

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

MINUTES**City of Bethel, Regular Council Meeting**

February 10, 1998

I. CALL TO ORDER

Mayor Phillips called the meeting to order at 6:31 p.m. at the City Offices conference room.

II. ROLL CALL

Present: Anvil, Notti, O'Brien, Phillips, Sanchez-Pobrislo, Williams

Absent: Rodgers (excused)

Also Present: City Manager Weaver, Acting City Clerk Laurie Walters.

III. PEOPLE TO BE HEARD

Terryl Miller, Joe Jelic, Tad Miller, and Hugh Short each spoke about the problem of Mr. Jelic's chauffeur's permit being delayed. Apparently the delay is due to problems with the computer systems that enable the Police Department to access criminal background checks on chauffeur's permit applicants. The Council discussed the matter at length, with considerable input from the City Manager.

motion M/M by Williams, 2nd by Anvil, to schedule the matter for discussion at the next Transportation Commission, March 5, 1998.

Council member Sanchez-Pobrislo voiced her concern that Mr. Jelic's permit not be delayed further. Council member Notti expressed his disagreement with the motion for the same reason, not wanting Mr. Jelic's permit to be delayed until after March 5.

vote Voice vote, motion carried, 5-Yes, 1-No (Notti)

motion M/M by O'Brien, 2nd by Notti, to implement the recommendation of City Manager Weaver, which is to direct the Police Department to issue a provisional permit to chauffeurs who have held a valid chauffeur's permit within the last two years, and then issue regular permits after the criminal background checks are obtained.

vote Voice vote, motion carried, unanimously.

IV. APPROVAL OF MINUTES

Mayor Phillips noted a correction on page 5, a comment regarding State labor laws that was attributed to her was actually made by the City Manager. Council member Williams noted another correction on page 5.

motion M/M by O'Brien, 2nd by Williams, to approve the minutes of the January 27, 1998 regular City Council meeting, as amended.

vote Voice vote, motion carried unanimously.

V. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Council member O'Brien brought up the issue of the City assuming the functions of the local DMV office. Council agreed to discuss the matter during the Manager's report. Council member Williams removed New Business Item C, Introduction of Ordinance #98-02, Mid-year Budget Amendment, from the Consent Agenda, and added Old Business Item C, Discussion-City Manager recruitment efforts. City Manager Weaver added Executive Session Item A, Discussion-Collective Bargaining.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to approve New Business Item B by consent.

vote Voice vote, motion carried unanimously.

motion M/M by Notti, 2nd by Sanchez-Pobrislo, to approve the agenda as amended.

vote Voice vote, motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips noted that the City Clerk has submitted her resignation, effective March 6, 1998. She is sorry to see the Clerk leave.

The Mayor thanked Caroline Renner and the Bethel Tobacco Alliance for providing the Council with additional information on public smoking ordinances.

Mayor Phillips pointed out that funding for a bike trail from the Airport to City Center has been included in the Governor's capital budget request.

Lastly, Mayor Phillips stated that she would be out of town at a training session February 16-20.

VII. MANAGER'S REPORT

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

- **Boat Harbor Maintenance Dredging** – The City received two bids in response to invitation for bids to provide dredging services. The Purchasing Agent recommended award to Faulkner Walsh Constructors, pending approval of budget amendments to appropriate the required funds.

motion M/M by Williams, 2nd by Anvil, to award the contract for maintenance dredging of the small boat harbor to Faulkner Walsh Constructors, in the amount of \$8.95 per cubic yard of material removed, not to exceed \$250,000, pending approval of the budget amendment to appropriate the required funds.

vote Voice vote, motion carried unanimously.

- **Janitorial Services Award** – Mr. Weaver reviewed a memo from the City Attorney regarding the award to Kagista Janitorial. Kagista was considered a non-responsive bidder, due to their failure to meet bid requirements set forth by the Purchasing Agent, so there was no basis for the Council's award of the bid to Kagista. The City Manager does have the authority to ratify the Council's award to Kagista if it is in the best interests of the City to do so. Furthermore, the Attorney pointed out that the authority of the Council to award the janitorial services bid was doubtful. Award of bids is an administrative function, and the duty resides with the Purchasing Agent. City Manager Weaver noted however, that he would prefer to continue Council ratification of bid awards more than \$20,000.00.

motion M/M by Williams, 2nd by O'Brien, to direct the City Manager to ratify the Council's award of the janitorial services bid to Kagista Janitorial.

vote Voice vote, motion carried unanimously.

