
City of Bethel, Alaska

City Council Minutes

September 10, 2002

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on September 24, 2002, at 6:30 p.m. in the council chambers, Bethel, Alaska.

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

ROLL CALL

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

Stanley "Tundy" Rodgers
Dario Notti
Gary Vanasse
Hugh Short, Jr.
Carl Berger

Excused absence(s): Jerry Drake

Unexcused absence(s): Sue Trantham

Also in attendance were the following:

Bob Herron, City Manager
Janette Persinger, City Clerk

PEOPLE TO BE HEARD

Colleen Soberay, Deputy City Manager updated the council and members of the public on the progress of the Community Strategic Plan project and gave an overview of the first meeting planned for October 10, 2002 from 7:00 – 9:00 p.m. The meeting will be located at the Cultural Center. Deputy City Manager Soberay asked that council members become involved as volunteers and to invite others attend the meeting.

Paul Gregory thanked the Police Department for their efforts. Mr. Gregory stated that he supports the curfew ordinance and believes that it is essential for the community to become involved in the enforcement of the ordinance. Mr. Gregory expressed his concerns regarding vehicles that are traveling with an excessive amount of speed and loose dogs.

Police Chief Morris addressed the dog issue stating that the police department has been actively catching loose dogs and has been able to capture a "pack" that has been running loose in the Slough area.

Mr. Gregory requested that the City implement a Community Watch Program. City Manager Herron explained the Crime Stoppers program was implemented by members of the community and the police department but is no longer active due to the lack of community involvement. Police Chief Morris stated his desire to implement a Community Watch Program and will be looking in to the viability of the program.

APPROVAL OF MINUTES

MOVED BY:	Berger	To approve the minutes of the 8-27-02 regular meeting and 9-10-02 special meeting
SECONDED BY:	Notti	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

APPROVAL OF AGENDA

MOVED BY:	Vanasse	To approve the agenda as amended
SECONDED BY:	Notti	

Removal of item (D) from the consent agenda and add item (A) under new business – discussion of donation of property to People’s Learning Center. Deletion of executive session

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

MAYOR’S REPORT

Items included in the Mayor’s report:

- Press release from Governor Knowles office declaring economic disaster and request for financial aid for Western Alaska
- Press release from Governor Knowles office re: September 11 as Patriot Day
- Recommendation from Public Works re: the laundry mat
- Recommendation from the Public Safety & Transportation Commission re: the headlight ordinance and clarification of role
- Notice of City election
- Message from Senator Lyman Hoffman’s office re: voter turnout and voter registration

Mayor’s Appointment:

- Troy Ritter – Parks & Recreation Committee
- Jeff Severn – Port Commission

MOVED BY:	Short	To appoint Troy Ritter to the Parks & Recreation Committee and Jeff Severn to the Port Commission
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

MANAGEMENT TEAM’S REPORT

City Manager Herron’s report included the following:

- Report on Ququyk Street and 6th avenue
- The strip “reclaimed” on Standard Oil Road
- Lighting on Ptarmigan – it is possible to place four lights on Ptarmigan for \$1,000.00 or five lights for \$1300.00.
- Testing on H-Marker Lake is complete. No swimming is recommended to take place in the lake.
- A sixteen passenger bus has been identified to be purchased for the use by the Parks & Recreation Department. The cost for the bus is \$10,000.00. At this time the money for the bus has not been identified.

After discussion by council, the consensus was for the money to be identified to purchase the bus.

- The Site Closure Report and Certification for the City of Bethel Vehicle Maintenance Shop Facility 20,000 Gallon Tank has been transmitted to the Environment Protection Agency in Seattle.
- Memo to Public Works Committee re: recommendation to Council concerning the Laundromat's washer and dryers.
- Memo from Alaska Public Entity Insurance

REPORTS OF STANDING COMMITTEES

Senior Advisory Board

Council Member Berger reported that the senior advisory board did not meet. Council Member Berger also reported that a mini-grant in the amount of \$14,000.00 had been received by the Senior Center. The money will be used to provide building improvements.

