
City of Bethel, Alaska

City Council Minutes

August 10, 1999

Regular Meeting

Bethel, Alaska

CALL TO ORDER

The Regular Meeting of the Bethel City Council was held on August 10, 1999, at 6:30 p.m. in the Lions Club, Bethel, Alaska. Mayor Agnes Phillips called the meeting to order at 6:35 p.m.

ROLL CALL

There were present:

Mayor Agnes Phillips
Antone Anvil
Joerene Hout
Dario Notti

Mike O'Brien
Karol Sanchez-Pobrislo
Stanley "Tundy" Rodgers

comprising a quorum of the Council.

Also in attendance were:

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

PEOPLE TO BE HEARD

Dave Trantham, offered two requests for consideration by the Council. He said both of his requests were important to him. He said that when an ordinance is introduced, it helps to have the name of the person introducing it in the space provided in the upper right hand corner. He noted that in the case of Ordinance #99-14, it only says "City Council". He requested that all seven names be listed. He also requested that this ordinance be removed from the consent agenda.

Paula Maloy, requested to be provided with a definition of "domicile".

Attorney Louann Cutler, responded that domicile differs depending on the program; ie. limited entry, PFD, etc. She added that a partner in her firm had actually drafted Ordinance #99-14 and she would check with him.

Willie Kepple, asked that \$200 be put in the budget to air the council meetings over KYUK radio. He felt that if a new dump truck could be purchased for the port, then \$200 could be budgeted. He said he understood that he had to make a request to Council to look at the city finances. He made that request and asked to be permitted to look at the "books". He further spoke to the city roads and the differences in gravel. He stated that the City should pay \$1 more per ton for 100% rate of fracture rather than the 70% fracture in the specifications for gravel.

Council Member Rodgers said there is a big difference in the gravel.

Council Member Hout agreed and said the code for roads has crushed rock in the specifications.

Buster Richardson, told about a recent theft at his home and the rudeness of the owner of the pawn shop when he went there to check on the items stolen. He asked that a report be requested from the Police and/or Troopers before the pawn shop's business license is renewed.

At the request of Council Member Pobrislo, Ms. Cutler will look into circumstances of revoking business licenses.

City Manager Herron stated that the city went out to bid for gravel and there were only two bidders. Faulkner-Walsh was the low bidder. To date there gravel has failed the fracture tests. The City is now buying the gravel from Knik Construction, the second low bidder. Mr. Herron did not want the summer road schedule disrupted due to Faulkner-Walsh's failure to pass the fracture test.

The City Manager also noted that Mr. Kepple had made a request in writing for certain documents, which he has been provided. If he has further requests, he should also submit the request in writing.

Council Member Rodgers stated that he had had a safe stolen which had \$13,000 in it. He went to the Police and has yet to receive a copy of the report.

City Manager Herron stated that Mr. Rodgers would receive an answer.

Police Chief Pettitt said he was unaware of Mr. Rodger's incident. He added that Mr. Richardson could come by the station and pick up the jewelry.

Paula Maloy, said she had a similar incident with stolen goods and the attitude of the pawn shop owner.

Council Member O'Brien stated that pawn shops are on the Public Safety Commission's agenda.

Willie Kepple spoke again about testing the gravel used on the roads. He said 100% fracture would only cost \$15 a truckload more than the 70% gravel the city is buying from Faulkner-Walsh. The difference is grading once a week vs. twice. He said Chuck Willert has a plan to put this in every main thoroughfare.

Council Member Hout said the bid is awarded to the low bidder, but also the company who meets or beats specifications.

City Manager Herron stated that Faulkner-Walsh was allowed a chance to make fracture. Knik was not the low bidder, but has sold the city a lot of gravel due to the fracture rate required in the specifications.

Council Member Notti said the Planning Commission is now reviewing about 30 pages of new road specifications.

Mathew Nicholai, President of Calista Corp. and Chairman of WAVE, stated he was visiting the villages regarding the WAVE center. He gave an update of the proposed center, by saying that two of the four annex buildings have been leased. He also stated that BIA officials are

interested in the financing, noting that BIA bonding is cheaper than conventional bonding. This will be a \$22,000,000 project. Plans are moving ahead and they will apprise the city on the progress at least every six months.

