airport to the city center and Tundra Ridge subdivision. The State's project evaluation board will meet on October 24, 1997, and a Council Resolution should be adopted and sent to the board. Mr. Young also pointed out that a grant of approximately $50,000 has been awarded to the City by the State, and will be used to develop an overall transportation plan in conjunction with the City's comprehensive plan update.

IV. APPROVAL OF MINUTES.

Mayor Phillips noted a few typos in the minutes of September 23 and September 26.

motion M/M by Miller, 2nd by O'Brien to approve the minutes of the September 23 regular meeting, September 26 special meeting, and October 9 special meeting, with corrections as noted.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Council member Richardson questioned why Kasayuli Subdivision was scheduled for discussion under Old Business, and a Resolution to dedicate the road right-of-way to Kasayuli Subdivision was scheduled under New Business. Council Member Williams, who requested the Old Business item, stated that he wanted to discuss other matters not directly related to the road right-of-way.

motion M/M by Miller, 2nd by Richardson to approve the agenda as presented.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips expressed appreciation for former Mayor Richardson's efforts.

Next, Mayor Phillips announced that PILT funds would be paid to the City in the near future, and thanked Governor Knowles for his efforts.

Information is included in the packet with regards to the Kuskokwim Coordinated Response Partnership. Mayor Phillips has been attending their meetings on a regular basis, as has Stuart Greydanus, Port Director. The Mayor thanked Mr. Greydanus for his letter to Jim Sanders, DCRA's Response Coordinator, which detailed the anticipated sales tax decreases due to the fish crisis.

Lastly, Mayor Phillips appointed Ms. Meg McKinney to the Youth Services Committee

motion M/M by Miller, 2nd by Williams to ratify the appointment of Meg McKinney to the Youth Services Committee.

vote Voice vote. Motion carried unanimously.

VII. MANAGER'S REPORT

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

- Mission Drive Sewer Line Repairs - Faulkner Walsh Constructors was selected to do the repair work, which should start in the next few days.
- Underground Storage Tank (UST) Removal: The City Manager noted that capital funds were not specifically allocated for the UST remediation, and only $5,000 was budgeted for environment cleanup. However, $70,000 was allocated for the fire tower cleanup, a project which can likely be completed in-house at minimal cost. Mr. Weaver recommended moving the $70,000 into a line item for the UST cleanup.

motion M/M by Notti, 2nd by Richardson to authorize the City Manager to move $70,000 allocated for fire tower cleanup into a line item for UST remediation.

vote Voice vote. Motion carried unanimously.

motion M/M by Richardson, 2nd by O'Brien to award the bid for the UST remediation to Harding Lawson Associates, for $55,000 plus $95 for every cubic yard of contaminated soil removed from the site.

vote Voice vote. Motion carried unanimously.

- Fire Department Paint Job - in response to a question from Council member Williams, the City Manager explained that it is an administrative matter which he is handling.
- Financial Reports from City Manager - Council member Williams requested financial reports to indicate the City's spending relative to the budget.
- CDBG Honeybucket Grant - Mr. Weaver noted that he has requested an extension of the grant, based on the successful conversion of 13 homes from honeybuckets to toilets/tanks. Council member Miller expressed his concerns over the grant requirements, noting that the City won't simply deliver the materials and allow the homeowner to perform the labor.
- Barge near entrance of small boat harbor - In response to a question from Council member Williams, the Port Director, Stuart Greydanus, responded that he has inspected the location,

and the barge is not blocking traffic access to and from the ice road. Council member Richardson noted that the Public Safety Commission recommended that the barge be moved.

- Accounting Firm - in response to a question from Council member Richardson, Mr. Weaver noted that the contract for accounting services will be put out to bid in the spring of 1998.
- Ice Road - Mr. Weaver noted that only one potential bidder for the ice road contract showed up at the City's meeting to discuss the topic. The meeting had been scheduled due to the many concerns expressed by ice road travelers last winter.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

The City Clerk read the Finance Committee's recommendation on the lodging business tax.