- **City assumption of DMV operations** – Council member O'Brien noted that the State has approached the City with regards to assuming the operations of the local DMV office. He has heard that the City's response to DMV was somewhat unprofessional and may have left a bad impression on people in Juneau. City Manager Weaver stated that according to his records, he had asked a State employee for more information so that he could evaluate the matter, but had not yet received the information. Mr. O'Brien suggested that the City send a letter to our legislators, as well as the DMV, stating our reasons for declining the offer to assume the DMV operations. Mr. Weaver agreed and stated he would send a letter.
- **Citation from OSHA** – Mr. Weaver distributed a Notice of Citation from the Alaska Department of Labor. The citation was issued because a vehicle previously noted with defects was not adequately repaired before being placed back into service. The City may be penalized up to \$3,000.00. Mr. Weaver stated that in the future, the City would conduct audits of all vehicle log files.
- **Payment in Lieu of Taxes** – A memo from Representative Ivan stated that a recently introduced bill, HB 86, may exclude cities in the unorganized borough from receiving PILT funds. The funds would be directly paid to the Department of Public Safety to cover VPSO costs. The Clerk was directed to place a Resolution opposing the bill on the next City Council agenda.
- **Fuel Hauling Bids** - The City received one bid in response to invitation for bids to provide fuel-hauling services. The Purchasing Agent recommended award to Hoffman Fuel.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to award the contract for fuel hauling services to Hoffman Fuel, in the amount of \$0.10 per gallon

vote Voice vote, motion carried unanimously

VIII. REPORTS OF STANDING COMMITTEES

There were no recommendations for the record.

Finance - Mayor Phillips made a correction to the meeting calendar. The next Finance Committee meeting is scheduled for 7:00 p.m. on February 12.

Planning - Council member Notti stated that the Commission had approved the final plat for Kasayuli Subdivision. Their next meeting is scheduled for February 12.

Public Works – Council member O'Brien reported that the next meeting will be on February 17, 7:30 p.m. at the City Shop.

Youth Services - Council member Sanchez-Pobrislo reported on the Youth Services meeting held just before the Council meeting. An open house is scheduled at the Youth Center on February 21, from 4-7 p.m. The City Council and public are invited.

Transportation - Council member Williams stated that the Commission will discuss the issue of criminal background checks at their next meeting, scheduled for March 5.

Port - Council member Rodgers was absent, no report given.

Public Safety - Council member Anvil reported that the Commission had adopted a Resolution at their last meeting. It will come to the Council at the February 24 meeting.

Senior Advisory - Council member Anvil stated that the next meeting will be held on February 11, 10:00 a.m. at the Senior Center.

The Council took a 10-minute break.

IX. OLD BUSINESS

Item A: Public Hearing of Ordinance #98-01, Reviser of Ordinances (Phillips).

Mayor Phillips opened the Public Hearing. Seeing and hearing no one to speak to the proposed ordinance, Mayor Phillips closed the public hearing and asked for Council input.

motion M/M by O'Brien, 2nd by Williams, to adopt Ordinance #98-01

vote Voice vote, motion carried unanimously

Item B: Discussion - Road Use Sticker Fee

Council member Williams updated the Council on the February 4 work session. The suggestions from that meeting are as follows:

- 1) To delay, for the time being, an all-inclusive sticker fee that would apply to all registered vehicles.
- 2) To implement a sticker fee for heavy equipment, both registered and non-registered, and to require payment of the fee by both local and outside owners/operators.
- 3) To base the sticker fee on the current average cost of registering a dump truck.
- 4) To further discuss the idea of putting the sticker fee on October's ballot for voter approval.

After discussion, the following motion was made:

motion M/M by Williams, 2nd by O'Brien, to send Items 1-3 to the City Attorney for an ordinance to be drafted and introduced at the February 24 Council meeting.

vote Voice vote, motion carried unanimously

Item C: Discussion - City Manager recruitment efforts

After reviewing the latest batch of resumes, Council directed the Clerk to request applications from Bob Herron and Harry Jensen. The Council agreed to meet in a work session on February 13, 6:30 p.m. at the City Offices, to review any final resumes that come in before the position closes. Mayor Phillips asked the Council to begin narrowing their choices to a short-list of candidates to interview.

