
City of Bethel City Council Meeting Minutes

January 13, 2009

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on January 13, 2009 at 6:30p, in the Council Chambers, Bethel, Alaska.

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

II. ROLL CALL

Members present:

Mayor Tiffany Zulkosky
Vice-Mayor Dan Leinberger
Council Member Eric Middlebrook
Council Member LaMont Albertson
Council Member Klejka Joseph Klejka
Council Member Thor Williams
Council Member Beverly Hoffman

Others present:

City Manager Lee Foley
City Clerk Lori Strickler

III. PEOPLE TO BE HEARD

Mike Williams

Spoke in favor of the ice road agreement between the City of Bethel and nearby villages.

Lorin Bradbury

Spoke in favor of Ordinance 09-01: An Ordinance Amending The Sales Tax Code To Provide And Exemptions For Nonprofit Religious Organizations

Jody Malus

Spoke in opposition to Ordinance 08-20: An Ordinance Amending Section 2.04.055 Public Participation To The Bethel Municipal Code.

IV. SPECIAL ORDER OF BUSINESS

Item A –Proclamation Recognizing The K-300 Race Week January 18th-24th.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Middlebrook	Motion to approve the Consent and Regular Agenda.
SECONDED:	Williams	
MOVED:	Williams	Motion to remove Item D, under New Business from the Consent Agenda.
MOVED:	Middlebrook	Motion to pull Item B, Resolution 09-02: FY 2009 Bethel Community Services Patrol Program Grant, and Item C, Resolution 09-03: City Of Bethel Readdressed Priorities For the FY 20110 State Of Alaska Legislative Funding Cycle, from the Consent Agenda.
MOVED:	Middlebrook	Motion to table Item E, 09-01: An Ordinance Amending The Sales Tax Code To Provide An Exemption For Nonprofit Religious Organizations, until the February 10 th , Council meeting.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Williams	Remove Item D, Resolution 09-04: Support For The Preparation And Submission Of SFY 2010 Municipal Harbor Facility Grant, from the Consent Agenda.
VOTE ON MAIN MOTION	All in favor	

VI. UNFINISHED BUSINESS

Item A –Resolution 08-27: Approval Of City Of Bethel –Bethel Transit System Drug And Alcohol Policy And Drug And Alcohol Testing Procedures.

MOVED:	Leinberger	Motion to adopt Resolution 08-27: Approval Of The City Of Bethel –Bethel Transit System Drug And Alcohol
SECONDED:	Hoffman	

MOVED:	Middlebrook	Motion to amend the Main motion by striking in its entirety "Guidelines:" under Section #19.
SECONDED:	Williams	
VOTE ON MOTION	All in favor	
MOVED:	Middlebrook	Motion to amend the main motion by striking in Section #20 "14" years of age and insert "10" years of age.
SECONDED:	Williams	
MOVED:	Middlebrook	Motion to suspend the rules to hear from the Grants Manager, John Sargent, on this subject.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	6-1 Motion passes, Leinberger opposed	
MOVED:	Middlebrook	Motion to direct the City Manager to clarify Section #23, of the Policy
SECONDED:	Williams	
MOVED:	Klejka	Motion to amend the motion by striking in its entirety, "#23 Policy On: non-duplication of services".
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	
VOTE ON MOTION	All in favor	
MOVED:	Middlebrook	Motion to amend the main motion by striking "6. Hair must be neat and clean and of appropriate length." Under Section #8, in the policy.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

		Policy And Drug And Alcohol Testing Procedures.
MOVED:	Middlebrook	Motion to amend the main motion by inserting "annual or sick leave" in Section X, Subsection C, 1, after "employees".
SECONDED:	Williams	
VOTE ON MOTION		
5-2 Motion passes, Albertson and Hoffman opposed		
MOVED:	Leinberger	Motion to amend the main motion by inserting "annual" in Section XII, Subsection B, after "(60) minutes:.
SECONDED:	Williams	
VOTE ON MOTION		
All in favor		
VOTE ON MAIN MOTION		All in favor

Item B- Resolution 08-28: Approval Of The City Of Bethel Transit System Policies And Procedures.

MOVED:	Leinberger	Motion to adopt Resolution 08-28: Approval Of The City Of Bethel Transit System Policies And Procedures.
SECONDED:	Hoffman	

Item C – Public Hearing Of Ordinance 08-20: An Ordinance Amending Section 2.04.055 Public Participation To the Bethel Municipal Code.

Public Hearing

David Trantham

Spoke in opposition of Ordinance 08-20: An Ordinance Amending Section 2.04.055 Public Participation To The Bethel Municipal Code.

