

# City of Bethel, Alaska

## City Council Minutes

April 25, 2006

Regular Meeting

Bethel, Alaska

### CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on April 25, 2006, at 6:30p, in the Council Chambers, Bethel, Alaska.

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

### ROLL CALL

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

Members present:

Mayor R. Thor Williams (via teleconference)  
 Council Member Hugh Dymont (exited meeting at 10p)  
 Council Member Tundy Rodgers  
 Council Member Andrew McGowan  
 Council Member Mary Kenick (via teleconference)  
 Council Member Dan Leinberger  
 Council Member David Trantham Jr.

Others present:

City Manager Wally Baird  
 City Clerk Sandra Modigh  
 City Attorney Sharon Sigmon (arrived at 8p)

### SPECIAL ORDER OF BUSINESS

#### Item A- Elect Mayor Pro Tempore

<b>MOVED:</b>	Trantham	To elect Council Member Rodgers as Mayor Tempore.
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Kenick	To elect Council Member Leinberger as Mayor Tempore.
<b>SECONDED:</b>	Dymont	
Council Member Leinberger declined to be elected as Mayor Tempore		
<b>VOTE ON MAIN MOTION</b>	<i>none</i>	

<b>MOVED:</b>	Leinberger	To close election of Mayor Tempore
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>   Council concurrence		
<b>VOTE ON MAIN MOTION</b>   Council concurrence		

**PEOPLE TO BE HEARD**

1. Edith Ashapak addressed Council to speak n favor of ordinance 06-05.
2. Elena Fox addressed Council to speak n favor of ordinance 06-05.
3. Anna Davis addressed Council to speak n favor of ordinance 06-05.
4. Louise Charles addressed Council to read a letter from the Senior Advisory Board in support ordinance 06-05. Louise Charles also spoke in favor of ordinance 06-05.
5. Bill Burnard addressed Council to speak in favor of resolution 06-11.
6. Ed Lackey addressed Council to speak in favor of the current petition of the community and the original intent of the petitioners.
7. Susan Taylor addressed Council to state that she does not want this election to be a fight between the community attorneys and a community fight about booze. Mrs. Taylor also stated that the next Moving Wall Community meeting is May 1, 2006, 5:15p, Council Chambers.
8. Carl Berger addressed Council to read a letter into the record from him to DOT Commissioner Barton regarding "the deplorable conditions of our community's two main roads". Mr. Berger requested that Council pass a resolution taking action on the current status of the roads.

<b>MOVED:</b>	McGowan	To direct the City Manager to direct the Planning Commission to stay on top of the easement issues and the resurfacing with by-weekly reports to be mailed to all Council members.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>   Carried unanimously		

9. Heather Sia addressed Council to state that she is against lawyers twisting the logical intent of language and requested that the City Council not use or enforce the City Attorneys interpretation of the language of the petition.

Council and Heather Sia discussed the options of the City Attorneys memorandum.

<b>MOVED:</b>	McGowan	to direct the City Manager to direct the City Attorney to contact Preston Gates and Ellis for a second opinion regarding the initiative Alcohol Delivery Site petition
<b>SECONDED:</b>	Leinberger	

<b>MOVED:</b>	Leinberger	To amend the motion to strike out "direct the City Manger"
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		
<b>VOTE ON MAIN MOTION</b> Passed 6-1 (No: Williams)		

#### APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

<b>MOVED:</b>	McGowan	To approve the Consent and Regular Agenda for the April 25, 2006 Council meeting.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b> Carried unanimously.		

<b>MOVED:</b>	Kenick	To suspend the rules to re-address the approval of the agenda
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b> Passed 6-1 (No: Rodgers)		

<b>MOVED:</b>	Kenick	To table ordinance 06-05
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b> Lost: 2 – 5 (Williams, Kenick voting for)		

#### APPROVAL OF MEETING MINUTES

- 4/11/06 Regular Meeting Minutes

*Meeting minutes passed on the consent agenda*

#### REPORTS OF STANDING COMMITTEES

Port Commission (Mayor Williams): Port Director Martin addressed Council to state that the Commission has postponed the appointment of the Horary Port Captain.

Senior Advisory Board: Mayor Williams stated that the Board has not met since the last Council meeting.

Public Works Committee (Council Member McGowan): Council Member McGowan stated that the committee met and discussed the following:

- recommendation to City Council regarding the BUC waste heating fuel

- grinder pumps and lift stations
- utility rate increase schedule

Finance Committee (Council Member Leinberger): Council Member Leinberger stated that the Committee has not met since the last Council Meeting.

Alternative Energy Committee (Council Member Leinberger): Council Member Leinberger stated that the Committee has not met since the last Council meeting.

Public Safety & Transportation Commission (Council Member Dymont): Council Member Dymont stated that the Commission has not met since the last Council meeting.

Parks & Recreation Committee (Vice-Mayor Kenick): Vice-Mayor Kenick stated that the Committee has not met since the last Council meeting.

**UNFINISHED BUSINESS**

**Item A- Public Hearing of Ordinance 05-11 (D): An Ordinance By The Bethel City Council Amending The Adopted Annual FY2005-06 Budget**

**Public Hearing:**

*None*

<b>MOVED:</b>	Williams	To adopt ordinance 05-11 (D).
<b>SECONDED:</b>	Leinberger	
Mayor Williams advised Council of the amendments made between him and administration.		
<b>VOTE ON MAIN MOTION</b>	Carried unanimously	

**Item B- Public Hearing Of Ordinance 06-05: An Ordinance Amending The Sales Tax Code To Provide An Exemption For Senior Citizens' Heating Fuel**

**Public Hearing:**

*None*

Council Member Trantham stepped down from the bench due to a conflict of interest per Council concurrence.