Parks and Recreation Committee

Council Member Trantham was not in attendance. Parks & Recreation Director Janet Athanas reported that the Committee had a discussion of ordinance #02-28 – curfew law.

Planning Commission

Council Member Notti reported that one item was discussed at the meeting of the Planning Commission. The item was a variance for Scott and Molly Bailey – the variance was approved by the Commission.

Port Commission

Mayor Rodgers reported that there was not a quorum for the meeting and highlighted the Port Director's report.

Public Works Committee

Council Member Vanasse reported that the Public Works Committee met on Tuesday, September 17, 2002. There was a discussion of the water and sewer policy.

Public Safety and Transportation Commission

Council Member Drake was not in attendance.

Finance Committee

Council Member Short reported that the Finance Committee had not met. A meeting is scheduled for Thursday, October 3, 2002 at 6:30 p.m.

UNFINISHED BUSINESS

Item A – Public Hearing – Ordinance #02-09: Amending chapter 2.52 of the Bethel Municipal Code relating to boards, commissions, and committees

Mayor Rodgers opened public hearing.

Richard Robb, Parks & Recreation Committee chair, stated that the Parks & Recreation Commission reviewed the changes made to ordinance #02-09 and passed two resolutions requesting the deletion of paragraph B in its entirety. Mr. Robb stated that the Committee felt the changes made to the ordinance by council places the subject of finances at the forefront and can be used for political gain.

Mayor Rodgers closed public hearing.

MOVED BY:	Short	To adopt ordinance #02-09 as amended
SECONDED BY:	Vanasse	

M/M by Notti: To amend ordinance #02-09 by deleting all additions to the original ordinance and to delete the current language under 2.52.270 (B).

2nd by Short. Motion failed with a roll call vote of 1 – 4 (Notti).

Discussion ensued regarding the intention of the ordinance and subjectivity of the term betterment of the City.

Council Member Short stated that the intent of the ordinance is to ensure that those who serve the City do not become biased by their own financial situation. Further, he stated that the committee and commission members serve at the pleasure of the council.

Council Member Vanasse stated that if a member of a committee or commission has a large financial dispute, it is in the best interest of the City that they not serve on a committee or commission.

City Manager Herron stated that the intention of the ordinance is protect the council’s right to deal with members of committees and commissions in an appropriate manner.

VOTE ON MOTION	Motion fails by a roll call vote of 1 – 4 (Short).
-----------------------	--

Item B – Public Hearing – Ordinance #02-28: Amending chapter 9.20 of the Bethel Municipal Code regarding offenses by or against minors – curfew law

Mayor Rodgers opened public hearing.

Richard Robb, voiced his opposition to the curfew law stating that it violates the rights of parents to set their own limits on their children. Mr. Robb also believes that the curfew law is unnecessary governmental interference and violates right to privacy and equal protection. He further stated that the curfew problem is a social problem, not a criminal problem and ultimately it should be the parent’s responsibility to take care of their children and not the burden of the police department.

Howard "Butch" Morris, Chief of Police stated that the majority of the minors that the police department comes in contact with are of the age of seventeen and encouraged the council to change the age to seventeen within the ordinance. Chief Morris also encouraged the council to add the language – when accompanied by a parent or guardian – under section 4 subsection 7.

Paul Gregory, expressed his support of the ordinance and voiced his concerns over the escalation of youth violence in Bethel.

Mayor Rodgers closed public hearing.

MOVED BY:	Short	To adopt ordinance #02-28
SECONDED BY:	Vanasse	

Council Member Notti stated that perhaps DFYS should become involved in the curfew issue and let the matter be resolved as social issue rather than a criminal matter.

Council Member Berger stated his feeling that another hearing would be in order to accommodate more members of the community who may wish to have their opinion heard.

Council Member Short stated that his reason for introducing the ordinance was to give clear direction to the Police Department and to provide for the community a sense of protection. He also stated his support of another public hearing.