MOVED:	Leinberger	Motion to introduce Ordinance 08-20: An Ordinance Amending Section 2.04.055 Public Participation To The Bethel Municipal Code.
SECONDED:	Klejka	
MOVED:	Middlebrook	Motion to amend the main motion to strike "chair or a" in every section of the ordinance which states "unless otherwise specified by the chair or a majority vote or the council".
SECONDED:	Williams	
VOTE ON MOTION		
2-5 Motion fails, Middlebrook and Williams in favor		
MOVED:	Middlebrook	Motion to amend the main motion by striking "6:30 p.m." and inserting "the scheduled starting time of the meeting".
SECONDED:	Williams	
VOTE ON MOTION		
All in favor		
VOTE ON MAIN MOTION		5-2 Motion passes, Middlebrook and Williams opposed
MOVED:	Williams	Motion to take a ten minute break.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION		
5-2 Motion fails, Middlebrook and Williams in favor		

Item D- Public Hearing Of Ordinance 08-10 (D): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY 2008-2009 Budget.

Public Hearing

No one wished to be heard.

MOVED:	Albertson	Motion to adopt Ordinance 08-10 (D): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY 2008-2009 Budget.
SECONDED:	Leinberger	
MOVED:	Hoffman	Motion to suspend the rules to hear from the Finance director, Laurie Walters.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Williams	Motion to amend the main motion to strike "60,000" under line item 10- 51-642, Legal Fees, and insert "120,000."
SECONDED:	Leinberger	
VOTE ON MOTION	6-1 Motion passes, Albertson opposed	
VOTE ON MAIN MOTION	6-1 Motion passes, Albertson opposed	

Item E- Committee/Commission Appointment

Mayor Zulkosky did not appoint anyone to the Commissions or committees.

Item F- Approving The 2009 Council Meeting Schedule

MOVED:	Hoffman	Motion to approve the City Council meeting schedule for 2009.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item G – City Council Travel Policy #06-03 Amending City Council Travel Policy #06-02.

MOVED:	Leinberger	Motion to adopt City Council Travel Policy #06-03
SECONDED:	Albertson	
VOTE ON MAIN MOTION	All opposed	

Item H- Korean Church Disposition

MOVED:	Hoffman	Motion to suspend the rules to hear from the Chief of Police, Larry Elarton.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	6-1 Motion passes, Williams opposed	

MOVED:	Middlebrook	Motion to suspend the rules to move Item B under New Business, Resolution 09-02: FY 2009 Bethel Community Services Patrol Program Grant, to the next item on the agenda.
SECONDED:	Williams	
VOTE ON MAIN MOTION	All in favor	

NEW BUSINESS

Item B- Resolution 09-02: FY 2009 Bethel Community Services Patrol Program Grant

MOVED:	Klejka	Motion to introduce Resolution 09-02: FY 2009 Bethel Community Services Patrol Program Grant.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	5-2 Motion passes, Williams and Middlebrook opposed	

MOVED:	Williams	Motion to move forward with allowing the American Legion to use the building previously used as the Korean Church.
SECONDED:	Middlebrook	

MOVED:	Williams	Motion to amend the main motion to direct the City Manager to bring a proposal/contract between the American Legion and the City of Bethel to the February 10 th City Council Meeting.
SECONDED:	Middlebrook	

VOTE ON MOTION	All in favor	
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VOTE ON MAIN MOTION	All in favor
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Unfinished Business

Item I – Planning Of The Road Through The Donut Hole And Any Further Directives

MOVED:	Williams	Motion to break for ten minutes.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

Item J – Update On City’s Capital Budget Priorities To The Governor And Legislature.

Item K – Cell Phone Services Contract For City Employees Between GCI And Unicom

Item L – Status Of Increased State Funding For Local Division Of Motor Vehicle Operations.

MOVED:	Hoffman	Motion to approve the funding from the State of Alaska for the Division of Motor Vehicle Office in Bethel, as outlined in a letter addressed to the Finance Director.
SECONDED:	Albertson	
MOVED:	Middlebrook	Motion to amend the motion to approve State funding until June 30 th , 2009 at which time the State of Alaska must come up with a permanent solute for a state run DMV.
SECONDED:	Williams	
MOVED:	Leinberger	Motion to divide the question.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION	All opposed	
VOTE ON MOTION	2-5 Motion fails, Middlebrook and Williams in favor	

MOVED:	Leinberger	Motion to amend the main motion to direct the administration to have discussion with the State of Alaska DMV to find out what their plan would be if the City would not continue running the DMC at the end of the fiscal year.
SECONDED:	Middlebrook	
VOTE ON MOTION		
		All in favor
VOTE ON MAIN MOTION		
		All in favor

MOVED:	Leinberger	Motion to extend the meeting past 10:00p.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION		
		6-1 Motion passes, Williams opposed

Item M- Future Use Of Automatic Data Processing By The City

MOVED:	Williams	Motion to direct administration to begin the transition to automatic data processing for the upcoming fiscal year.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION		
		6-1 Motion fails, Williams in favor

Item N –Updates on Ice Road Cooperative Agreement Between The City Of Bethel And Surrounding Communities

MOVED:	Middlebrook	Motion to direct the City Manager to hold a round table discussion and to organize with members of the communities that he has contacted, and to forward the draft agreement to each community.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION		
		All in favor

MOVED:	Middlebrook	Motion to direct the City Manager to draft a budget modification in the amount of \$15,000 for the ice road construction for the next regular City Council meeting.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION		
All in favor		

VII. NEW BUSINESS

Item A- Resolution 09-01: Alaska Coastal Management Program Grant

Passes on the Consent Agenda

Item B under New Business was discussed previously in the meeting.