Mayor Phillips mentioned that the city had considered building a road next to the bowling alley out to Blueberry Subdivision to open up another route to the state highway which would made the WAVE center more accessible to the public.

Wally Richardson, spoke against the post office moving next to the new WAVE center as it will not serve those people who walk everywhere.

Council Member Notti said the same thing was said when the post office was moved from next to the Lomack Bldg. to its current location which then was the end of the road. The town is continually growing.

Council Member O'Brien said Bethel is probably the largest city in the U.S. which still does not have home delivery.

Willie Kepple, announced that four buses will arrive on the next barge for a public bus system in Bethel.

APPROVAL OF MINUTES

MOVED BY:	Rodgers	To approve the minutes of July 13, 1999.
SECONDED BY:	Hout	

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

At the request of council members, Ordinances #99-14 and #99-16 were removed from the consent agenda.

City Manager Herron requested an Executive Session be held on two legal matters and four financial matters.

The Mayor read the remaining item listed on the consent agenda:

Ordinance #99-15: Authorizing the Acquisition of an Interest in Real Property and Dedication of Land for the Purpose of a Planned Right-of-Way and Utility Easement (City Manager) (Public Hearing set for Aug. 24, 1999)

MOVED BY:	Rodgers	To approve the consent agenda and agenda as amended.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion to approve the consent agenda and agenda carried by unanimous consent.
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MAYOR'S REPORT

Mayor Phillips announced the following:

- The Mayor expressed her distress about the theft at the Richardson's.
- She noted that she had given the welcome on July 20 at the Economic Development Conference.
- Mayor Phillips and the City Manager had met with DCRA staff regarding that department's reorganization. They had discussed how Bethel has grown and what the needs of the city are. Bethel may not meet the requirements for rural area after the census for subsistence preference.
- She stated the City received \$139,811 from the Safe Community Program.
- The Mayor said she would be attending a pot luck at the jail on Friday.
- Mayor Phillips noted the receipt of a thank you letter from the 4-H Board Club.
- She pointed out that the Commission on Privatization needs volunteers.
- She asked the City Manager about the Alaska Housing Finance Corp. regulations regarding the population of communities to qualify for loans. Bethel's official population in 1990 was 5,220. She added that this was addressed with DCRA and the city should begin to lobby the legislature to raise the AHFC limitation of 5,500 in population.

CITY MANAGER'S REPORT

City Manager Herron relayed the following information:

- He stated that if any person has a problem with city issues or city personnel, they should contact him and he would respond.
- Mr. Herron stated that the city offices were almost out of the Braund Bldg. The Recorder's Office and the Law Library have been relocated. Construction continues at a good pace.
- The city manager said the city now has a hydro-seeder.
- He noted that the new grader is due off the factory line early next week and is scheduled to arrive in Bethel on the last barge.
- He also noted that both Port attendant trucks are in Bethel.
- City Manager Herron noted that one water truck is on its way to Bethel and the second will be on the next barge sailing. The sewer truck is scheduled to be completed August 25 and will be on the last barge. All three have been or will be inspected by city personnel before they are released from the respective factories.
- Mr. Herron informed the Council that the boiler at the laundromat had been "red-tagged" by state inspectors and must be replaced. The management of the laundromat is seeking quotes from vendors for replacement. At this time only cold washing is available with no dryers.
- He announced that the Finance Dept. has begun their move to the Log Cabin. It will be tight, but they will manage until spring. The City Manager and his assistants are in temporary offices at 919 Front Street overlooking the city dock. The City Clerk will be moving into the Police Station.
- Mr. Herron noted that the slopes of the basketball court were hydro-seeded today. The new basketball backboards and rims are yet to be installed.
- Mr. Herron pointed out to the Council the proposed policy regarding use of the internet, e-mail, computers and software, voice mail, telephones, fax machines, photocopies, and other city equipment and facilities. He asked that Council review this and adopt it at its next meeting.

Council Member Notti did not see a problem with someone surfing the net on their own time, since time on the net is now unlimited. He added that this sounds like an employee could get

fired for calling home to check on kids. He noted that e-mail does not cost the city anything. He could not see making this a big problem.

