



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

CITY OF BETHEL COUNCIL MEETING MINUTES JUNE 19 & 20, 1980

COUNCIL CHAMBERS

Mayor Guinn called the meeting to order at 7:35 p.m., and roll call was taken. Present: Charles, B. Hoffman, E. Hoffman and Guinn. Absent: Elliott, Carpenter and Twitchell. Quorum.

APPROVAL OF MINUTES

Mayor Guinn asked if there were any additions or corrections to the meeting minutes of April 28, 1980. M/M by B. Hoffman/2nd by Charles to approve the minutes of April 28, 1980 as written. Voice vote was taken. Motion carried.

APPROVAL OF AGENDA

Mayor Guinn asked if there were any corrections for additions on the agenda. Manager Hoffman suggested the following items be added to the agenda under Unfinished Business:

1. SMALL BOAT HARBOR RESOLUTION
2. SMALL BOAT HARBOR LAND SELECTION
3. RESOLUTION ON B.U.C. LOAN REQUEST
4. P.E.R.S. REVISED PLAN

M/M by B. Hoffman/2nd by E. Hoffman to accept the agenda as written with the four additions under Unfinished Business. Voice vote was taken. Motion carried.

COMMUNICATION

None.

MANAGER'S REPORT

Manager Hoffman covered the following items on his report:

1. \$7,526,000.00 in Grants for the City of Bethel under HB60 Statewide Capital Project Budget were approved by the Governor.
2. Two Million Dollar Loan appropriated to the City of Bethel for the purchase of Bethel Utilities was also approved.
3. LKSD's notice of intent to terminate the lease with City of Bethel for the recreation facilities at the highschool.
4. Museum Fire.
5. Jail Contract with Division of Corrections.
6. Contract awarded to Wick Construction for the Municipal Sewage Lagoon Improvements.

7. Contract awarded to Alaska Mechanical, Inc., for the Sewage Lagoon which serves Kilbuck School, Alaska Commercial Co., and BNC Office Complex.
8. Installation of a automatic recording system in the Police Department.
9. Local Option Bill.

Manager Hoffman asked for ratification on the selection of Elsie John, who has been the Acting City Clerk since Diane Anderson's termination, as the appointed City Clerk. M/M by Charles/2nd by E. Hoffman to ratify the appointment of Elsie John as the City Clerk. Voice vote was taken. Motion carried.

MAYOR'S REPORT

None.

REPORT'S OF THE STANDING COMMITTEE'S

B. Hoffman, member of the Public Works Committee, gave a report on the May 29, 1980 meeting minutes and covered the following recommendations:

1. To accept the 200 acres for the City Pit from Calista and BNC with the understanding it would be adjacent with BNC's pit; that it be used for City use only and that the City will manage and delegate on behalf of BNC; and that local contractors receive surface rights.
2. For the City Council to sent a letter of intent if United Transportation is sold to Crowley and an Honor Service Agreement will be made for a two year lease with the following changes:
 1. Contractor is Port Operation
 2. Port Director will be Director of Public Works.
3. Demurrage Charges to be as follows:
 - a. Ten days freetime excluding Saturday, Sunday, and Holiday's;
 - b. 50% of the Wharfage per day or a fraction thereof after ten days at 100 per weight;
 - c. Cargo can be moved to another area at the owners expense after fifteen days and within thirty days after the notification, all cargo can go for public auction;
 - d. The City will receive 100% of the demarrage charges;
 - e. After the boat season, monies will be split between the City of Bethel and the Contractor of the City Dock.

M/M by E. Hoffman/2nd by B. Hoffman to accept the Public Works Committee minutes and recommendations of May 29, 1980, as written. Voice vote was taken. Motion carried.

Charles, a Planning Commission member, gave a report on the motions of the April 17 and June 10, 1980 minutes. M/M by Charles/2nd by E. Hoffman to accept the the June 11, 1980 minutes of the Planning Commission Committee. Voice vote was taken. Motion carried.

Manager Hoffman gave a report on the June 11, 1980 minutes of the Transportation Committee. M/M by B. Hoffman/2nd by Charles to accept the June 11, 1980 minutes of the Transportation Committee. Voice vote was taken. Motion carried.

PEOPLE TO BE HEARD

Robert Buttane requested the Council to act with all due haste to bring another Museum to the Community.

Bill Miller requested the attention of the Council on the conditions of the fairgrounds by Park and Rec. Bldg. He suggested the grounds be drained before the 4th of July since its the most ideal place within the community and its close to the river for the people coming from the surrounding villages to attend the feastivity.

Manager Hoffman stated the adjoining property was owned by Swanson's, therefore, it was imposssible to make an adequate drainage but a temporary drainage has been made along the road to divert the water and a permanent drainage is in the process of being built.