<b>MOVED:</b>	McGowan	To hold an additional public hearing on ordinance 06-05 at the next Council Meeting
<b>SECONDED:</b>	Leinberger	

<b>MOVED:</b>	Leinberger	To amend the motion to hold an additional public hearing at the first Council meeting in June.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>	Carried: 5 – 1 Kenick voting against Trantham Jr. abstaining	
<b>VOTE ON MAIN MOTION</b>	Carried: 5 - 1 Williams voting against. Trantham Jr. abstaining	

<b>MOVED:</b>	Leinberger	To refer ordinance 06-05 back to the finance committee for a broader look at the senior sales tax exemption instead of the single issue.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously	

## NEW BUSINESS

### **Item A- Introduction of Ordinance 06-10: An Ordinance Amending Planning Office Fees And Charges Schedule For Electronic Copies Of The Bethel Address Map, Application Of Zoning Changes, And Basic GIS Data In Electronic Format**

*Ordinance 06-10 was introduced on the consent agenda*

### **Item B- Resolution 06-11: A Resolution By The Bethel City Council To Accept Denali Commission Grant Funds To Purchase A System Ten-Sixty Baler And Pay For 3 Phase Electrical Service To The Recycling Center**

*Resolution 06-11 was introduced on the consent agenda*

### **Item C- Bethel Emergency Flood Plan**

Council Member Dyment stated that he's concerned regarding an up coming flood and would like an update on our City of Bethel Flood Plan.

City Manager Baird advised that the City administration has met recently regarding the issue and will meet again later this week to address this matter. A public service announcement will be sent out to the public to keep them informed and prepared.

**MAYOR'S REPORT**

- Letter from Division of Homeland Security regarding the Spring Flood Breakup Guide-2006
- Letter from the University of Nebraska Lincoln regarding publications
- Letter from DOT regarding the Bethel Airport Improvements Phase 5
- Updated Council on lobbying efforts in Juneau

**MANAGER'S REPORT**

- Letter from BUC regarding street lighting and power poles
- Letter from R&M consultants regarding Bethel Fire Wall Waste Heat Costs
- Budget Work Session with City Council agenda

<b>MOVED:</b>	Trantham	To hold a Special Council meeting on April 29, 2006 for purposes of working on the FY07 Budget.
<b>SECONDED:</b>	Leinberger	
<b>MOVED:</b>	Williams	To amend the motion to address Capitol Improvement Projects as the first order of business.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		
<b>VOTE ON MAIN MOTION</b> Carried: 6 – 1 McGowan voting against		

<b>MOVED:</b>	Dyment	To address the BUC matter in executive session at the next Council meeting.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		

**CITY CLERK'S REPORT**

- Special Election-election officials needed

<b>MOVED:</b>	Trantham	To approve the City Manager's leave request
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		

Council Member Trantham provided a Press Release from AML regarding the Administrative Professional Day and Municipal Clerks Week.

**COUNCIL COMMENTS**

Council Member Rodgers: be careful on snow mobiles and go hug an elder

Council Member Trantham: relayed a letter from Russ Kelly, Deputy Chief of Staff & Director of Communications thanking Council Member Trantham for the invite to Bethel during the 4<sup>th</sup> of July but had to decline the offer.

Council Member Trantham also requested Council concurrence for the City Manager to travel to Juneau in May accompanied by a Council Member during the end of the legislative session and advised Council on current bills.

<b>MOVED:</b>	Leinberger	To suspend the rules to proceed past 10p
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		

Mayor Williams: no comment

Vice-Mayor Kenick: no comment

Council Member Leinberger: stated that he will look at his schedule to see if he's available to travel to Juneau also stated, best wishes to Council member Dyment and his wife, and Happy Birthday to his wife.

Council Member McGowan: no comment

<b>MOVED:</b>	Trantham	To approve Council member McGowan's travel to Juneau.
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Trantham	To amend the motion to include Council member Leinberger.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b> Carried unanimously		
<b>VOTE ON MAIN MOTION</b> Carried unanimously		

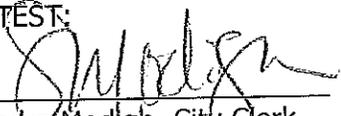
<b>MOVED:</b>	Trantham	To approve travel for the City Manager to Juneau funds permitting.
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Leinberger	To amend the motion to strike out "funds permitting"
<b>SECONDED:</b>	McGowan	

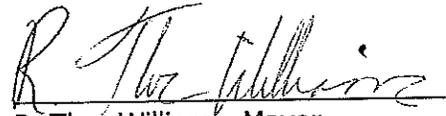
<b>VOTE ON MAIN MOTION</b>	Carried unanimously

<b>ADJOURNMENT</b>		
<b>MOVED:</b>	McGowan	To adjourn the meeting at 10:15p.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously	

With no further business before the Council, the meeting adjourned at

APPROVED THIS 9<sup>th</sup> DAY OF MAY, 2006.

ATTEST:  
  
 Sandra Modlgh, City Clerk

  
 R. Thor Williams, Mayor