
City of Bethel City Council Meeting Minutes

March 24, 2009

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on March 24, 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
Council Member Eric Middlebrook
Council Member LaMont Albertson
Council Member Joseph Klejka
Council Member Thor Williams
Council Member Beverly Hoffman

Members absent:

Vice-Mayor Dan Leinberger

Others present:

Finance Director Laurie Walters
Assistant to the City Clerk, Jitka Dekojova

III. PEOPLE TO BE HEARD

Lorin Bradbury–

Opposed the changes made to Ordinance 09-03: Bethel City Sales Tax Exemption On City Services For Non-Profit Organizations, supported it in its original form with all sales tax being exempt for non-profit religious organizations.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Middlebrook	Motion to approve the consent and regular agenda.
SECONDED:	Hoffman	
MOVED:	Williams	Motion to remove move Item A under new business from the consent agenda.

MOVED:	Zulkosky	Motion to remove item B from the consent agenda.
VOTE ON MAIN MOTION	All in favor	

V. SPECIAL ORDER OF BUSINESS

Item A – Proclamation Recognizing The Yukon-Kuskokwim Health Corporation’s Contribution To A Successful Operation Arctic Care Mission.

VI. APPROVAL OF THE MEEING MINUTES

Item A – 03/10/2009 Regular Scheduled City Council Meeting

Passed on the consent agenda.

VII. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 08-10 (F): Budget Modification Changing Line Item 1051501 From Human Resources Manager To Executive Assistant To The City Manager

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

MOVED:	Williams	Motion to adopt Ordinance 08-10 (F): Budget Modification Changing Line Item 1051501 From Human Resources Manager To Executive Assistant To The City Manager.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

Item B– Public Hearing Of Ordinance 08-10(G): Budget Modification For Cash Match For The Wind Energy Development Grant And Peer Review Of Bethel Aquatic Training And Health Center Feasibility Study

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

MOVED:	Hoffman	Motion to adopt Ordinance 08-10(G): Budget Modification For Cash Match
SECONDED:	Klejka	

		For The Wind Energy Development Grant And Peer Review Of Bethel Aquatic Training And Health Center Feasibility Study.
VOTE ON MAIN MOTION	5-1 Motion passes, Williams opposed	

Item C- Public Hearing Of Ordinance 09-03: Bethel City Sales Tax Exemption On City Services For Non-Profit Organizations

Mayor Zulkosky opened the public hearing.

Dave Trantham spoke in opposition to Ordinance 09-03.

Moved:	Hoffman	Motion to adopt Ordinance 09-03: Bethel City Sales Tax Exemption On City Services For Non-Profit Organizations.
SECONDED:	Klejka	
VOTE ON MAIN MOTION	3-3 Motion fails, Middlebrook, Albertson and Williams opposed	

Item D- Public Hearing Of Ordinance 09-04: Removal Of Section 4.16.300 Seller Education From The Bethel Municipal Code

Mayor Zulkosky opened the public hearing.

No one wished to be heard

Moved:	Middlebrook	Motion to adopt Ordinance 09-04: Removal Of Section 4.16.300 Seller Education From The Bethel Municipal Code.
SECONDED:	Williams	
VOTE ON MAIN MOTION	All in favor	

NEW BUSINESS

Item A- Resolution 09-16: Requesting The State Of Alaska House Judiciary Committee To Review The Consent Decree Between The State Of Alaska And Crowley Marine Services

MOVED:	Albertson	Motion to adopt Resolution 09-16: Requesting The State Of Alaska House Judiciary Committee To Review The Consent Decree Between The State Of Alaska And Crowley Marine Services.
SECONDED:	Middlebrook	
MOVED:	Middlebrook	Motion to amend the Resolution to insert "effectiveness of" ... "in achieving its intended goal of preventing a monopolistic market and to allow of fair competition".
SECONDED:	Klejka	
VOTE ON MOTION		
		All in favor
VOTE ON MAIN MOTION		
		All in favor

Item B – Resolution 09-17: Supporting The Alaska Department Of
Transportation And Public Facility (DOT/PF) In Their Efforts To Gain
Funding Improvement And State Owned Port Harbor Projects in The
Bethel Area

MOVED:	Williams	Motion to adopt Resolution 09-17: Supporting The Alaska Department Of Transportation And Public Facility (DOT/PF) In Their Efforts To Gain Funding Improvement And State Owned Port Harbor Projects in The Bethel Area.
SECONDED:	Middlebrook	
MOVED:	Williams	Motion to amend the Resolution to strike four projects and insert two projects.
SECONDED:		
VOTE ON MOTION		
		Motion does not carry for lack of a second
MOVED:	Hoffman	Motion to table until the April 14 th Regular City Council Meeting.
SECONDED:	Williams	
VOTE ON MAIN MOTION		
		All in favor

Item C- Introduction Of Ordinance 09-05: Amending Section 5.20.160 Of The Bethel Municipal Code Fees Payable To The City From Bus, Limousine, River Taxi, Dispatch Service, And Taxicab Permits

Passed on the Consent Agenda.

