
City of Bethel, Alaska

City Council Minutes

April 25, 2000

Regular Meeting

Bethel, Alaska

The Regular Meeting of the Bethel City Council was held on April 25, 2000, at 6:30 p.m. in the Lions Club, Bethel, Alaska. Mayor Mike O'Brien called the meeting to order at 6:40 p.m.

Clerk's Note: There is no recording of this meeting due to equipment failure.

There were present:

Mike O'Brien, Mayor	Dario Notti
Jerry Drake	Karol Sanchez-Pobrislo
Joerene Hout	Stanley "Tundy" Rodgers

comprising a quorum of the Council.

Absent: Agnes Phillips (Excused)

Also in attendance were:

Bob Herron, City Manager
Gaye Vaughan, City Clerk
Louann Cutler, City Attorney

PEOPLE TO BE HEARD

Dan Wood, AML/JIA, presented a dividend distribution check in the amount of \$18,000 to Mayor O'Brien.

A short recess was taken while pictures were taken for the AML/JIA newsletter.

Dave Trantham, stated he was a 35-year resident of Bethel but he was now thinking of about leaving town possibly on vacation or leaving town completely. A teacher called to ask him to teach gardening to third grade students and that changed his mind. Everyone like to be needed. He said he would still be in Bethel when the current council members have moved to their retirement homes. He noted that he has expressed his concerns about the senior center in the past. The Alaska Commission on Aging send a grant to the city for senior citizens. Some of the seniors helped to make the community what it is and some seniors need a bit of special help. The mission of ACoA is to promote dignity and independence of senior Alaskans, and to assist them in leading useful and meaningful lives. He concluded saying he was honored to read that mission statement to the leaders of the community.

APPROVAL OF MINUTES

MOVED BY:	Hout	To approve the minutes of the regular meeting of April 11, 2000.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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APPROVAL OF AGENDA AND CONSENT AGENDA

Council Member Notti requested that Resolution #00-06 and Ordinance #00-13 be removed from the consent agenda.

City Manager Herron requested that a third item regarding a financial impact on the city be added to the items listed for executive session.

Copies having been made available to the public, Mayor O'Brien noted by title only the single item on the consent agenda.

Resolution #00-05: Urging The Governor And Legislature To Establish A Municipal Dividend (Mayor O'Brien)

Ordinance #00-12: Repealing Chapters 2.25 and 2.28 of the BMC Relating to the Transportation Commission and the Public Safety Commission; Reenacting Chapter 2.25 of the BMC, Establishing a Public Safety and Transportation Commission; and Making Conforming Changes to the BMC (Council Member Drake) (Public Hearing May 9, 2000)

MOVED BY:	Notti	To approve the agenda and consent agenda.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR'S REPORT

Mayor O'Brien announced the following information included in the agenda packets:

- Northern Economics Briefings, April 200
- Bethel Pathway & Boardwalk, Meeting Summary, April 2000
- Resource Review, April 2000
- Letter from National League of Cities regarding NLC membership
- Alaska Housing Finance Corp. News Release – Alaska Housing Market Strong in 1999; Signs of Slowing
- Copy of letter from Kevin Ritchie, AML Executive Director, to House Finance Committee regarding Improvements of Transportation Infrastructure
- Letter from Alaskans for Litter Prevention and Recycling regarding approval of ALPAR Youth Litter Patrol grant in the amount of \$1400
- Community Justice 200, May 30-June1, 2000, Las Vegas, NV
- Tribal Constitutions Seminar, May 15-17, 2000, Phoenix, AZ

The Mayor noted that there applicants for appointment to the Public Safety and Transportation Commissions, but he wanted to hold those until the Council has dealt with the issue of combining the two commissions.

He asked for concurrence in the reappointment of Kevin Murphy to the Public Works Committee.

MOVED BY:	Hout	To concur with the reappointment of Kevin Murphy to the Public Works Committee.
SECONDED BY:	Notti	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MANAGER'S REPORT

City Manager Herron relayed the following information:

- Department Head reports were included in the agenda packets.
- New City Hall – There have been delays in shipping and, therefore, installing the carpet. The next City Council meeting on May 9, will be in the new Council Chambers.
- Seawall – Low bidder on the repair project is Salzbrun Services for \$84,750. Pending paperwork requirements, a tentative verbal award has been given, with the formal award forthcoming. The contractor is expected to start late this week and be finished before break-up.
- Gravel Bid – Bid deadline for this RPF is May 17.
- Watson's Corner – A March 1 memorandum to DOT has resulted in communication from them that if the City Council approves the concept of an "all-stop" intersection at Watson's Corner, they will order and install three "jumbo" stop signs for this busy and sometimes frustrating junction. This would be a temporary measure until the rehabilitation of the Chief Eddie Hoffman Highway is completed. Within this rehabilitation, the City of Bethel will recommend that stoplights at significant points and a third lane from Q2 to AC Co. be a part of the project design.
- Vehicle Use Policy – An updated policy which was originally issued by a previous manager in 1993 was provided to the Council.
- Northwest Regional City/County Management Conference – The Alaska Municipal Management Association hosted the 2000 Spring Conference at Talkeetna April 9-12. At this conference, the City manager had the opportunity to visit with city and county managers from Alaska, Oregon and Washington on issues common to local governments. Workshops focused on E-commerce and the Internet. There was discussion of the proposed tax cap in Anchorage and how it will affect other areas of the state.
- Internet Tax – Council was provided with information on the internet tax issues.