UNFINISHED BUSINESS

ITEM A. PUBLIC HEARING ON REFLECTIVE DEVICES ORDINANCE TO PREVENT INJURY TO PERSONS, ANIMALS, OR VEHICLES.

The Mayor opened the Public Hearing at 8:05 p.m.

Manager Hoffman stated the Ordinance was discussed by Public Safety Committee and requested by D. Carpenter because of the problems with the unmarked guy wires through out the community. Ben Esch recommended the Ordinance to include reflective deivices in snow-mobilies, scooters, holes, fences, chains and other possible obstructions that might be hazardous to anyone and that fines or penalties be placed for six months period or a year depending on the Council's approval so that people can be able to comply with the Ordinance before it takes effect.

M/M by Charles/2nd by B. Hoffman to adopt Ordinance #121, AN ORDINANCE WHEREBY THE CITY OF BETHEL ESTABLISHES REFLECTING DEVICES REGULATIONS TO PREVENT INJURY TO PERSON, ANIMALS OR VEHICLES as written with an effective date of November 30, 1980. Roll call vote was taken. Yeas: Charles, Guinn, B. Hoffman and E. Hoffman. Nays: None. Motion carried.

Public hearing closed at 8:15 p.m.

ITEM B. PUBLIC HEARING ON A LEASING A PORTION OF THE BRAUND BUILDING
TO THE KUSKOKWIM COMMUNITY COLLEGE

Public Hearing Opened at 8:20 p.m.

Manager Hoffman stated the City of Bethel's lease of the Braund Building to KCC was expiring the 30th of June. He stated the College was interested in moving out but needed additional two months since the present contract had expired. He recommended to the Council that the lease be cut back by .10¢ square foot a month and 50% of the Utilities be paid by KCC.

After a lengthy discussion on using it as recreation facility, Manager Hoffman recommended to table the item.

M/M by B. Hoffman/2nd by Charles to approve the lease as presented and more research be done and for the City Administration and the Parks and Recreation Committee to meet and report to the Council the financial feasibility, costs and benefits if it be used as a recreation facility or any other City facility at the next Council Meeting. Voice vote was taken. Motion carried.

Public hearing closed at 8:35 p.m.

ITEM C. ANIMAL CONTROL REPORT

Mary Murdock, Animal Control Agent, gave a report on the location problems of the pen, plans to advertise the dogs that were caught, statistical reports on the dogs that were caught, killed, adopted or returned to their owners, and her plans to show educational films to the kids.

Mayor Guinn asked her if she liked her job and she stated she did.

Mayor Guinn had to be excused from the meeting to take care of his lumber materials that were scattering because of high winds. Manager Hoffman called a recess until 1:00 p.m., Friday, June 20th, since there was no quorum.

Meeting recessed at 8:45 p.m.

Mayor Guinn called the meeting to order at 1:20 p.m. on June 20. He reminded Mary the information they wanted from her was the pros and cons of solving the animal control problems.

Mary Murdock commented on how she wants to set up the program for next year possibly by decreasing the budget and a contract with the City of Bethel to be able to set up the program the way she wanted to and at same time, run a business.

Discussion on the item.

Manager Hoffman pointed out the the problems of running a program under a contract and a business together.

Mayor Guinn recommeded Mary Murdock give a report with a more detailed information regarding a contract with the City of Bethel and the proposals in improving the animal control program, use of City facilities in an outline format for the Council to decide if there should be a Contract.

No objection from the Council.

ITEM D. NO SMOKING IN CABS

Manager Hoffman gave a breif rundown on how the item came about. He stated the Environmental Health Committee requested that an Ordinance be implemented prohibiting smaking in public places including vehicles. He stated the Alaska Statutes, Chapter 18, 35.300 covered smoking in public places that include buses not the cabs.

Bob Buttane, a member of the Environmental Health Committee, stated they were asking for the Council to enact an Ordinance to clerify the question whether or not the taxicabs could be considered as limousines under the State Statuates and if the Ordinance is enacted would specifically prohibit smoking in taxicabs and public vehicles. He, further stated that on the Yuk to Yuk program, the public supported the enactment of this Ordinance. He presented to the Council 4 petition with 40 signatures.

Rosie Porter questioned isn't it the taxicab companies right to control their own business and placing "No Smoking" signs in their cab?

Discussion.

M/M by E. Hoffman/2nd by B. Hoffman not to introduce the Ordinance and that Alaska Statutes, Chapter 18 is being recognized and is adequate. Roll call vote was taken. Yeas: Charles, Guinn, B. Hoffman and E. Hoffman. Nays: None. Motion carried.