Item C- Resolution 09-03: City Of Bethel Readdressed Priorities For The FY 2010 State Of Alaska Legislative Funding Cycle.

MOVED:	Hoffman	Motion to adopt Resolution 09-03: City Of Bethel Readdressed Priorities For The FY 2010 State Of Alaska Funding Cycle.
SECONDED:	Klejka	
VOTE ON MAIN MOTION		
6-1 Motion passes, Williams opposed		

Item D – Resolution 09-04: Support For The Preparation And Submission Of SFY 2010 Municipal Harbor Facility Grant

MOVED:	Williams	Motion to introduce Resolution 09-04: Support For The Preparation And Submission Of SYF 2010 Municipal Harbor Facility Grant.
SECONDED:	Leinberger	

MOVED:	Williams	Motion to amend the main motion to changing the sixth whereas to read "the total project cost will not exceed \$600,000 and if funded, fifty percent of the project cost will need to be reappropriated in the FY 2010 Bethel City Council's Adopted Annual Budget, Erosion Repair and Bank Stabilization Project (Account #52-50-773), where the funds well be available after July 1, 2009 and serve as the local match requirement;" and under the, "NOW THEREFORE< BE IT RESOLVED that the Bethel City Council supports the preparation and submission of a grant application to the Alaska Department of Transportation and Public Facilities (DOT&PF) that requests funding for three Port of Bethel projects: (1) Small boat harbor improvements, and (2) bollard pile installation at City Dock, and (3) Bollard pile installation at the Petro Port".
SECONDED:	Middlebrook	
VOTE ON MOTION		
		All in favor
VOTE ON MAIN MOTION		
		All in favor

MOVED:	Leinberger	Motion to extend the meeting past 11:00p.
SECONDED:	Klejka	
VOTE ON MAIN MOTION		
		6-1 Motion passes, Williams opposed

Item E- Introduction Of Ordinance 09-01: An Ordinance Amending The Sales Tax Code To Provide And Exemption For Nonprofit Religious Organizations

Postponed to the February 10th meeting.

Item F- Travel For Council Members To The AML Legislative Conference

MOVED:	Williams	Motion to approve travel for the Mayor and AML representative to the AML winter legislative meeting.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item G –Direction Concerning The Work Place For City Clerk During Council Meeting

MOVED:	Williams	Motion to direct the City Clerk to move to the original workplace during the council meetings.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	5-2 Motion fails, Williams and Middlebrook in favor	

Item H –Update From The Administration Concerning The Bethel Sleepoff Center And Future Direction From The Council

Item I – City Manager’s Request For Travel And Training For Medical Appointments And Attendance At A Certificate In Employee Relations Law Seminar In Anchorage, January 20-26, 2009

MOVED:	Klejka	Motion to approve the City Manager’s travel and leave request.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

Item J- City Clerk Personal Leave Request march 24th -27th

MOVED:	Klejka	Motion to approve the City Clerk’s leave request.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

Item K – Recommendation For City Finance Training

MOVED:	Leinberger	Motion to approve the recommendation and have a training conducted by Mikunda Cottreell.
SECONDED:	Hoffman	

VOTE ON MAIN MOTION	4-3 Motion passes, Middlebrook, Williams and Hoffman opposed	
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MOVED:	Middlebrook	Motion to suspend the rules to go to the Mayor's Report.
SECONDED:	Leinberger	

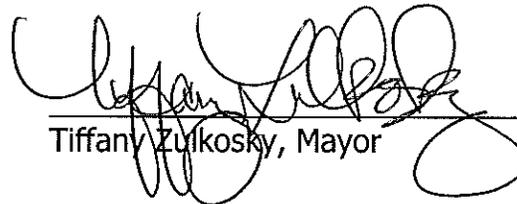
VOTE ON MAIN MOTION	All in favor	
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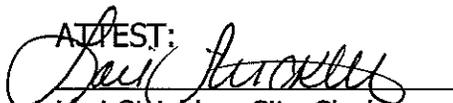
- VIII. MAYOR'S REPORT**
- IX. MANAGER'S REPORT**
- X. CLERK'S REPORT**

MOVED:	Klejka	Motion to adjourn
SECONDED:	Middlebrook	

VOTE ON MAIN MOTION	All in favor	
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APPROVED THIS 27th DAY OF JANUARY, 2009


 Tiffany Zulkosky, Mayor

ATTEST:

 Lori Strickler, City Clerk