City of Bethel City Council Meeting Minutes

March 13, 2007 Regular Meeting Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on March 13, 2007 at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Leinberger called the meeting to order at 6:30p

II. ROLL CALL

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

PRESENT:
Mayor Leinberger
Council Member McGowan
Council Member Middlebrook
Vice-Mayor Rodgers (departed meeting at 10:02p)
Council Member Trantham
Council Member Jorgensen (arrived at 7:55p)

ABSENT:
Council Member Kenick.

STAFF:
City Manager Baird
City Attorney Sigmon
City Clerk Modigh.

III. PEOPLE TO BE HEARD

1. Judy Wasierski addressed Council and spoke in favor of ordinance #07-08 and a multiuse recreation.

2. Robin Kling addressed Council and spoke in favor of a community swimming pool for education and safety within the community.

3. Beverly Hoffman addressed Council to speak in favor of ordinance #07-08, a 1% sales tax increase, and a community swimming pool.

4. Jody Malus addressed Council to speak on behalf of a community member who is in favor of a community pool that is maintained properly, Mrs. Malus spoke in favor of a 1% sales tax increase as well as a multiuse recreation center.

5. Donna Perry addressed Council to state that she would like to see the finances set aside toward a community pool and recreation center.

6. Richard Hall addressed the possible sanitation issues of locker rooms of a community pool and spoke in opposition of a sales tax increase. Mr. Hall spoke in favor of more community parks.

7. Roberta Aloysus addressed Council to speak in favor of a multiuse recreation center and teaching our children how to swim.

8. Myron Naneng addressed Council to speak in opposition of a taxi fare increase. Mr. Naneng also addressed the community cold case issues and stated that the Bethel PD needs assistance and stated that AVCP is requesting that state and federal agencies assist the BPD with these investigations.

9. Andy Stemp addressed Council to discuss the pros & cons of a taxi rate increase and requested to have an introduction of such an increase postponed. Mr. Stemp spoke in opposition of the finances needed to create a multiuse recreation center and requested alternative avenues be researched.

10. Reyna Athanas addressed Council to spoke in favor of a multiuse recreation center.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Rodgers	To approve the Regular and Consent Agenda for the March 13, 2007 Regular City Council Meeting as amended removing resolution 07-12 from the consent agenda and moving item B under new business to item E under unfinished business.
SECONDED:	Middlebrook	

MOVED:	Rodgers	To postpone ordinance #07-08 until the 3/27/07 Council meeting.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Failed 1/4 with Mayor Leinberger, Council Member McGowan, Vice-Mayor Rodgers and Council Member Trantham voting in the negative.	

MOVED:	Rodgers	To add an additional public hearing for ordinance 07-08 at the 3/27/07 Council meeting.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative	

VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative

MOVED:	Rodgers	To recess for 10 minutes.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion passed 4/1 with Mayor Leinberger voting in the negative.	

V. APPROVAL OF MEETING MINUTES

Item A-2/27/07 Regular City Council Meeting Minutes
Meeting minutes were passed on the consent agenda

VI. UNFINISHED BUSINESS

Item A- Public Hearing Of Ordinance #06-12 (E): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY2006-07 Budget

Public Hearing:
None

MOVED:	Rodgers	To approve Ordinance 06-12 (E): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY2006-07 Budget
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Motion passed 4/2 with Council Member McGowan and Council Member Trantham voting in the negative.	

VII. NEW BUSINESS

Item A- Resolution #07-09: A Resolution By The Bethel City Council Authorizing Easement #6A To DOT & PF For Upgrade Of The Chief Eddie Hoffman Highway

Resolution 07-09 was passed on the consent agenda

Item B- Resolution #07-10: A Resolution By The Bethel City Council Authorizing Temporary Construction Of Easement #1.1 To DOT & PF For Upgrade Of The Chief Eddie Hoffman Highway

Resolution 07-10 was passed on the consent agenda

Item C- Resolution #07-11: A Resolution By The Bethel City Council Authorizing Easement #1 To DOT & PF For Upgrade Of The Chief Eddie Hoffman Highway

Resolution 07-11 was passed on the consent agenda

Item D- Resolution #07-12: A Resolution In Support Of The Transfer Of The Dock Area Of The Port Of Bethel From The State Of Alaska To The City Of Bethel For Reasonable Consideration From The State

MOVED:	Middlebrook	To approve resolution 07-12: A Resolution In Support Of The Transfer Of The Dock Area Of The Port Of Bethel From The State Of Alaska To The City Of Bethel For Reasonable Consideration From The State
SECONDED:		
VOTE ON MAIN MOTION	*Motion fails for lack of a second*	

Item E- Public Hearing Of Ordinance #07-08: An Ordinance Designating An Annual Budgetary Allotment For The Planning, Construction, Operation And Maintenance Of A Multiuse Recreation Center

Public Hearing:
None

Additional public hearing is set for March 27, 2007.

Item F-July 2006 City of Bethel Bid For Sodium Chloride & Calcium Chloride

Mayor Leinberger declared a conflict of interest on this matter and requested that the Vice-Mayor Rodgers preside over the meeting during the discussion of this agenda item.

Vice-Mayor Rodgers ruled in favor of the declared conflict of interest.

MOVED:	McGowan	To declassify the confidential memorandum provided by the City Attorney regarding a timeline for the agenda item
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative.	