ITEM E. SMALL BOAT HARBOR RESOLUTION

Manager Hoffman introduced the item which stated the City of Bethel be authorized under state laws to give such assurances and financially capable of fulfilling such measures, that said City does hereby express its willingness, ability and intent to provide all items of local cooperation with the Department of the Army, Corps of Engineers, for the proposed construction of small boat harbor at Lousetown Slough. He, also, requested the word "capable" be changed to "committment" since City is financially capable.

M/M by E. Hoffman/2nd by Charles that the Resolution of the City of Bethel of the Council in cooperation with the Department of Army, Corps of Engineers for proposed construction of small boat harbor be accepted. Voice vote was taken. Motion carried.

ITEM F. SMALL BOAT HARBOR LAND SELECTION

Manager Hoffman located on the map the location of the land and stated the Board of the Bethel Native Corporation had approved 60 acres on the original letter. He requested the City Council to request for 80 acres for the Small Boat Harbor from B.N.C.

M/M by Charles/2nd by Guinn for the City Council to request from Bethel Native Corporation for that portion of land being surveyed for Small Boat Harbor be changed to 80 acres as was previously offered by the Native Corporation under 14 C surveyance. Voice vote was taken. Motion Carried.

ITEM G. RESOLUTION ON B.U.C. LOAN REQUEST

Manager Hoffman introduced this resolution stating the Legislature has approved Two Million to the City of Bethel for the purchase of Bethel Utilities. He stated this resolution would approve the credit from Alaska Power Authority and the application approved. None of the loan would be utilized until the Council had finalized the agreement with the owners of Bethel Utilities.

M/M by B. Hoffman/2nd E. Hoffman to accept Resolution #288, A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BETHEL AUTHORIZING THE CITY ADMINISTRATION TO SECURE A LOAN FROM THE ALASKA POWER AUTHORITY TO FINANCE THE PURCHASE OF THE PPOWER UTILITY IN BETHEL. Roll call vote was taken. Yeas: Charles, Guinn, B. Hoffman and E. Hoffman. Nays: None. Motion carried.

ITEM H. P.E.R.S. REVISED PLAN

Manager Hoffman stated this was before the Council because of the problems in the differences of the two plans. The first plan required a 100% mandatory participation, which the Police Dept. participates, and the second plan is on voluntary basis. He requested the City of Bethel make a request for a change in the plan to P.E.R.S, that mandatory participation should not be required but be limited as much as possible and the people that would be required to participate would be Police Officers excluding the rest of the department.

M/M by Charles/2nd by E. Hoffman to accept the P.E.R.S. Participation Agreement with the changes on page 2, under section 2, "...every employee except those in the Police Department are to be excluded." ..be changed to.. "Certified Police Officers, or those eligible for cerification, who have attained permanent employee status." Voice vote was taken. Motion carried.

NEW BUSINESS

ITEM A. CONSIDERATION OF THE CITY OF BETHEL'S OVERALL ECONOMIC DEVELOPMENT PLAN FOR 1980

Manager Hoffman introduced this item. He stated this was required by EDA to annually review and adopt the Overall Economic Development Plan for the City of Bethel to receive funds.

M/M by Charles/2nd by E. Hoffman that the Consideration of the City of Bethel's Overall Economic Development Plan for 1980 reviewed by the Planning Committee and City Council be adopted as presented. Voice vote was taken. Motion carried.

ITEM B. CONSIDERATION OF MUNICIPAL DOCK MANAGEMENT CONTRACT TRANSFER

Manager Hoffman stated there is an existing service agreement between United Transportation and the City of Bethel, which was passed on May 24, 1977. He reported that United Transportation is in the process of selling out and they requested the operation and the management of the dock be transferred to Crowley Corporation. The requested was submitted to the Public Works Committee and they recommended to enter a two year service agreement with Crowley.

Discussion on the item.

Manager Hoffman suggested to table the item until he had contacted United Transportation how long they would be interested in managing the contract if the sale continued and they sold out. After the additional information had been received from the Public Works Committee and Planning Commission on how the plan is in improving the dock and the performance on the operation to see what the potential revenues would be.

M/M by B. Hoffman/2nd by E. Hoffman to postpone any decision of the change on the ownership or transfer of the title, also, that Planning Commission and Public Works reconsider the funding and the developmental process of the \$650,000 and find out how long United Transportation would be operating if the transfer is not passed. Voice vote was taken. Motion carried.