Mayor O'Brien noted the \$371,000 in delinquencies due the City. He requested a report at the next meeting on the efforts made to collect these fees.

City Manager Herron noted that the City had done an active letter writing campaign which has been ignored by the recipients for at least two years.

The Mayor noted that the people owing these fees may be our friends and neighbors, but the bills are due and owing to the City of Bethel.

Council Member Notti stated that some of the fees are from boat owner who have had little to no fishing for three years and they have no money to pay. If the city sues these people the city will end up owning a tender or two.

Mayor O'Brien asked if there has been any discussion with these people on payment plans or even acknowledgement of the invoices, to which City Manager Herron replied yes there has been.

Mayor O'Brien knew that some of these individuals were not capable of paying their bill, but the city has instituted PFD garnishment. People who own business in town also need to pay their bill with the City. There needs to be parody.

Council Member Pobrislo stated that the city should not let those who owe the city money use the dock for two or three years.

City Manager Herron noted that there are all kinds of fees included in the delinquencies.

The City Manager reported on the lunches from the Senior Citizen Center which were reported to have beading needles discovered in them. Officer Jerry Evan was asked to be at the meeting but he is tied up in a court case which may last all night. He has told Mr. Herron that the investigation was concluded and there are no suspects. Unless new evidence comes forth, the incident is closed. A report will be written and signed by the Chief.

Council Member Rodgers stated that since the investigation is concluded and there are no suspects, then an apology is due to those people who were questioned.

City Manager Herron concurred with Mr. Rodgers and stated that when needles were reported to have been found, it was turned over to the Police Dept. for criminal investigation. After the signing of the report, apologies will be given.

Mayor O'Brien asked the City Attorney to review the report to see if it can be released to the public.

REPORTS OF STANDING COMMITTEES

Senior Citizen Advisory Board and Transportation Commission

Council Member Hout noted that the Transportation Commission had not had a quorum at their last meeting. She stated that the Senior Citizen Advisory Board had met the previous week. Officer Jerry Evan had given a report on the needle incident and there had been questions and discussion.

Parks and Recreation Committee

Council Member Pobrislo noted that even after having just appointed a full roster, the Committee did not have a quorum for their last meeting. The meeting has been rescheduled for May 3.

Council Member Hout stated that the attendance requirement for commissions and committees had been recently changed so that a member may not have more than three unexcused absences in one year without being removed from his/her seat. She stated that attendance

records should be kept from the meetings at which there is no quorum, otherwise, the clerk and council do not know when a member has missed three or more meetings.

Planning Commission

Council Member Notti noted that the Commission met on April 13. He told of a controversy arising at the meeting over a newly appointed Commissioner who has not yet signed his oath of office at the City Clerk's office

A discussion ensued regarding the signing of oaths of office by members of commissions and committees.

Council Member Notti concluded his report by noting the second addition to Larson Subdivision was being reviewed.

The Council Members got into a discussion over new subdivisions, covenants, and building codes.

Public Safety Commission

Mayor O'Brien stated the Commission had not met since the last Council meeting.

Public Works Committee

Council Member Drake was not in attendance.

Port Committee

Council Member Rodgers stated the Committee also did not met. He talked about the employee who had been watching over the dock during the winter has taken another job with the city. No one has taken over those duties. The next meeting is May 15. Howard Elliott should be back by then. The parts for the seawall repairs were stolen. He further noted that there has been some vandalism at the port.

City Manager Herron noted that the vandalism happened to some boats on the dock very late on Saturday night. It appears to have been young people although it could have been adults.

Finance Committee

Council Member Phillips was not present at the meeting to give a report.

OLD BUSINESS

Ordinance #00-10: Establishing A Local Delivery Site System For Alcoholic Beverages Brought Into The City Of Bethel and Placing the Issue on the October 3, 2000 Ballot (Mayor O'Brien)

Mayor O'Brien open the floor to public hearing. As no one stepped forward to speak, the public hearing was closed.

MOVED BY:	Rodgers	To enact Ordinance #00-10.
SECONDED BY:	Notti	

City Clerk Vaughan noted that the Council had previously talked about making amendments to the ordinance and they might want to do that before it goes to the ballot. She added that the Council has until the first meeting in August to revise the ordinance.

The Council discussed making changes now or following the vote in October, or just placing the question on the ballot with no ordinance attached to it.

Council Member Rodgers stated he felt it should be cleaned up now and the changes made prior to the vote.

