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# City of Bethel, Alaska

## City Council Minutes

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August 9, 2005

Regular Meeting

Bethel, Alaska

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### CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 9, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

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

### ROLL CALL

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

David E. Trantham	Andrew McGowan
R. Thor Williams	Hugh Dymont
Stanley "Tundy" Rodgers	Yolonda Jorgensen
Dan Leinberger	

Also in attendance were the following:

Wally Baird, City Manager  
Sandra Modigh, City Clerk

### PEOPLE TO BE HEARD

1. Willie Keppel addressed Council to discuss the City Attorney Billing. Mr. Keppel stated that he placed a request for public records and would like to know why it is taking the City Attorney's so long to complete his request. Mr. Keppel also stated that he is pleased with the new administration.

Council concurred to have the City Manager research the current attorney billing process.

2. Amber Peterson, Chrissie Shantz Adult Day Program Coordinator addressed Council and stated that the Senior Center staff is very dedicated. Mrs. Peterson stated that the staff and elders were upset and shocked to hear the serious accusations made against the Senior Center Director and staff by a community member and agreed by a City Council Member. Mrs. Peterson stated that it was improper for a City Council Member to openly attack the Senior Center staff over the radio in a public forum. Mr. Peterson invited any community members to visit the Senior Center to speak with the elders and observe the Senior Center.
3. Mary Gregory, Senior Advisory Board Chair, stated that she stand behind the Senior Center Staff 100%. Mrs. Gregory also stated that they feel very serious about the accusations.
4. Sara Konig, Senior Center Cook, stated that she loves her job and the elders. The elders have told Mrs. Konig that the seniors enjoy the Senior Center.

5. Louise Charles, Senior Center Director, stated that her staff is dedicated, committed, and work very hard. Mrs. Charles also stated that the staff has standards and good communication. Mrs. Charles thanked Council for their time and support.

Mayor Dymont stated that the Senior Center Staff was very courageous to address Council regarding this issue.

**APPROVAL OF THE CONSENT AGENDA AND REGULAR AGENDA**

<b>MOVED:</b>	Rodgers	To approve the Consent and Regular Agenda for the August 9, 2005 meeting as amended to move Senior Center Transfer item D under New Business to item A under Unfinished Business and removing Resolution #05-31 from the consent agenda.
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Council concurrence

**APPROVAL OF MINUTES**

- \*7/26/05 Regular Meeting Minutes
- \*7/28/05 Special Meeting Minutes

*Meeting Minutes as amended approved under the consent agenda*

**SPECIAL ORDER OF BUSINESS**

Janet Athanas, City Parks & Recreation Director addressed Council to invite Council and the public to participate in the Multi-Use Recreational Facility Community Planning Workshop.

**REPORTS OF STANDING COMMITTEES**

Parks & Recreation Committee (Council Member Jorgensen): Council Member Jorgensen reported the Committee has not met since the last Council Meeting. The next meeting is scheduled August 16, 2005.

Public Works Committee (Council Member Leinberger): Council Member Leinberger reported that the Committee has not met since the last Council Meeting. The next meeting is August 16, 2005.

Planning Commission (Vice-Mayor Rodgers): Vice Mayor Rodgers reported that the Commission has not met since the last Council Meeting. The next Commission will be on August 11, 2005. Vice Mayor Rodgers advised Council that Mark Charlie resigned from the Planning Commission. Vice-Mayor Rodgers stated that Emilee Kutch, Planning Code Enforcement Agent will be missed greatly.

Port Commission (Council Member Williams): Council Member Williams reported that the Commission met on August 9, 2005, due to a lack of a quorum the Commission was unable to conduct business and has been postponed until August 15, 2005.

Public Safety & Transportation Commission (Mayor Dymont): Mayor Dymont reported that the Commission last met on August 8, 2005. The Mayor advised Council that the Commission will be providing Council a taxi drug/alcohol testing/screening policy. Mayor Dymont stated that he brought the concerns to the taxi cab industry. Mayor Dymont also stated that if the community has complaints regarding a specific taxi cab they can address the Public Safety Commission meetings or contact the Police Department.

Community Cemetery Planning Committee (Council Member Trantham): Council Member Trantham reported that the Committee has not met since the last Council Meeting. The Committees next meeting will be held on August 18, 2005. Council Member Trantham stated that a small amount of work will need to be completed to maintain the current cemetery until the new is completed.

Finance Committee ( Council Member McGowan): Council Member McGowan stated the Finance Committee last met on August 4, 2005. The Commission will be revising the water and sewer rate structure. Council Member McGowan requested Administrations help with the revisions.

Alaska Municipal League (Council Member Trantham): Council Member Trantham stated that 2 Council Members and the City Manager are planning to attend the AML Mayor's Conference in Skagway. Council Member Trantham stated that our Council represents the region at the AML

Mayor Dymont reminded Council Members that the Committee/Commission has the responsibility to declare a vacancy when a member is unable to attend the required number of meeting per calendar year per the Bethel Municipal Code.