X. NEW BUSINESS

Item A: Review of Year-end Financial Statements by Altman Rogers Co. and Resolution #98-03, Accepting the Year-end Financial Statement (Weaver)

City Manager Weaver introduced Mike Jansen with Altman Rogers Company. Mr. Jansen reviewed the Financial Statements with the Council, and answered a number of questions. Mr. Weaver suggested that the contract with Altman Rogers be extended for 1 additional year. The Municipal Code requires that the City re-bid the audit services contract every two years, and this spring is the two-year anniversary of Altman Rogers' contract. However, in light of Mr. Weaver's resignation, a one-year extension of the current contract would help provide for a

smoother transition Council member Notti asked if the extension would be at the same rate as the current contract. Mr. Jansen replied that the fees would remain the same.

motion M/M by Williams, 2nd by O'Brien, to extend the contract with Altman Rogers Company for financial and audit services for one additional year.

vote Voice vote, motion carried unanimously.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to adopt Resolution #98-03

vote Voice vote, motion carried unanimously.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to reverse New Business Item D and New Business Item C.

vote Voice vote, motion carried unanimously.

Item B: Resolution #98-04, Increasing Impound Fees (Williams)*- Adopted by Consent.

Item C: Discussion - Discussion: SART (Williams)

Mayor Phillips stated her support for the SART, (Sexual Assault Response Team) and asked the Council to consider a donation of \$1,000.00 to their training fund. At the Mayor's request, Officer Terry Stonecipher and TWC Director Nancy O'Meara reported on the training needs of the SART. After further discussion, Council agreed to donate \$1,000.00 to the SART. The funds will come out of the Police Department's Travel and Training budget line item.

Item D: Introduction of Ordinance #98-02 - Mid-year Budget Changes (Weaver)*

City Manager Weaver reviewed the proposed budget amendments for the Council. Council member Williams noted that the City lobbyist had suggested that several Council members travel to Juneau before the end of the session. Council member O'Brien noted that he will be in Juneau in early April for an AML meeting. Council member Anvil suggested that perhaps ONC could purchase his previously issued ticket to Juneau, and send him to the upcoming RuralCAP conference, as traditional chief of Bethel. While there, he could meet with the City's legislators.

motion M/M by Williams, 2nd by O'Brien, to direct the City Clerk to contact ONC with a proposal that they pay for Council member Anvil's ticket to Juneau to attend the RuralCAP Village Participation Conference.

vote Voice vote, motion carried, unanimously.

Council agreed by consent to amend the ordinance by increasing the Council Travel and Training line item by \$3,000.00 instead of by \$500.00, to provide for additional travel to Juneau.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to suspend the rules of procedure and continue the meeting past 10:00 p.m.

vote Voice vote, motion carried, unanimously.

Council continued the discussion on the proposed ordinance. Council agreed by consent to amend the ordinance by increasing the Police Department Travel and Training line item by \$1,000.00 to provide for the donation to the SART.

motion M/M by Williams, 2nd by Anvil, to introduce Ordinance #98-02 as amended.

vote Voice vote, motion carried, unanimously.

XI. COUNCIL MEMBER COMMENTS

Anvil – Would like to see an ordinance requiring that an adult accompany children under the age of 16 when using a snow-machine. Was not aware of the August 15 deadline for conversion to holding tanks.

Notti – Two elders who recently passed away will be greatly missed.

O'Brien – no comment.

Phillips – Will be in Anchorage February 16-20 for training.

Rodgers - absent, no comment.

Sanchez-Pobrislo – no comment.

Williams – no comment.

XII. EXECUTIVE SESSION

motion M/M by Williams, 2nd by Notti, to go into Executive Session at 10:25 p.m., to discuss legal strategy for negotiations with the employee bargaining unit.

vote Voice vote, motion carried unanimously.

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to come out of Executive Session at 11:08 p.m.

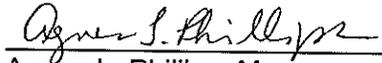
vote Voice vote, motion carried unanimously.

XIII. ADJOURNMENT

motion M/M by Williams, 2nd by Sanchez-Pobrislo, to adjourn the meeting at 11:08 p.m.

vote Voice vote, motion carried unanimously.

PASSED AND APPROVED THIS 24TH DAY OF FEBRUARY, 1998



Agnes L. Phillips, Mayor

ATTEST:



L.J. Warren, City Clerk