Item D – Introduction Of Ordinance 09-06: An Ordinance Exempting The City’s Purchase Of A Caterpillare Model 160M Motor Grader, From The Provisions Of Chapter 4.20 Of The Bethel Municipal Code

Passed on the Consent Agenda.

Item E- Am 09-07: Approval Of Leo Andrew To The Cemetery Committee

Mayor Zulkosky appointed Leo Andrew to the Cemetery Committee.

MOVED:	Middlebrook	Motion to approve the Mayor’s appointment of Leo Andrew to the Cemetery Committee.
SECONDED:	Hoffman	
VOTE ON MAIN MOTION		
All in favor		

Item F –AM 09-08: Approval Of The City Attorney’s Telephonic Participation In the Port Hearing Scheduled For April 2nd, 2009

MOVED:	Williams	Motion to approve AM 09-08: Approval Of The City Attorney’s Telephonic Participation In the Port Hearing Scheduled For April 2 nd , 2009.
SECONDED:	Klejka	
VOTE ON MAIN MOTION		
All in favor		

Item G – AM 09-09: Approval Of Margaret Guinn To The Cemetery Committee

Mayor Zulkosky appointed Margaret Guinn to the Cemetery Committee.

MOVED:	Middlebrook	Motion to approve the Mayor’s appointment of Margaret Guinn to the Cemetery Committee.
SECONDED:	Klejka	
VOTE ON MAIN MOTION		
All in favor		

VOTE ON MAIN MOTION	All in favor
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Item H- AM 09-10: Approval Of The City Retaining The Services Of Loanne Cutler From K&L Gates For Representation When Moving Forward With The Consent Decree Between The State Of Alaska And Crowley Marine Services

MOVED:	Middlebrook	Motion to approve AM 09-10: Approval Of The City Retaining The Services Of Loanne Cutler From K&L Gates For Representation When Moving Forward With The Consent Decree Between The State Of Alaska And Crowley Marine Services.
SECONDED:	Williams	
MOVED:	Williams	Motion to amend the motion to limit the amount to \$50,000 and that the contract end by June 30 th , 2009.
SECONDED:	Middlebrook	
MOVED:	Middlebrook	Motion to amend the amendment to strike \$50,000 and insert \$18,000.
SECONDED:	Williams	
MOVED:	Williams	Motion to amend the amendment to approve the \$18,000 to be expended Loanne Cutler's travel, reacquainting herself with the City's stance and representation of the City of Bethel at the Judiciary Committee.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	3-3 Motion fails, Klejka, Albertson, and Hoffman opposed	
VOTE ON MOTION	3-3 Motion fails, Hoffman, Klejka and Albertson opposed	
VOTE ON MOTION	4-2 Motion passes, Hoffman and Albertson opposed	
VOTE ON MAIN MOTION	1-5 Motion fails, Williams in favor	

Item I – AM 09-11: Approval Of FY 2010 Annual Budget Special Meeting Schedule

MOVED:	Williams	Motion to adopt AM 09-11: Approval Of FY 2010 Annual Budget Special Meeting Schedule.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION		
All opposed		

MOVED:	Middlebrook	Motion to hold two special meetings, one on April 7 th , dealing with Budget Overview; City Administration; City Clerk; Planning; Division Of Motor Vehicles; Finance. The second on the 8 th dealing with Parks and Recreation; Fire Department; Police Department; Community Services; In Kind Transfers, both meetings to begin at 6:30p.
SECONDED:	Williams	

MOVED:	Williams	Motion to amend the amendment to limit to 3 hours.
SECONDED:	Middlebrook	
VOTE ON MOTION		
5-1 Motion passes, Albertson opposed		
VOTE ON MOTION		
All in favor		

Item J- IM 09-05: Interconnection Agreement And Power Purchase Agreement For Wind Energy Development Project

MOVED:	Williams	Motion to suspend the rules to hear from John Sargent, the Grant Manager.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION		
All in favor		

Item K- Site For City's Wind Tower Project

MOVED:	Williams	Motion to direct administration to go out to bid for land for any future wind energy site and to come up with the specs of that property.
SECONDED:	.	