Finance Committee: Mayor Phillips reported that the Committee recommends a 3% per lodger day fee, instead of the $7.00 per lodger day selected by the Council.

Planning Commission: City Planner John Malone reported on the last Planning Commission meeting. The minutes are in the packet.

Port Commission: Port Director Stuart Greydanus noted that the Commission's next meeting hasn't been officially scheduled, but will probably be on the last Monday of October.

Public Works Committee: Council member O'Brien noted that the next scheduled meeting is October 21, 7:30 p.m. at the Public Works Shop.

Public Safety Commission: Council member Richardson noted that she was in the hospital during the last meeting, and that her absence should be noted as excused, not unexcused.

Transportation Commission: Council member Williams reported that the next scheduled meeting is October 16, 7:00 at the City offices.

Youth Services Committee: Council member Miller reported that the Committee had met tonight at 5:00 p.m., and he was unable to attend.

IX. OLD BUSINESS

Item A: Discussion - DOT&PF Statewide Transportation Improvement Plan (Weaver)

Mr. Rex Young, Area Planner for the DOT&PF, discussed the City's 1998 STIP nominations, and briefly explained the Front Street loop paving project. This project will recycle the asphalt torn up from the Ridgecrest Drive rehabilitation project. Mr. Young noted that the Council needed to select their priorities for the 1999 STIP. Council discussion followed, with the following priorities selected:

1. 4th Avenue
2. Main Street, between 3rd and 7th Aves.
3. 7th Avenue
4. Willow Street
5. Atsaq Street (2nd Road, Housing)
6. Separated bike path from Airport to City Center.

motion M/M by Miller, 2nd by Richardson to renumber the Resolutions in the packet, and add Resolution #97-50, STIP project nominations, based on last year's STIP resolution format, but nominating the projects listed at the current meeting.

vote Voice vote. Motion carried, unanimously.

motion M/M by Miller, 2nd by Williams to adopt Resolution #97-50.

vote Voice vote. Motion carried, unanimously.

Item B: Discussion - Putting Bethel on the Map (Miller)
Council member Miller encouraged the City to budget approximately $5,000 to promote the City. Council member O'Brien noted that the Chamber of Commerce is developing a 50-60 page brochure, which will promote the City, and the various business and attractions. Council member Williams questioned if the City has decided if it really wants to be on the map. If so, we should be addressing problems such as water and sewer, other infrastructure and clean up. Council member Miller remarked that the City needs to develop some sort of economic base. Council member Richardson pointed out that not everyone is in favor of promoting tourism and the additional people and problems it could potentially bring.

Item C: Discussion - Kasayuli Subdivision (Williams)
Council member Williams expressed concerns about the Council's adoption of the resolution dedicating the road right-of-way for Noel Polty road, the main road into the subdivision. He had thought the Council agreed to wait until all of the problems with the road were worked out before dedicating the right-of-way. Mr. Williams also noted that the Council had not been advised as to the status of the access permits. They approved the permits, but have not heard whether or not the permits were issued. Council member O'Brien reported that the permits were signed and are in effect. Mr. O'Brien added that he supported the dedication of the road right-of-way, after attending the Planning Commission meeting of September 25, where all of the issues concerning the road and the subdivision plat were discussed.

Item D: Discussion - Petition to become First Class City (Williams)
Council member Williams noted that although the advisory vote to become a first class city failed, Resolution #97-28, adopted earlier in the summer, directed the City manager to prepare a petition for re-classification, and this should still be completed. Discussion followed.

motion M/M by Notti, 2nd by O'Brien to halt any further study of reclassification.