***The meeting recessed from 7:18p until 7:30p***

## **UNFINISHED BUSINESS**

**Item A-Senior Center Transfer & Public Hearing of Ordinance #05-12: An Ordinance Authorizing an Amendment to a 1985 Ground Lease of City Owned Property to Orutsararmuit Native Council ("ONC") Allowing ONC Operate a Community Hall/Multipurpose Building**

### **Public Hearing:**

1. Willie Keppel stated that he supports ONC and the Senior Center Transfer.
2. Mike Samuelson addressed Council requesting that a sentence in the ground lease be amended, changing the wording from in accordance rules that may be established by the City Manager to in accordance with rules that may be established by local and state laws.

<b>MOVED:</b>	Rodgers	To adopt Ordinance #05-12: An Ordinance Authorizing an Amendment to a 1985 Ground Lease of City Owned Property to Orutsararmuit Native Council ("ONC") Allowing ONC Operate a Community Hall/Multipurpose Building
<b>SECONDED:</b>	Trantham	
<b>MOVED:</b>	Trantham	To remove amend the ground agreement to remove "established by the City Manager" and insert "the state and local laws."
<b>SECONDED:</b>	Rodgers	
<b>MOVED:</b>	Leinberger	To remove "rules that may be established by the City Manager" and replace it with state and local laws.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON SECONDARY AMENDMENT</b>	Passed	Roll call vote 4-3 (No: Jorgensen, Williams, & McGowan)
<b>VOTE ON PRIMARY AMENDMENT</b>	<i>none</i>	<i>Vote on secondary amendment supersedes primary amendment.</i>
<b>MOVED:</b>	Jorgensen	To amend the ground lease sentence to state "in accordance with rules that may be established by the City Manager and may be appealed to City Council."
<b>SECONDED:</b>	Williams	
<b>MOVED:</b>	Rodgers	To suspend the rules to allow public testimony.
<b>SECONDED:</b>	Williams	
<b>VOTE ON MOTION</b>	Passed	Council concurrence.
<p>Henry Hunter Sr., ONC Chair, addressed Council to state that would like to see Council postpone Ordinance #05-12 allowing both the City and ONC Council to meet and discuss the suggested ordinance changes.</p>		
<b>MOVED:</b>	Williams	To take a recess at 8:22p
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MOTION</b>	Passed	Roll call vote (No: Williams & Trantham)
<p><i>Council returned to the meeting at 8:32p</i></p>		
<b>VOTE ON PRIMARY AMENDMENT</b>	Failed	Roll call vote 1-6 (Yes: Williams)

<b>MOVED:</b>	Leinberger	To suspend the rules to allow public testimony.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

Mike Samuelson addressed Council and suggested revisions to the ground lease.

<b>MOVED:</b>	Rodgers	To revise the ground lease sentence to read "in accordance with the local and state laws and all activities be drug/alcohol free"
<b>SECONDED:</b>	Williams	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 6-1 (No: Williams)

Council concurred to suspend the rules to allow public testimony.

Mr. Henry Hunter addressed Council to discuss lease agreement revisions.

<b>MOVED:</b>	Leinberger	To table Ordinance #05-12 until a Special Council Meeting on Friday.
<b>SECONDED:</b>	Williams	
<b>VOTE ON MAIN MOTION</b>	Failed	Roll call vote 3-4 (Yes: Williams, McGowan, & Leinberger)

<b>MOVED:</b>	Williams	To table Ordinance #05-12 until the August 23, 2005 Council Meeting.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 4-3 (No: Dymant, Rodgers, & Trantham)

<b>VOTE ON MAIN MOTION</b>	<i>Postponed</i>	<i>Until the 8/23 Council Meeting</i>
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Council discussed the Senior Center Transfer and the current MOA.

<b>MOVED:</b>	McGowan	TO call a special Joint Task Force Meeting on August 15, 2005 followed by a Special Council Meeting to take action on the ground lease and the MOA.
<b>SECONDED:</b>	Williams	
Council concurred to suspend the rules to allow public testimony.		
Mr. Henry Hunter agreed on the Joint Task Force Meeting to move things forward.		
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 6-1 (No: Tratham)

**Item B-Public Hearing of Ordinance #05-15: An Ordinance Amending Title 3 of the Bethel Municipal Code Regarding Employees Not Otherwise Covered Under a Collective Bargaining Agreement**

**Public Hearing:**

1. John Sargent, City Grant Managed urged Council to vote no on ordinance #05-15 because it directly effect the employees now supervised by the City Manager changing the employees to be an at-will-employee.

Council Member Trantham requested the legal cost (dollar amount) be brought to council regarding the time and research as soon as possible.

<b>MOVED:</b>	Trantham	To direct the City Manager to request the legal cost (dollar amount) be brought to Council regarding the time and research spent on Ordinance #05-15.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote (No: Williams)

Council debated Ordinance #05-15.

