
City of Bethel City Council Meeting Minutes

August 11, 2009

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 11, 2009 at 6:30p, in the Council Chambers, Bethel, Alaska.

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

II. ROLL CALL

Members present:

Council Member Hugh Dymont

Council Member Beverly Hoffman

Mayor Joseph Klejka

Council Member Dan Leinberger

Vice-Mayor Eric Middlebrook

Council Member Lamont Albertson (arrived at 7:06p and departed at 8:07p)

Members absent:

Council Member Thor Williams

Others present:

City Manager Lee Foley

City Clerk Lori Strickler

III. PEOPLE TO BE HEARD

Megan Foster –

Works for Senator Mark Begich in Washington D.C., thankful for the opportunity to visit Bethel.

Mary Hiratsuka-

Works for Congressmen Don Young, thankful for the opportunity to visit Bethel.

David Trantham –

Spoke in opposition to the Council's possible trip to Donlin Creek.
Thanked the Council for amending the Bethel Municipal Code Section 2.04.055 Public Participation.

Jim Valcarcie –

Spoke in opposition to sections of Ordinance 09-22 Increasing Solid Waste Rates and Subsidizing Operation of the Recycling Center.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Middlebrook	Motion to approve the consent agenda and regular agenda.
SECONDED:	Dyment	
MOVED:	Middlebrook	Pull item B and C under New Business from the consent agenda.
VOTE ON MAIN MOTION	All in favor	

V. SPECIAL ORDER OF BUSINESS

Item A- Recognition To Tiffany Zulkosky For Her Dedication To City Council And The Community Of Bethel.

Item B - Army National Guard Update Of The Site Location Provided By Commissioner Campbell and Jerry Walton.

General Tom Katkus from the Army National Guard provided an update to the City Council.

Item C -Proclamation Designating August 18, 2009 Representative Don Young And Lula Young Day In The City Of Bethel

VI. APPROVAL OF THE MEETING MINTUES

Item A – 7/28/2009 Special Council Meeting

Passed on the consent agenda.

VII. UNFINISHED BUSINESS

Item A - Public Hearing Of Ordinance 09-08: An Ordinance Established To Create An Advisory Committee To The City Council For The Proposed Bethel Aquatic Training And Health Center.

*Mayor Klejka opened the public hearing.
No one wished to be heard.*

MOVED:	Middlebrook	Motion to adopt Ordinance 09-08.
SECONDED:	Albertson	
VOTE ON MAIN MOTION	All opposed	

MOVED:	Middlebrook	Motion to direct the City Manager to dissolve the administrative BATH Committee.
SECONDED:	Leinberger	
MOVED:	Hoffman	Motion to amend, to dissolve the administrative BATH Committee on August 20, 2009.
SECONDED:	Middlebrook	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item B - Public Hearing Of Ordinance 09-14: Exempting City of Bethel Water, Sewer And Solid Waste Services From The Current 6% Sales Tax And Increasing The Rates/Fees Charged For City Of Bethel Water, Sewer And Solid Waste Services By A Corresponding 6%.

*Mayor Klejka opened the public hearing.
No one wished to be heard.*

MOVED:	Middlebrook	Motion to adopt Ordinance 09-14.
SECONDED:	Dymant	
MOVED:	Middlebrook	Motion to suspend the rules to hear from the Assistant Finance Director, Ryan Cope.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Middlebrook	Motion to amend Section 13.16.020 D, to strike twenty dollars (\$20.00) and insert <u>fourteen dollars and sixty three cents (\$14.63)</u> and Section 13.16.030 D, to strike six dollars (\$6.00) and inserting <u>four dollars and thirty nine cents (\$4.39)</u> .
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	

MOVED:	Middlebrook	Motion to amend section 13.16.020 G, 3, to strike 25 and insert <u>50</u> cents per minute.
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

*Council Member Albertson departed the meeting at 7:48p.
Council Member Albertson returned to the meeting 7:51p.*

Item C - Public Hearing Of Ordinance 09-19: An Ordinance Amending Bethel Municipal Code 15.08, 15.12, 16.04, 16.08, and 16.12 Governing Site Plan And Development, Flood Protection, The Comprehensive Plan, Subdivision, Land Use Regulations; And Amending Other Related Code Provision.