Discussion followed. Council members Miller and Richardson stated that they would vote against the motion. Both felt that the City did not provide enough public education on the issue.

motion S/M by Miller, 2nd by Richardson, to amend the motion by adding "but to continue the public education process."

vote Voice vote. Motion carried, unanimously.

vote Vote on M/M. Motion failed, 1-Yes (Notti) 5-No

motion M/M by Miller, 2nd by Richardson, that the City recognizes the results of the advisory ballot questions about a change in municipal status, but encourages further public education on the topic.

vote Voice vote. Motion carried, unanimously.

Item E: Discussion - Elsie Active Encroachment (Miller)
Council member Miller, noting that this was his last Council meeting, asked for an update on the City's progress in resolving the encroachment. City Planner John Malone stated that Orutsararmuit Native Council is the agent appointed by the BIA, (trustee for Ms. Active's property) and that they have not been contacted by Ms. Active. Ms. Active will need to contact Orutsararmuit Native Council, and ask them to take action on her behalf. Council member Miller responded that the City knows they are trespassing on her property, and that the City should do what they can do to rectify

the situation. Council member Richardson, noting that the BLM is coming to Bethel to perform the 14(c)3 surveys, suggested that the City should ask them to re-survey suspected encroachments while they are here.

motion M/M by Miller, 2nd by Williams, to direct the City Manager to contact the BLM, and arrange for them to survey potential encroachments while they are in Bethel.

vote Voice vote. Motion carried, unanimously.

motion M/M by Miller, to direct the City Manager to approach Orutsararmuit Native Council to discuss obtaining federal money for road improvements.

failed Motion failed, no second.

X. NEW BUSINESS

Item A: Changeover to New Seated Council

City Manager Ken Weaver presented appreciation plaques to outgoing Council members Miller and Richardson. Ms. Richardson and Mr. Miller thanked the Council, wished the new members good luck, and said they enjoyed their terms. Newly elected Council Members Antone Anvil and Karol Sanchez-Pobrislo joined the meeting at this time. The City Clerk administered the oath of office to the newly elected council members and to re-elected council member Dario Notti. Council member Rodgers, who was also re-elected, was absent due to illness. It was noted that he could be sworn in at the next regular meeting.

Election of Mayor and Acting Mayor

Mayor Phillips opened the floor to nominations for a new mayor. Council Member Williams nominated Council Member O'Brien. Council member Notti nominated Ms. Phillips.

motion M/M by Anvil, 2nd by Williams, to close nominations for Mayor.

vote Voice vote. Motion carried, unanimously.

Secret ballots were distributed and the council members voted. *Mayor Phillips was elected for a second term, 4 votes to 2.*

Mayor Phillips opened the floor to nominations for an Acting Mayor. Council Member O'Brien nominated Council Member Rodgers. Council Member Anvil nominated Council Member Notti.

motion M/M by O'Brien, 2nd by Sanchez-Pobrislo, to close nominations for Acting Mayor.

vote Voice vote. Motion carried, unanimously.

Secret ballots were distributed and the council members voted. The first round of voting resulted in a tie. A second set of ballots was distributed and council members voted. *Council member Rodgers was elected to a second term as Acting Mayor, 4 votes to 2.*

Assignment to Committees and Commissions

With Council consent, Mayor Phillips made the following appointments:

Planning Commission	Dario Notti
Port Commission	Tundy Rodgers
Transportation Commission	Thor Williams
Finance Committee	Agnes Phillips

Public Safety Commission	Antone Anvil
Public Works Committee	Mike O'Brien
Senior Advisory Board	Antone Anvil
Youth Services Committee	Karol Sanchez-Pobrislo

Nomination of candidate for AML District 9 Director
Council member Notti nominated Council member O'Brien. No other nominations were made.

motion M/M by Notti, 2nd by Williams, to elect Council member O'Brien as a candidate for the position of AML District 9 Director.

vote Voice vote. Motion carried, unanimously.