<b>MOVED:</b>	Williams	To set an additional public hearing for Ordinance #05-15 at the September 27, 2005 Council Meeting.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 7-0

<b>MOVED:</b>	Williams	To suspend the rules to proceed past 10p until 10:30p.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 5-2 (No: Jorgensen & Rodgers)

*Meeting recessed from 9:57p-10:06p*

*Council member Rodgers departed meeting at 10p.*

**Item C-Legislative Priorities**

<b>MOVED:</b>	Williams	To suspend the rules to allow public testimony
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>		
Passed	Council concurred	

Willie Keppel addressed Council to state that he would like to see Council make Wind Energy a Legislative Priority at \$10 million.

Janet Athanas addressed Council recommending that the City request \$2 million for a City Recreation Center.

John Sargent addressed Council to suggest \$1.5 million be request for new police station.

Council Member Rodgers:

- Reinstate revenue sharing
- Village Safe Water-\$10 million
- Alternative Energy-\$10 million
- Donut Hole road and gravel-\$1 million
- Dot \$50,000 ice road maintenance

Council Member Trantham:

- Village Safe Water \$10 million
- Gravel for Roads 1million
- Dot/ice Road Maintnace-50,000
- New Police Station-\$1 million
- Multi-Use Recreation/Convention Community Center-\$1 million
- Alternative Power-\$3 million

Council Member Williams:

- Police Department-\$2 million
- Donut Hole-\$2 million
- Alternative Energy
- Village Safe Water \$10 million
- Chief Eddie Hoffman Hwy/Bicycle Path
- Multi- Use Recreation Center-\$2 million

Jorgensen:

- Recreation Facility \$10 million
- Public Safety Building/Police Station-\$10 million

<b>MOVED:</b>	Leinberger	To suspend the rules to proceed past 10:30p.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 5-1 (No: McGowan)

- Alternate Energy-\$10 million
- Roads & Trails-\$10 million

Leinberger:

- Revenue Sharing
- Road through Donut Hole
- Recreational/Convention Center
- Alternative Energy
- Police Station/Regional Public Safety Building

McGowan:

- Revenue Sharing
- Road through Donut Hole
- Recreational/Convention Center
- Alternative Energy
- Police Station/Regional Public Safety Building

Dyment

- Protect VSW/DOT funds etc.
- Bethel Theater Concept & all other Council Member Legislative Priorities

Council discussed the City's Legislative Priorities

<b>MOVED:</b>	Leinberger	To suspend the rules to address the City Clerks merit increase and travel request.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

<b>MOVED:</b>	Williams	To approve a merit increase for the City Clerk in accordance with the Clerk's contract.
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Williamss	To retro act the merit increase to August 1, 2005.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON PRIMARY AMENDMENT</b>	Passed	Council concurrence
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 6-0

<b>MOVED:</b>	Williams	To approve the City Clerk's personal travel request.
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

<b>MOVED:</b>	Leinberger	To suspend the rules to address item A under new business, Resolution #05-31.
<b>SECONDED:</b>	Williams	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

**Item D-Resolution #05-31: A Resolution Supporting Wind Power Development in Bethel as a Way to Reduce/Eliminate the Cost of Electricity to the City, Other Profit-and Not-For-Profit Entities, and/or the Community as a Whole**

<b>MOVED:</b>	Williams	To adopt Resolution #05-31: A Resolution Supporting Wind Power Development in Bethel as a Way to Reduce/Eliminate the Cost of Electricity to the City, Other Profit-and Not-For-Profit Entities, and/or the Community as a Whole
<b>SECONDED:</b>	Leinberger	
Council requested Administration forward Resolution #05-31 to Alaska Energy Association, Congressional Delegation, Federal Delegation, State Delegation, and to the Governor.		
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 6-0

<b>MOVED:</b>	Leinberger	To suspend the rules to proceed until 11:10p.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 6-0

<b>MOVED:</b>	Leinberger	To suspend the rules to address the Mayor's Report.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

By a Council vote of 4-2 (No: Williams & Trantham) Steven Bush was appointed to the Planning Commission.

Council concurred to appoint Sharon Takumjenak to the Community Cemetery Planning Committee.

Council concurred to appoint Mark Miller to the Public Safety and Transportation Commission.

<b>MOVED:</b>	Williams	To suspend the rules to allow public testimony.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

Dale Langlie addressed Council to state that he's very impressed with the wind energy concept.

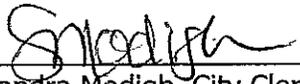
<b>MOVED:</b>	Leinberger	To adjourn at 11:10p
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 5-1 (No: Williams)

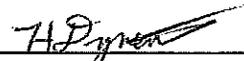
**ADJOURNMENT**

With no further business before the Council, the meeting adjourned at 11:10p.

**APPROVED THIS 23<sup>rd</sup> DAY OF AUGUST, 2005.**

ATTEST:

  
 Sandra Modigh, City Clerk

  
 Hugh Dymen, Mayor