

---

---

# City of Bethel, Alaska

## City Council Minutes

---

---

November 15, 2005

Regular Meeting

Bethel, Alaska

---

### CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on November 15, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

Vice-Mayor Kenick, Acting Mayor, 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
Hugh Dymont	Mary Kenick
Stanley "Tundy" Rodgers	

Excused Absence(s):

Dan Leinberger  
R. Thor Williams

Also in attendance were the following:

Wally Baird, City Manager  
Sandra Modigh, City Clerk

### PEOPLE TO BE HEARD

1. Bob Herron and John Guinn addressed Council to discuss the option of having a "Moving Wall"; a Vietnam Veterans Memorial built in Bethel. Both Mr. Herron and Mr. Guinn requested that Council allow the City Manager to work with them to draft and present a resolution to present to Council at a future City Council Meeting.
2. Yolonda Jorgensen addressed Council to state that she would like to see the community make the decision on a Bethel Alcohol Delivery Site.
3. David Martins addressed Council to suggest that the City of Bethel already has an alcohol distribution system through the airlines.

## APPROVAL OF THE CONSENT AGENDA AND REGULAR AGENDA

<b>MOVED:</b>	Rodgers	To approve the Consent and Regular Agenda for the November 15, 2005 as amended striking out "Council Member Dyments" name from Ordinance #05-18 as well as removing Ordinance #05-18 from the consent agenda.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Council concurrence

## REPORTS OF STANDING COMMITTEES

Parks & Recreation Committee (Vice-Mayor Kenick): Vice-Mayor Kenick reported that the Committee has not met since the last Council Meeting.

Finance Committee (Council Member Leinberger): Council Member Leinberger was absent from the Council Meeting and was unable to report on the last Finance Committee Meeting.

Planning Commission (Council Member Rodgers): Council Member Rodgers reported that the Commission met on November 10<sup>th</sup> and discussed the following:

- Uniform check list for new sub division development
- Water and Sewer Master Plan Update (additions and suggestions to the plan)

Port Commission (Mayor Williams): Mayor Williams was absent from the Council Meeting and was unable to report on the last Port Commission Meeting.

***Council concurred to direct administration to move forward with the recommendation to the City Council for the Port commission***

Public Safety & Transportation Commission (Council Member Dyment): Council Member Dyment reported that the Commission last met on November 7<sup>th</sup> and discussed the following:

- Rates to be charged for services provided by dispatch service.

Community Cemetery Planning Committee (Council Member Trantham): Council Member Trantham reported the Committee is a volunteer Committee and has been tasked with the responsibility of creating a new community cemetery. Council Member Trantham stated all of the Committee Members and would like to recognize the Members for their hard work.

Public Works Committee (Council Member McGowan): Council Member McGowan stated the Public Works Committee is currently meeting during the Council Meeting.

Alaska Municipal League (Council Member Trantham): Council Member Trantham advised Council and the community that Bethel received the 2005 Alaska Community Award of Excellence in More Effective Public Involvement, Honoring the Best Local Government Innovation for the Veterans Memorial Cemetery.

## **UNFINISHED BUSINESS**

**Item A- Public Hearing of Ordinance #05-16: An Ordinance Adopting Chapter 8.17 Entitled "Bethel Alcohol Delivery Site," Amending Section 4.17.030 (D) Entitled "Payment and Collection," and Repealing Section 4.17.040 Entitled "Community Delivery Sites" and Chapter 5.08 Entitled "Alcoholic Beverages"**

***Ordinance was introduced on 10/11/05 and set for Public Hearing on 10/25/05 & 11/15/05***

### **Public Hearing:**

1. Agnes Phillips addressed Council to state that she is in favor of the Alcohol Delivery Site and is very proud to be alcohol and drug free and would like to protect the Yupik culture.
2. Sherri Neth addressed Council to thank Council Members that attended the Alcohol Delivery Site town meeting. Mrs. Neth summarized the discussion that took place at the town meeting. Mrs. Neth encouraged Council to be brave and requested they approve the Alcohol Delivery Site.
3. Mike Walters addressed Council to state that he is opposed to the Alcohol Delivery Site.
4. James Sipary from Nelson Island addressed Council to state that he has spoken to many elders that are in favor of the Alcohol Delivery Site. Mr. Sipary also stated that Nelson Island is in favor of the Alcohol Delivery Site and that he deeply supports the Alcohol Delivery Site.
5. Eric Middlebrook addressed Council to state that he is against the Alcohol Delivery Site and would like to see the community decide the vote.
6. Frank Smith addressed Council to state that he is opposed to the Alcohol Delivery Site and would like to see the community vote on the issue.

### ***Council concurred to recess from 8:35p until 8:45p***

7. Yolonda Jorgensen addressed Council to state that the proposed Multiuse Recreation Facility would give our community an alternative to drinking. Mrs. Jorgensen stated that she would like to see the vote of the Alcohol Delivery Site go to the community.