City Attorney Cutler said the policy does provide for just what Council Member Notti was talking about.

City Manager Herron pointed out that this was just a draft and he appreciated Mr. Notti's comments.

Council Member O'Brien asked for a copy of the agreement with Bethel Fuel Sales. He felt the operation was growing. He also spoke about bidders for city contracts being current with sales tax. He wanted to make sure that is being checked.

Council Member Pobrislo asked for a report on the affect of the senior citizen sales tax exemption on the budget. She also asked for a report at the next meeting on the amount of the city reserves.

The City Manager said the auditors would be in Bethel at the end of the month and he should be able to provide that information at the next meeting.

Jim Blake stated he understood that the boiler at the laundromat did meet the requirements prior to the transfer to the new managers.

Council Member Anvil spoke about the new pump house saying that he had been told the water would be clearer when the city switched to the new pump house. He said the water at the AVCP housing is piped and very rusty. He felt it was not fit to drink and should be clear. He has been told it is very clear at the pump house, but at the faucet at his house it must be filtered.

The City Manager explained that the water is very aggressive and picks up iron from the pipes. The water is safe to drink and the city is cleaning the pipes.

Council Member Hout noted that the water delivered to her is the worse it ever has been.

A discussion ensued regarding the water.

Virginia Turner spoke about the condition of water overseas. She thought water should be available at the pump house for people, to which the City Manager replied that it is.

Willie Kepple wondered about water and sewer trucks being parked next to each other in the shop.

STANDING COMMITTEES

Mayor Phillips noted there are vacancies on the Parks and Recreation, Transportation, Port and Public Works Commissions/Committees.

Transportation Commission

Council Member Hout stated the Commission meet on Thursday, August 5, but she was unable to attend.

Parks and Recreation Committee

Council Member Pobrislo reviewed the minutes of the last Parks and Recreation Committee meeting. The next meeting will be August 17.

Planning Commission

Council Member Notti stated the Commission had a quorum and finished the business on their agenda at its last meeting. The next meeting will be August 12.

Finance Committee

Mayor Phillips stated the July and August meetings had been canceled.

Senior Citizens' Advisory Board

Council Member Anvil stated the board is on a summer break.

Port Committee

Council Member Rodgers said he had missed the last meeting at which surveillance cameras were discussed. He stated the next meeting would be August 16.

Public Works Committee

Council member O'Brien stated the committee had not met and the next meeting will be held on August 17.

Public Safety Commission

Council Member O'Brien spoke about the Commission's final review of Ordinance #99-14. The Commission had discussed the options available to municipalities under Alaska Statutes Title 4. He felt the city should lobby the legislature to add a fifth option to ban importation to any site within the city other than a site owned or contracted by the city. The Commission suggested a resolution be adopted by the Council to be sent to the Alaska Municipal League Board and for the Chamber to do the same requesting the ability for municipalities to do this. The Mayor requested Council Member O'Brien to draft a resolution for the next meeting. Another topic discussed was the Commission having staff support in taking minutes, posting agendas, etc. They requested that the City Manager address this.

OLD BUSINESS - None

NEW BUSINESS

Ordinance #99-14: Establishing A Local Delivery Site System For Alcoholic Beverages Brought Into The City Of Bethel (City Council)

MOVED BY:	O'Brien	Moved to set Ordinance #99-14 for public hearing on August 24, September 21 and October 26.
SECONDED BY:	Pobrislo	

MOVED BY:	O'Brien	Moved to postpone setting Ordinance #99-14 for public hearing until legal questions are answered.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Ordinance #99-16: Authorizing the Disposal of an Interest in Land no Longer Necessary for Municipal Purposes (City Manager)

Council Member Rodgers asked why the city would offer a 13, 000 sq. ft. lot for \$1,000 when the city paid \$4,500 to run water across it.

Council Member Hout said certain acreage in Anchorage designated as wetlands is now being petitioned for development. If the neighbor of this lot wishes to use it at a dog yard, maybe he should rent the property.

Paula Maloy stated she has property in the area. She did not believe any property in the area every sold for \$5,000.