VOTE ON MOTION	Motion does not pass for a lack of second
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MOVED:	Middlebrook	Motion to take a ten minute break.
SECONDED:		

VOTE ON MOTION	3-3 Motion fails, Zulkosky, Albertson and Hoffman opposed
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Item L – Council Review Of Proposed White Papers To Remedy The Current Condition Of The Police And Fire Department

Item M – DMV Contract And Plans For Future Operation

MOVED:	Middlebrook	Motion to table this item until the April 14 th , Council meeting.
SECONDED:		

VOTE ON MOTION	Motion does not pass for a lack of second
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MOVED:	Hoffman	Motion to adopt the Division of Motor Vehicle contract and plans for future operation.
SECONDED:	Klejka	

MOVED:	Middlebrook	Motion to amend the motion to approve the contract through the end of the fiscal year and to notify the State that the City of Bethel is no longer interested in running the DMV.
SECONDED:	Klejka	

VOTE ON MOTION	2-4 Motion fails Middlebrook and Williams is favor
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VOTE ON MAIN MOTION	4-2 Motion passes, Middlebrook and Williams opposed
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Item N- Training And Travel Approval For The City Clerk To Attend Professional Development II June 7th Through June 13th

MOVED:	Albertson	Motion to approve the Training and Travel for the City Clerk June 7 th through June 13 th .
SECONDED:	Middlebrook	

VOTE ON MAIN MOTION	All in favor
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Item O – Travel And Training Approval For The City Clerk May 18th Through May 23rd To Attend The International Institute Of Municipal Clerk’s Convention And Academy In Conjunction With Changing The Personal Leave Previously Approved By Council From The 19th Through The 23rd To The 13th Through The 15th.

Moved:	Middlebrook	Motion to approve the training and travel for the City Clerk May 18 th through May 23 rd .
Seconded:	Hoffman	
VOTE ON MAIN MOTION		
All in favor		

VIII. REPORTS OF STANDING COMMITTEES

Parks and Recreation Committee –

No report

Public Works Committee –

No report

Port Commission –

- Discussion of small boat harbor and stimulus package funding opportunities.
- RFP for bank stabilization discussion.
- Dredging brown slough and the small boat harbor possibilities.
- Terminal Tariff #004 will be back for review.
- Future concept plans for the Port was discussed.
- Inlet Fish Produces appeal hearing will be taking place April 2, 2009.
- FY 2010 Budget discussion.
- Discussion of the Port enterprise fund being separated to become a standalone account.

Cemetery committee –

No Report

Planning –

- Preliminary Plat for ONC developing a subdivision west of Uivug was voted down due to access issues which may have violated BMC and Alaska Statute.
- TWC preliminary plat approved.
- Transportation projects and road development.

- Directed the City Planner to draft a resolution supporting options A and B of the donut-hole development or special STIP nominations.
- Directed the City Planner to begin preliminary conversation to being development of an option for the donut-hole.

Public Safety and Transportation Commission–

No report

IX. MAYOR’S REPORT

X. MANAGER’S REPORT

XI. CLERK’S REPORT

XII. COUNCIL MEMBER COMMENTS

Williams-

Constituents have requested the repeal of BMC 13.04.120 C 1 and 2 because they are upset at the high costs of water. They would like to remove the \$50 charge for stopping their services, which is available once a year.

Apologies go out to the Crow family who lost their child and grandchild. Would have liked to see more council members at the council funded finance training.

Hoffman-

Camai will be taking place this weekend, welcomed all of the people coming into our community as well as commending the organizing group for pulling off this annual event.

Kuskokwim Salmon Management meetings are not expecting a banner year however not expecting a bad year.

Reminded the community to volunteer at the schools and within the community and hope that all of the parents will stay involved.

Klejka-

Would have liked to go to the finance meeting however had other obligations.

Would request that ordinance not come to the Council without a financial analysis, a cost analysis by the Finance Department is essential to making an informed decision.

Believe it is important to send someone from Bethel to represent this community to Juneau for the Consent Decree hearings.

The only risk for eating pike from this region would be if pregnant women were eating large pike every day, people should not be afraid of eating pike.

Zulkosky-

Team Hollywood will be traveling to Bethel at the end of April who will be bringing high end formal dresses to sell at a reasonable cost who will take half of the proceeds and donate them to a charitable organization.

Albertson –

Dedication to Yuut Elitnaurviat will be taking place for the first time to let the community see what changes have been made.

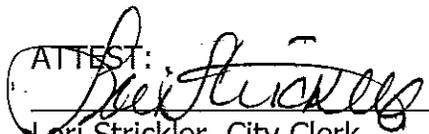
Middlebrook –

Donlin Creek has been traveling to the local community discussing job, it is important for individuals to learn about the risks involved with the project.

MOVED:	Williams	Motion to adjourn.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	All in favor	

XIII. ADJOURNMENT

APPROVED THIS 14th DAY OF APRIL, 2009

ATTEST:

 Lori Strickler, City Clerk


 Acting Mayor
 Tiffany Zulkosky, Mayor