<b>MOVED:</b>	McGowan	To adopt Ordinance #05-16: An Ordinance Adopting Chapter 8.17 Entitled "Bethel Alcohol Delivery Site," Amending Section 4.17.030 (D) Entitled "Payment and Collection," and Repealing Section 4.17.040 Entitled "Community Delivery Sites" and Chapter 5.08 Entitled "Alcoholic Beverages"
<b>SECONDED:</b>	Rodgers	

<b>MOVED:</b>	Dyment	To amend section 8.17 adding a sunset provision 8.17.190 to read "Chapter 8.17 shall be repealed two years after the date upon which ordinance #05-16 was enacted."
<b>SECONDED:</b>		

<b>VOTE ON PRIMARY AMENDMENT</b>	<i>Failed for lack of a second</i>	
----------------------------------	------------------------------------	--

<b>MOVED:</b>	Dyment	To table ordinance #05-16 until the 2 January City Council Meetings and to direct the City Manager to look at operations of an Alcohol Delivery Site and provide Council a report at the 1 <sup>st</sup> City Council Meeting in January.
<b>SECONDED:</b>		

<b>VOTE ON PRIMARY AMENDMENT</b>	<i>Failed for a lack of a second</i>	
----------------------------------	--------------------------------------	--

<b>MOVED:</b>	Rodgers	To table ordinance #05-16 and set a Special Election with the following three propositions: 1. Local Option Liquor Store 2. Dry Community 3. Damp Community as current status
<b>SECONDED:</b>	Dyment	

<b>MOVED:</b>	Dyment	To amend the motion to add a fourth proposition, this would include the option of being damp with an Alcohol Delivery Site.
<b>SECONDED:</b>	Rodgers	

<b>VOTE ON SECONDARY AMENDMENT</b>	Failed	Roll call vote 2-3 (Yes: Kenick, Dyment & Trantham)
------------------------------------	--------	---

<b>VOTE ON PRIMARY AMENDMENT</b>	Failed	Roll call vote 1-4 (Yes: Rodgers)
----------------------------------	--------	-----------------------------------

<b>MOVED:</b>	Dyment	To table ordinance #05-16 until the December 13 <sup>th</sup> City Council Meeting.
<b>SECONDED:</b>		
<b>VOTE ON PRIMARY AMENDMENT</b>	<i>Failed for a lack of a second</i>	
<b>VOTE ON MAIN MOTION</b>	Failed	Roll call vote 2-3 (Yes: Dyment & Kenick)

**Item B-Yuut Elitnarviat Update**

City Manager Baird stated that Mr. Albertson, the Executive Director was currently in Anchorage and unable to attend the evenings meeting.

Council directed City Manager Baird to invite Mr. Albertson to update Council at a meeting

**NEW BUSINESS**

**Item A- Introduction Of Ordinance #05-18: An Ordinance Repealing Bethel Municipal Code Section 17.04.070 B, And Enacting A Replacement Section 17.04.070 B**

<b>MOVED:</b>	Dyment	To introduce Ordinance #05-18 and set for public hearing on November 29, 2005.
<b>SECONDED:</b>	McGowan	
City Manager Baird recommended to Council to introduce ordinance #05-18 and move forward.		
<b>VOTE ON MAIN MOTION</b>	Passed	Unanimous roll call vote

**Item B- Discussion For Setting The Next Joint Task Force Meeting Between The Orutsararmunit Native Council And The City Of Bethel Council**

City Clerk advised Council that the next Joint Task Force Meeting is scheduled for 11/21/05 at City Hall Council Chambers at 6:30p. Any agenda items are requested to be submitted to the City Clerk by 11/16/05 to have the agenda posted on 11/17/05.

**Item C- Discussion Concerning Committee & Commission Attendance And Priority Lists By Council**

<b>MOVED:</b>	McGowan	To table the agenda item to next City Council meeting.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>	Passed	Unanimous consent

**Item D- Discussion To Set Invitation To Legislators Regarding Upcoming Legislative Priorities For Bethel**

<b>MOVED:</b>	McGowan	To direct City Manager to set up a Special noon Meeting with our Legislator Representatives to discuss the City of Bethel local priorities.
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>	Passed	Unanimous voice vote

**MAYOR'S REPORT**

Acting Mayor Kenick appointed Willie Keppel to the Planning Commission

<b>MOVED:</b>	Rodgers	To appoint Willie Keppel to the Planning Commission.
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>	Failed	Roll call vote 2-3 (Yes: McGowan, Trantham & Rodgers)

Acting Mayor Kenick appointed Yolonda Jorgensen to the Parks & Recreation Committee

<b>MOVED:</b>	Dyment	To appoint Yolonda Jorgensen to the Parks & Recreation Committee
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

<b>MOVED:</b>	McGowan	To provide in-kind services to the request of the Bethel Search & Rescue Fund Raiser.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

<b>MOVED:</b>	Dyment	To donate \$250.00 out of the Clerk/City Council Budget to the Bethel Search & Rescue Fund Raiser.
<b>SECONDED:</b>	Dyment	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

**MANAGER'S REPORT**

- Report for Proposals regarding legal services
- Draft resolution regarding the completion of the improvements of the Chief Eddie Hoffman Hwy.

<b>MOVED:</b>	Dyment	To direct the City Manager to negotiate with DOT to devise a plan to complete the improvements of the Chief Eddie Hoffman Hwy.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Council concurrence

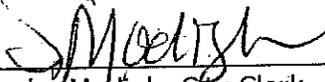
**ADJOURNMENT**

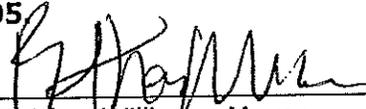
<b>MOVED:</b>	McGowan	To adjourn meeting at 9:59p.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Council concurrence

With no further business before the Council, the meeting adjourned at 9:59p.

**APPROVED THIS 29<sup>th</sup> DAY OF NOVEMBER, 2005**

ATTEST:

  
 Sandra Modigh, City Clerk

  
 R. Thor Williams, Mayor