Council Member Notti said this lot cannot be developed under the current classification. The person who wishes to purchase this already has a home so he probably would not wish to build on this lot.

Council Member Pobrislo asked about lots on the same side of the street, to which Council Member Notti replied there is a house, but he wasn't sure which lot it was on.

MOVED BY:	Notti	Move to set Ordinance #99-16 for public hearing on August 24, 1999.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by 5 to 2 vote.
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ANVIL Yes	HOUT Yes	NOTTI Yes	O'BRIEN No
PHILLIPS Yes	RODGERS No	SANCHEZ-POBRISLO Yes	5 YES 2 NO

Request from Bethel Community Services regarding Sales Tax Exemption

Mayor Phillips stated this would be carried over to the next meeting when the Council would have a financial report. There were no objections.

Memo from Parks & Recreation Director regarding Bethel Tobacco Control Alliance Grant

Janet Athanas, Parks and Recreation Director, stated that Caroline Renner of YKHC has been promoted to Regional Coordinator of the Tobacco Control Alliance. This grant would fund \$12,900 for salary and benefits plus additional reimbursements for a staff person to work with young people. Hopefully this position would be instrumental in stopping the bad habit before it begins.

MOVED BY:	O'Brien	Moved to move ahead in applying for the Tobacco Control Alliance Grant.
SECONDED BY:	Probrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Discussion Item – Closure of Bethel DMV Office

Police Chief Pettitt stated there was no fantasy about making money if the City takes over the duties of DMV in Bethel. It would, however, provide a necessary service to the community.

Council Member Hout stated she was all in favor of the City taking over this function and asked if the state was negotiable on the percentage of money the City would get.

The City Manager stated that there has been some discussion in keeping the office where it is currently located since the City has no space at the time. He added that the percentage could possibly be increased.

Council Member Rodgers asked about hours the office would be open, to which the Police Chief replied there was no way a private establishment could make any money on this. The Police Dept. has the money, the computer system and this would benefit the Dept. to be tied into the state system. He added that employees would be cross trained so the office would not be closed during vacation periods.

The consensus was for the administration to move forward on submission of a proposal to the state.

COUNCIL MEMBER COMMENTS

Council Member O'Brien asked about options for firearms which were destroyed.

Chief Pettitt replied that the property/evidence room has been in disarray. Over 100 firearms were destroyed, some by order of the court, others had no value. He continued by saying that those of value will be turned in for credit.

Council Member Notti asked who would be giving the city credit for the firearms, to which the Chief replied that there are several outlets in the lower states which dismantle the guns and sell the parts, in exchange they supply the Police Dept. with targets, etc.

A lengthy discussion ensued about the firearms.

Council Members Hout and Pobrislo had no comments.

Council Member Notti noted that Mr. Kepple had raised the issued of having the Council meetings on the radio. He asked if a deal could be worked out with the radio station.

Council Member Rodgers noted that his sisters and families were visiting him.

Mayor Phillips expressed condolences to the family of Susie Brown of Eek. She said she was appreciative of the scenery and wildlife in the Y-K Delta.

Council Member Anvil spoke about the speed limit on the state highway. He said on his way back from the boat harbor he was passed by a Quyana Cab which he believed was traveling about 60-70 mph. He said the City needs some enforcement for the safety of our children.

Council Member Rodgers sent a happy birthday greeting to his daughter. He also expressed condolences to the Brown family. He noted that Alaska Airlines said the people of Bethel would not be paying for the new terminal yet they have already increased their fares considerably and the terminal isn't done yet.

Mayor Phillips recessed the meeting prior to the Executive Session at 9:30 p.m.

EXECUTIVE SESSION

MOVED BY:	Pobrisio	To recess into Executive Session to discuss financial and legal matters.
SECONDED BY:	Notti	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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The Mayor reconvened the meeting at 10:30 p.m.

ADJOURNMENT

MOVED BY:	Hout	To adjourn the meeting
SECONDED BY:	Notti	

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 10:30 p.m.

APPROVED THIS 24th DAY OF AUGUST, 1999.

Agnes L. Phillips, City Mayor

ATTEST:

Gaye Vaughan, City Clerk