MOVED:	Middlebrook	To suspend the rules to allow Daniel C. Leinberger to address Council in regards to the matter.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative.	

Dan Leinberger addressed Council to state that the Bill of Lading is in effect.

Council Member Trantham requested copies of the Bill of Lading which the City Attorney supplied copies to all Council members.

Council concurred to take a 10 minute recess at 8:36p

City Council and Dan Leinberger discussed the matter further.

MOVED:	Middlebrook	To direct the City Attorney to research the maritime hold and give Council an opinion on such.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative.	

Council concurred to recess while the City Attorney made copies of a document that Council Member McGowan read into the record.

Council concurred to direct the City Attorney to research this agenda item and have an opinion to Council at the 3/27/07 Council meeting and to have the agenda item placed on the agenda for the 3/27/07 council meeting.

Vice-Mayor Rodgers handed the meeting back to Mayor Leinberger as the presiding officer.

Item G- Update On Electrical Power Systems/Bethel Utilities Corporation Communications

City Manager updated Council on the current standings between the two agencies.

MOVED:	Middlebrook	To suspend the rules to allow Public Works Director Wayne Ogle to address Council.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Motion Passed Unanimously 6/0 with None voting in the negative.	

Public Works Director Wayne Ogle addressed Council to state that we are now receiving information on this matter however he has not received an update regarding the meeting between Council Member McGowan and Mr. Tilbury.

Council Member McGowan stated that he has been in contact with BUC whom states they are in compliance. Council Member McGowan provided copies of correspondence to Council Members between BUC, EPS, and the City of Bethel.

MOVED:	Middlebrook	To suspend the rules to proceed past 10p.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Motion passed 5/1 with Vice-Mayor Rodgers voting in the negative.	

MOVED:	Middlebrook	To suspend the rules to allow public testimony from Willie Keppel
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Passed Unanimously 6/0 with None voting in the negative.	

Willie Keppel addressed Council to discuss the possibility of reduced costs from the City of Bethel to the community regarding alternative energy.

VIII. REPORTS OF STANDING COMMITTEES

Parks & Recreation Committee (Council Member Jorgensen) advised Council that the committee has not met since the last Council meeting. Council Member Jorgensen stated that the committee is putting together a Cook Book, any donations or recipes should be forwarded to Janet Athanas.

Public Works Committee (Council Member McGowan) advised Council that the committee has not met since the last council meeting.

Administrative Advisory Alternative Energy Committee (Mayor Leinberger) advised Council that the committee has not met since the last Council meeting.

Cemetery Committee (Mayor Leinberger) advised Council that the committee will hold their first meeting on Thursday, March 15th.

Public Safety & Transportation Commission (Council Member Middlebrook) advised Council that the commission discussed the following at their last meeting:

- Tazer cam for patrol officers
- Taxi rate increase
- BPD staffing
- Pedestrian safety

Finance Committee (Council Member Trantham) advised Council that the committee has not met since the last Council meeting.

IX. MAYOR'S REPORT

- 2007 Legislative Weekly Report

Mayor Leinberger re-appointed Joy Shantz to the Planning Commission

MOVED:	Tranthamq	To confirm the re-appointment of Joy Shantz to the Planning Commission
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative.	

Mayor Leinberger re-appointed Jeff Sanders to the Public Works Committee.

MOVED:	Trantham	To confirm the re-appointment of Jeff Sanders to the Public Works Committee
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Motion Passed Unanimously 5/0 with None voting in the negative.	

- Letter regarding the proposed changes in the regulations of the Local Boundary Commission
- Letter from Yuut Elitnaurviat regarding their support for YKHC seeking property from the City of Bethel.
- Letter from Carry the Cure, Inc. requesting donations.

X. CITY MANAGER'S REPORT

- City of Bethel 50th Anniversary Celebration
- Resolution 07-12
- YE Executive Board Meeting discussion-creation of an organization to manage a community multiuse recreation center
- Local organization participation/ state funding for a multiuse recreation center
- Clarified that the former Port Director Heath Martin will not be a consultant with the City of Bethel but has been retained as a part time employee paid hourly without benefits.

Council Member McGowan requested an update from the City Manager in his next report concerning the Quansit hut and personnel packages for the police department.

- Bethel Heights water & sewer piping

XI. CITY CLERK'S REPORT

- Initiative Petition Application
- APOC Financial disclosure forms
- Special State election, April 3, 2007
- Council/committee/commission annual training
- PFD applications

MOVED:	Middlebrook	To suspend the rules to proceed past 11p
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Motion Failed 2/3 with Council Member Jorgensen, Mayor Leinberger and Council Member McGowan voting in the negative.	

XII. COUNCIL MEMBER COMMENTS

Council Member Jorgensen-no comment

Council Member McGowan-no comment

Mayor Leinberger advised Council and the community to participate in the public testimony at the LIO office regarding HB 95 regarding revenue sharing for the community.

Council Member Middlebrook requested to be excused at the next council meeting and stated that he received his free fuel from Citco and is very thankful and encouraged other to research Mr. Chavez.

The meeting adjourned at 11:00p.

APPROVED THIS 27th DAY OF MARCH 2007.

Daniel C. Leinberger, Mayor

ATTEST:

Sandra Modigh, City Clerk