MOVED:	Dyment	Motion to adopt Ordinance 09-19.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item D - Public Hearing Of Ordinance 09-20: An Ordinance Providing For The Submission To The Qualified Voters Of The City Of Bethel, Alaska, The Question Of Whether To Remove The Existing Local Option (AS 04.11.491 (a) (1)) Which Prohibits The Sale Of Alcoholic Beverages In The City Of Bethel.

*Mayor Klejka opened the public hearing.
No one wished to be heard.*

MOVED:	Middlebrook	Motion to adopt Ordinance 09-20.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to direct the City Manager to schedule two town hall meeting to have a proper vetting process on this issue.
SECONDED:	Dyment	

MOVED:	Dymant	Motion to amend to insert and ask the Alaska Beverage Control Board to participate in the town hall meeting.
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	
MOVED:	Leinberger	Motion to amend to insert and ask KYUK to broadcast the town hall meetings.
SECONDED:	Dymant	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	4-2 Motion passes, Middlebrook and Albertson opposed	

Item E – Public Hearing Of Ordinance 09-21: An Ordinance Continuing The 6% Sales And Use Tax Rate Following The January 1th, 2010 Termination Of A Two Year 6% Rate, And Placing The Issue On The October 6, 2009 Ballot.

*Mayor Klejka opened the public hearing.
No one wished to be heard.*

MOVED:	Hoffman	Motion to adopt Ordinance 09-21.
SECONDED:	Albertson	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to take a 10 minute break.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

Item F - Public Hearing Of Ordinance 09-22: Increasing Solid Waste Rates And Adding Recycling Subsidy.

*Mayor Klejka opened the public hearing.
No one wished to be heard.*

Council Member Albertson departed the meeting 8:07p.

MOVED:	Dyment	Motion to adopt Ordinance 09-22.
SECONDED:	Hoffman	
MOVED:	Middlebrook	Motion to amend Section 13.16.010 Commercial Monthly Flat rate to strike \$75.00 and insert \$66.00.
SECONDED:	Dyment	
VOTE ON MOTION	All in favor	
MOVED:	Leinberger	Motion to amend Section 13.16.10 3, Frequency of service, to insert <u>per month</u> .
SECONDED:	Dyment	
VOTE ON MOTION	All in favor	
<i>Council member Albertson returned to the meeting at 8:52p.</i>		
MOVED:	Leinberger	Motion to amend Section 13.12.290, 3., Commercial yearly use permit to strike \$5.00 and insert \$60.00.
SECONDED:	Dyment	
VOTE ON MOTION	4-1 Motion passes, Albertson opposed	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Middlebrook	Motion to direct the City Manager to work with the Public Works and Finance Committees to review section 13.12 and 13.16 and to make recommendation to the Council with a focus of reviewing how businesses are charged for commercial dumpster and other rates, and how business with multiple rentals are charged.
SECONDED:	Leinberger	
MOVED:	Leinberger	Motion to amend to insert and a review of customers who are not being charged.
SECONDED:	Middlebrook	
VOTE ON MOTION	All in favor	
MOVED:	Middlebrook	Motion to amend to insert and report back to Council within three months.
SECONDED:	Leinberger	
VOTE ON	All in favor	

MOTION	
VOTE ON MAIN MOTION	All in favor

Item G - Donlin Creek Invitation To The Mayor And Nine City Of Bethel Representatives To Visit The Project Site.

So far the council has approved travel for whomever the city manager sees fit in going.

MOVED:	Middlebrook	Motion to make public the confidential memo from the attorney on this issue.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to remove all council members' abilities to go to travel to the Dolin Creek Mine.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Dyment	Motion to take a five minute break.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

VIII. NEW BUSINESS

Item A – Introduction Of Ordinance 09-23: An Ordinance Authorizing the Eddie Hoffman Senior Center Building Located At Atsaq Way To The Orutsararmiut Native Council.