ITEM C. CONSIDERATION OF THE SELECTION OF 200 ACRES AS A SAND SITE UNDER THE CITY OF BETHEL'S 1,280 ACRE ENTITLEMENT FROM THE BETHEL NATIVE CORPORATION

Manager Hoffman stated that City of Bethel is interested in getting a sand pit to meet the needs within the Community. City of Bethel has a right to 1,280 acres from BNC. He stated that City of Bethel had met with Planning Commission and Public Works who recommended selecting 200 acres for a sand pit. An interim agreement was given by Calista to transfer the rights after the legal description had been drafted. The City of Bethel is requesting a recommendation that 200 acres be requested of BNC for the sand pit and a request of direction from the Council if they should accept the 200 acres as part of their 1,280 acres entitlement.

M/M by Charles/2nd by Guinn that the City of Bethel request of the BNC a 200 acres for a sand pit on the location described that it be stipulated with the legal description as part of the 1,280 acres entitlement. Voice vote was taken. Motion Carried.

MANAGEMENT AGREEMENT:

M/M by B. Hoffman/2nd Charles that the City Council authorize the City Manager in agreement with Bethel Native Corporation for City of Bethel to operate and manage both the pits that will be adjacent to each other. Voice vote was taken. Motion carried.

ITEM D. CONSIDERATION OF THE SELECTION OF APPROXIMATELY THREE (3) ACRES FOR A PARKING SITE FOR BOAT TRAILER UNDER THE CITY OF BETHEL 1,280 ACRE ENTITLEMENT FROM THE BETHEL NATIVE CORPORATION

M/M by B. Hoffman/2nd Charles that the City of Bethel request from Bethel Native Corporation not to exceed three acres for the proposed parking site for the boat trailer as part of the City 1,280 acre entitlement. Voice vote was taken. Motion carried.

ITEM E. CONSIDERATION OF APPLICATION FOR GAMES OF SKILL AND CHANCE FOR 1980.

Manager Hoffman stated Tundra Womens Coalition had submitted an application for Games of Chance and Skill for the 4th of July.

M/M by E. Hoffman/2nd B. Hoffman to accept the Tundra Women's Coalitions application for Games of Chance and Skill. Voice vote was taken. Motion carried.

ITEM F. CAPITAL PROJECTS COORDINATOR'S POSITION FOR THE CITY OF BETHEL

Manager Hoffman stated that City of Bethel had received 7.5 million for 22 projects or more. A Project Coordinator Director was needed to assist the City in the paperworks, contracts awards, and billing's being processed. This position would be part-time and hired for a year. He requested the approval of the Council to advertise and hire a Project Director.

M/M by Charles/2nd by E. Hoffman that the City Council approve the Administration advertisement and hire for the Capital Project Coordinator position. Voice vote was taken. Motion carried.

ITEM G. RESOLUTIONS REQUESTING MUNICIPAL GRANT FUNDS FROM THE STATE OF ALASKA THAT WERE FUNDED UNDER H.B. 60

Manager Hoffman stated the City Administration is requesting, on behalf of the City Council, an approval of accepting the State of Alaska funds and a Council's approval on the resolutions for each of the projects drafted.

M/M by B. Hoffman/2nd by E. Hoffman to approve the resolutions requesting Municipal Grants from the State of Alaska, under H.B. 60, on the projects drafted for each of the resolutions as presented. Voice vote was taken. Motion carried.

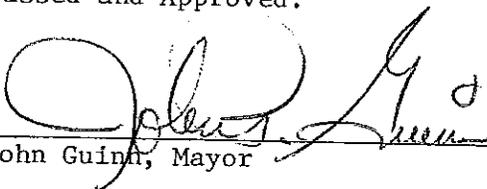
ITEM H. RESOLUTION ACCEPTING FUNDS FROM D.E.C., FOR IMPROVING THE LIFT STATION AND SEWAGE LAGOON LINE AS WELL AS KILBUCK SEWAGE LINE.

Manager Hoffman reported City of Bethel had applied for and were notified that they had received grants to improve the Lift Station, Pump at the pumphouse and the Kilbuck sewer line. He requested the approval of the Council on the resolution.

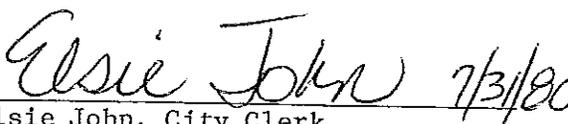
M/M by Charles/2nd E. Hoffman to approve and accept the resolutions from the Alaska Department of Environmental Conservation for the purpose of financing municipal sewer lagoon improvement project and for the financing the improvement project of the Kilbuck Sewer Line. Voice vote was taken. Motion carried.

M/M by E. Hoffman/2nd by Charles to adjourn the meeting. Meeting adjourned at 3:30 p.m.

Passed and Approved:


John Guina, Mayor

Attest:


Elsie John, City Clerk