VOTE ON MOTION	Motion postponed for another public hearing set for the next council meeting.
-----------------------	---

Item C – Public Hearing – Ordinance #02-29: Amending chapter 4.16 of the Bethel Municipal Code regarding the sales tax exemption for real property sales and rentals

Mayor Rodgers opened public hearing. There were no members of the public to be heard. Mayor Rodgers closed public hearing.

MOVED BY:	Short	To adopt ordinance #02-29 as amended
SECONDED BY:	Berger	

M/M by Vanasse: To amend ordinance #02-29 lowering the “first \$375,000” to \$275,000.
2nd by Short. Motion carried by a roll call vote of 4 – 1 (Notti).

Council Member Notti stated his objection to casual sales being subject to tax.

Council Member Short stated his feeling that ordinance makes the taxation fair for all parties involved by making the tax a graduated tax.

VOTE ON MOTION	Motion carried by roll call vote of 4 – 1 (Notti).
-----------------------	--

Item D – Public Hearing – Ordinance #02-30: Amending chapter 5.20.080 of the Bethel Municipal Code regarding use of headlights by taxicabs

Mayor Rodgers opened public hearing.

Howard "Butch" Morris, Chief of Police, representing the Public Safety & Transportation Commission asked that the council postpone a motion on the ordinance for sixty (60) days.

Mayor Rodgers closed public hearing.

MOVED BY:	Short	To postpone discussion on ordinance #02-30 for forty-five (45) days
SECONDED BY:	Notti	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

NEW BUSINESS

Item A – Discussion Item – Donation of property to the People’s Learning Center

City Manager Herron stated that the People’s Learning Center has selected two sites within the City of Bethel. City Manager Herron went on to explain the sites and the reasons why they have been selected. He further stated that at the next council meeting an ordinance would be put forth before the council designating the site to be donated to the People’s Learning Center.

MOVED BY:	Short	To designate site number one – Range 71 West, Township 8 North; a ten (acre) portion of the southwest quarter section 8; sm for donation to the People’s Learning Center
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Item B – Resolution #02-27: Requesting grant funding under AS 37.06 for municipal capital projects, and agreeing to pay the local share for those projects

MOVED BY:	Short	To approve resolution #02-27
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Item C – Resolution #02-25: Certifying that the City did suffer significant effects during the program base year from fisheries business activities that occurred with the Lower Kuskokwim fisheries management area

Resolution #02-25 was adopted under the consent agenda

Item D – Introduction – Ordinance #02-32: Authorizing a lease agreement with Northern Contracting Service for office space for the public boardwalk reconstruction project

Ordinance #02-32 was introduced and set for public hearing on October 8, 2002 under the consent agenda

Item E – Resolution #02-28: Approving the solid waste and sewage lagoon facilities design study/master plan and stating the three top priorities of the solid waste and sewer lagoon facility, as determined by immediate and critical need

Resolution #02-28 was adopted under the consent agenda

Item F – Resolution #02-29: Supporting efforts to secure a VISTA volunteer to assist with the development of a Bethel community strategic plan and to assist with accomplishing goals and objectives outlined in the community strategic plan

Resolution #02-29 was adopted under the consent agenda

COUNCIL MEMBER COMMENTS

Council Member Berger reminded everyone that the permanent fund dividend will be announced tomorrow evening and voiced his concerns over the amount of alcohol that will be available in and around Bethel.

Council Member Notti had no comment.

Mayor Rodgers asked that citizens of Bethel spend their permanent fund dividends on items such as snowmachines rather than alcohol. He reminded everyone to wear their pfd's.

Council Member Vanasse thanked the members of the community, city staff and members of council for their support during his term on the council.

Council Member Drake was not present.

Council Member Short wished his mother-in-law, Lillian Hoffman happy birthday and thanked Council Member Vanasse for his service on the council. He encouraged members of the public to attend the next council meeting and voice their opinion regarding the curfew ordinance.

Council Member Trantham was not present.

ADJOURNMENT

MOVED BY:	Short	To adjourn the meeting
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

With no further business before the Council, the meeting adjourned at 9:05 pm.

APPROVED THIS 8th day of October 2002.

ATTEST:

Hugh Short, Jr., Mayor

Janette Persinger, City Clerk