Council Member Notti did not want to wait until August.

It was then suggested that Council hold a work session on June 20 and postpone the ordinance until June 27.

MOVED BY:	Rodgers	To postpone Ordinance #00-10 until June 27 meeting.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion to enact carried by a unanimous voice vote.
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Ordinance #00-11: Amending the Operations of Pawnbrokers (City Manager Herron)

Mayor O'Brien opened the floor to public testimony. As no one stepped forward to speak, public hearing was closed.

MOVED BY:	Rodgers	To enact Ordinance #00-11.
SECONDED BY:	Hout	

City Manager Herron stated recommendations came from the pawn shop owner and Ms. Cutler reviewed them and found only two to be incorporated into the ordinance.

VOTE ON MOTION	Motion carried by unanimous voice vote.
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NEW BUSINESS

Resolution #00-06: Authorizing The City Manager To Execute A Memorandum Of Understanding With The State Of Alaska, Department Of Transportation And Public Facilities Accepting Maintenance Of Roads Rehabilitated Under DOT&PF Project 52774 (City Manager Herron)

MOVED BY:	Notti	To adopt Resolution #00-06.
SECONDED BY:	Pobrislo	

Council Member Notti stated he was not happy with DOT's treatment of the City on the road issue. Initial plans called for no culverts, then when they were installed the culverts were only 15 inch rather than the required 24 inch. He further noted that the City had not seen the contract until just prior to doing the work so no changes could be made at that late date.

Council Member Rodgers felt there should be an emergency plan set up in case something happens to the road.

City Manager Herron thanked Planning Director John Malone for working with DOT on this issue. The MOA went back and forth in the fax machine many times. The City fought for the section on maintenance. If there is a complete failure, the state must deal with it. He believed the resolution was good for the City.

VOTE ON MOTION	Motion carried by a vote of 4 yes, 1 no.
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DRAKE Absent	HOUT Yes	NOTTI No	O'BRIEN Yes
PHILLIPS Absent	RODGERS Yes	SANCHEZ-POBRISLO Yes	4 YES 1 NO

Ordinance #00-13: Amending 5.20.110 Of The BMC Relating To Taxi Fees (Transportation Commission)

MOVED BY:	Rodgers	To set Ordinance #00-13 for public hearing on May 9, 2000.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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City Manager Herron stated that LKSD had sent him to Juneau to discuss school construction. While there, he had an opportunity to meet with Governor Knowles. The Governor will come to Bethel for the open house for the courthouse and city hall which will probably be scheduled for the last week of May.

COUNCIL MEMBER COMMENTS

Council Member Rodgers stated that spring is here. He saw a flock of geese over his home today. He requested a copy of the comments made by Officer Evan at the Senior Citizens' Advisory Board meeting.

Mayor O'Brien had no comments.

Council Member Notti stated he knew spring was here as he covered up his snowmachine and got out his motorcycle.

Council Member Pobrislo commented on the road from Larson Subdivision to Kasayulie.

City Manager Herron stated the City did not want a connector road from the end of pavement to Kasayulie.

Mayor O'Brien asked the City Clerk to put a resolution on the next agenda dealing with the roads.

Council Member Pobrislo noted that Ray and Anna Jensen would be leaving Bethel soon. They have both given a lot of service to the community and will be missed.

Council Member Hout offered her condolences to Boni Wasuli's family from Emmonak.

The Council took a short recess prior to recessing to executive session.

MOVED BY:	Rodgers	To recess into executive session to discuss pending litigation, a financial impact matter and the City Manager's performance evaluation.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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The Mayor reconvened the meeting at 9:15 p.m.

MOVED BY:	Rodgers	To recess the meeting until noon the following day to hold an executive session dealing with the City Manager's performance evaluation.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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RECONVENED MEETING

The Regular Meeting of the Bethel City Council was reconvened on April 26, 2000, at Noon in the City Manager's office, Bethel, Alaska. Mayor Mike O'Brien called the meeting to order at 12:20 p.m.

There were present:

Mike O'Brien, Mayor Karol Sanchez-Pobrislo
Dario Notti Stanley "Tundy" Rodgers

comprising a quorum of the Council.

Absent: Agnes Phillips (Excused)
 Jerry Drake (Excused)
 Joerene Hout (Unexcused)

Also in attendance:

Bob Herron, City Manager

MOVED BY:	Pobrislo	To go into Executive Session to discuss the City Manager's performance and new employment contract.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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The Mayor reconvened the meeting at 1:04 p.m.

The City Manager was directed to draft a new employment contract for the Mayor's review to then be placed on the next agenda for Council approval.

Without objection, the Council extended the City Manager's current contract until May 9, 2000.

ADJOURNMENT

MOVED BY:	Notti	To adjourn the meeting.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business to come before the Council, the meeting adjourned at 1:05 p.m.

APPROVED THIS 9th DAY OF MAY, 2000.

ATTEST:

Mike O'Brien, Mayor

Gaye J. Vaughan, City Clerk