Passed on the consent agenda.

Item B - Introduction Of Ordinance 09-24: An Ordinance By The Bethel City Council Authorizing The Funding Of The Designated Deferred Seawall Maintenance Account.

MOVED:	Middlebrook	Motion to introduce Ordinance 09-24.
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SECONDED:	Hoffman	
VOTE ON MAIN MOTION	All in favor	

Item C - Introduction Of Ordinance 09-25: An Ordinance By the Bethel City Council Authorizing The Funding Of The Designated BATH Center Account.

Passed on the consent agenda.

MOVED:	Leinberger	Motion to introduce Ordinance 09-25.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION	All in favor	

Item D - Introduction Of Ordinance 09-26: An Ordinance Authorizing A Ground Lease Of The Property Located at 127 Atsaq Way To The Orutsararmiut Native Council.

Passed on the consent agenda.

Item E - Introduction Of Ordinance 09-27: An Ordinance By The Bethel City Council Amending The Absentee Voting – Counting Of Ballots Section Of The Bethel Municipal Code.

Passed on the consent agenda.

Item F - AM 09-19: Acceptance Of Larson Consulting Groups For Predevelopments And Planning Projects SFY09.

MOVED:	Middlebrook	Motion to approve AM 09-19.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item G - Health Insurance Reserve Account.

MOVED:	Middlebrook	Motion to table until the August 25 th meeting.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item H - Capital Priorities For State And Federal Funding.

MOVED:	Leinberger	Motion to direct the City Manager to draft a new resolution for this State fiscal year to include the same priorities listed in Resolution 09-14, with the exception of Alternative energy and dust control.
SECONDED:	Middlebrook	
MOVED:	Middlebrook	Motion to amend to strike alternative energy and dust control.
SECONDED:	Leinberger	
VOTE ON MOTION	4-2 Motion passes, Leinberger and Klejka opposed	
MOVED:	Middlebrook	Motion to amend to strike next meeting and to insert <u>have City Manager work with the Mayor for a special meeting or regular meeting to discuss the draft resolution.</u>
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item I - Report From Administration On The Amount Of Money Transferred From The General Fund And Enterprise Funds To Cover Expenditures.

MOVED:	Leinberger	Motion to table until the next meeting.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	4-2 Motion passes, Klejka and Middlebrook opposed	

Item J - Update From The Administration On The Consent Decree Between Crowley And The State Of Alaska.

Item K - Procedure For Council Members Cell Phone Use During Public Meetings.

MOVED:	Dyment	Motion to establish a cell phone policy to ensure the council will not answer calls or receive text messages during a council meeting.
SECONDED:	Middlebrook	

MOVED:	Leinberger	Motion to amend to prohibit any telecommunication during the council meetings.
SECONDED:	Middlebrook	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Dyment	Motion to extend the meeting to 10:15p.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Middlebrook	Motion to suspend the rules to go to the City Manager's Report.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	All in favor	

IX. CITY MANAGER'S REPORT

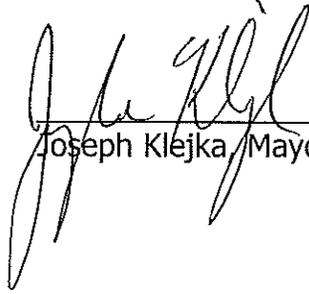
X. REPORTS OF STANDING COMMITTEES

Public Work's Recommendation Repeat Offenders with Grinder Pumps.

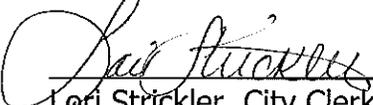
MOVED:	Leinberger	Motion to direct the City Manager to draft an ordinance to set out what is listed in the recommendation.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to adjourn.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION	All in favor	

I. ADJOURNMENT



Joseph Klejka, Mayor

ATTEST:


Lori Strickler, City Clerk