It was agreed that Council members Anvil, O'Brien, and Sanchez-Pobrislo would attend the AML Conference in November. The City Clerk noted that the Council had only budgeted for attendance by two Council members. City Manager Ken Weaver offered to pay for Mr. O'Brien's travel from the Administration budget. The City Clerk was directed to make the necessary travel arrangements.

Item B: City of Bethel World Wide Web Page (O'Brien)
Council member O'Brien remarked that a presence on the WWW is one way for the City to let people know about Bethel. The Chamber of Commerce established a web page recently, and have had numerous visits to the site by people surfing the Internet. Council member Sanchez-Pobrislo noted that when she first prepared to move to Bethel, she looked for information on the Web, but found very little. The City Clerk has been trained in writing the code for web pages, and the City could purchase space on the Chamber's server for approximately $29.00 per month.

motion M/M by Notti, 2nd by Sanchez-Pobrislo to spend $29.00 per month (approximately) for space on the Chamber of Commerce server, and have the City Clerk prepare a web page to be linked to the Chamber's web site.

vote Voice vote. Motion carried, unanimously.

motion M/M by Williams, 2nd by Sanchez-Pobrislo to have the City Council review the web page designed by the Clerk before it is linked to the Chamber web page.

vote Voice vote. Motion carried, unanimously.

Item C: Discussion - City Sales Tax (Notti)
Council member Notti stated that he was approached by several people after their applications for sales tax exemption based on the City's Items for Resale exemption were denied. However, none of them came to tonight's meeting. Mayor Phillips noted that she had also been contacted, and the topic had been discussed at the last Finance Committee meeting.

At issue is whether restaurant's purchases of food for use in preparation of meals is considered a "sale for resale." An opinion from the City attorney states that such purchases are not exempt. Council member O'Brien noted that he has been told that the process for receiving the exemption is complicated and time-consuming. The City Clerk noted that the applications can be processed through the mail, and only need to be done once a year, not each time a purchase is made.

City Manager Weaver noted that many other cities exempt wholesale purchases. The problem in Bethel is that restaurants are purchasing food locally, but are not receiving wholesale prices. They would prefer to continue to purchase locally. It was agreed that this matter would be taken up by the Finance Committee during their upgrade to the sales tax ordinances.

Item D: Resolution #97-51, Dedication of Road Right-of-Way (Planning Commission)
City Planner John Malone explained the purpose of the Resolution. It would dedicate the remaining right-of-way for Noel Polty road, not already dedicated by Resolutions #97-45, -46, and -48. Discussion followed on the review of the Kasayuli subdivision by the Planning Commission.

motion M/M by O'Brien, 2nd by Notti to adopt Resolution #97-51.

vote Roll call vote. Motion carried, 5-Yes, 1-No (Williams).

Item E: Resolution #97-52, Authorizing an application for Emergency Services Grant (Weaver)

motion M/M by Williams, 2nd by Anvil to adopt Resolution #97-52.

vote Voice vote. Motion carried, unanimously.

XI. COUNCIL MEMBER COMMENTS

Anvil - Thanked the citizens who elected him. Will do what's best for the City, and will continue to work on bike trails.

Notti - Thanked the citizens who re-elected him and congratulated the new Council members.

O'Brien - Welcomed the new Council members, and noted that the Council has accomplished much during the previous year, through open dialogue and friendly relations.

Phillips - Thanked the Council for re-electing her as Mayor. Noted that it is extra work, but well worth it.

Rodgers - Absent, no comment.

Sanchez-Pobrislo - Stated that she enjoyed the meeting. She appreciates the patience on the part of the Council, and hopes to learn a lot.

Williams - Extended his best wishes to the new Council members, and stressed the need for open and honest communication.

XIII. ADJOURNMENT

motion M/M by Williams, 2nd by O'Brien to adjourn the meeting at 9:55 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 28TH DAY OF OCTOBER, 1997.

Agnes L. Phillips, Mayor

ATTEST:

L.J. Warren, City Clerk