

City of Bethel, Alaska

City Council Minutes

July 26, 2005

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on July 26, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Dymant called the meeting to order at 6:31 p.m.

ROLL CALL

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

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

Excused Absence (s):

Andrew McGowan

Also in attendance were the following:

Wally Baird, City Manager
Sandra Modigh, City Clerk

PEOPLE TO BE HEARD

1. Susan Taylor addressed Council to discuss the purpose of Oxford Houses. Susan played a recording for Council from the prime time television show, 60 Minutes, supporting Oxford Houses. Susan Taylor would like for Council to consider the Boys Group Home for an additional Oxford House in Bethel.

APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

MOVED:	Williams	To approve the Consent and Regular Agenda for the June 28, 2005 meeting as amended removing Ordinance #05-15, Resolution #05-26, and Resolution #05-29.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION		
	Passed	Council concurrence

APPROVAL OF MINUTES

*7/12/05 Regular Meeting Minutes

*7/18/05 Special Meeting Minutes

Meeting Minutes as amended approved under the consent agenda

REPORTS OF STANDING COMMITTEES

Parks & Recreation Committee (Council Member Jorgensen): Council Member Jorgensen reported the Committee last met on July 19, 2005. The following items were discussed at the committee meeting:

- Playground in Kasayuli Subdivision
- Planning for the new recreation facility
- Grants
- ASCG

Public Works Committee (Council Member Leinberger): Council Member Leinberger reported that the Committee met on July 19, 2005. The following items were discussed at the committee meeting:

- Future water & sewer projects
- Grinder station issue
- City infrastructure pertaining to development in the City
- Honey bucket violations and the revising the BMC for a more user friendly policy
- Council approval on a recommendation to Council from the Committee pertaining to the VSW contract.

Planning Commission (Council Member Rodgers): Council Member Rodgers reported that the Commission met on July 21st for a Special Meeting. The following items were discussed at the committee meeting:

- 10% open space
- Public Works
- Bethel utilities
- 20 foot radius
- Culverts & drainage plan
- Right of way access
- Dumpster sight location

Senior Advisory Board: Council Member Williams reported that the Board will not be meeting until further notice.

Port Commission (Council Member Williams): Council Member Williams reported that the Commission met on July 18, 2005. The following items were discussed at the committee meeting:

- PND Awards
- Parking at the small boat harbor/trailer removal
- Port enterprise fund and a recommendation to Council which will be provided at a later date.

The Mayor requested that the Port Commission add the following as an agenda item at their next meeting: The states offer to the City of Bethel to take over owner, control, and management of the dock and the uplands.

Public Safety & Transportation Commission (Mayor Dymont): Mayor Dymont reported that the Commission will meet July 8, 2005. Mayor Dymont stated that the Public Safety Commission has some oversight over the Taxi Cab Commission; the Public Safety Commission would like to ensure drug testing will be enforced by the Police Department.

Police Chief Dudley stated he would research whether or not taxi cab drivers are being drug tested an enforced by the Police Department.

Community Cemetery Planning Committee (Council Member Trantham): Council Member Trantham reported that the Committee met on July 14, 2005. The following items were discussed at the committee meeting:

- Recommendation to City Council to approve phase 1-a road to the cemetery

MOVED:	Rodgers	To direct Administration and Public Works to review the recommendation.
SECONDED:	Williams	
VOTE ON MAIN MOTION	Passed	Council concurrence

MOVED:	Rodgers	To set the Committee to 11 members and call their last meeting on January 19, 2006.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Passed	Council concurrence

Alaska Municipal League (Council Member Trantham): Council Member Trantham reviewed AML agenda items including the following:

- Community Awareness Program
- PERS & TERS
- Quarterly Board Meeting will be held in Skagway, AK, August 18th-20th

MOVED:	Rodgers	To suspend the rules to allow public testimony.
SECONDED:	Williams	
VOTE ON MAIN MOTION	Passed	Council concurrence

Mr. Joseph Nicholai, President of the Bethel Oxford House, addressed Council and the community stating the Oxford House has just received an educational grant for \$25,000. The Oxford House is looking to open another house in town; they are open to any donations and suggestions. Mr. Nicholai invited the community to attend meetings at their facility.

Meeting recessed from 7:47p until 8:02p

UNFINISHED BUSINESS

Item A- Public Hearing of Ordinance #05-11 (B): An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2005-06 Budget

Public Hearing: *None*

MOVED:	Williams	To adopt Ordinance #05-11 (B): An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2005-06 Budget as amend.
SECONDED:	Leinberger	
MOVED:	Williams	To amend ordinance #05-11 (B) to include budget modification 06-2A.1
SECONDED:	Leinberger	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 6-0
MOVED:	Williams	To amend ordinance #05-11 (B) to include budget modification 06-2F.1
SECONDED:	Leinberger	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 6-0
MOVED:	Williams	To amend ordinance #05-11 (B) to decrease line item 52-50-773 by \$120,000 for the purchase of a Port Dozer.
SECONDED:	Trantham	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 6-0
VOTE ON MAIN MOTION	Passed	Roll call vote 4-2 (No: Rodgers & Leinberger)

Item B-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: *None*

MOVED:	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
SECONDED:	Leinberger	

MOVED:	Williams	To amend the motion to remove (1) Bowling from the revised lease agreement.
SECONDED:	Rodgers	
VOTE ON PRIMARY AMENDMENT	Failed	Roll call vote 1-5 (Yes: Williams)
MOVED:	Williams	To postpone Ordinance #05-12 until the August 23, 2005 City Council Meeting.
SECONDED:	Leinberger	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 4-2 (No: Rodgers & Trantham)
MOVED:	Leinberger	To amend the amendment to postpone the ordinance until the August 9, 2005 City Council Meeting.
SECONDED:	Rodgers	
VOTE ON PRIMARY AMENDMENT	Passed	Roll all vote 6-0
VOTE ON MAIN MOTION	<i>None</i>	<i>Postponed until the 8/9/05 Council Meeting</i>

Item C-Public Hearing of Ordinance #05-13: An Ordinance adopting a change in the Animal Control Fees and Charges

Public Hearing: *None*

MOVED:	Rodgers	To adopt Ordinance #05-12: An Ordinance adopting a change in the Animal Control Fees and Charges
SECONDED:	Williams	
VOTE ON MAIN MOTION	Passed	Roll call vote 6-0

Meeting recessed from 9p until 9:13p

Item D- Public Hearing of Substitute Ordinance #05-08: An Ordinance Amending Section 13.04.180 and Section 13.08.160 of the Bethel Municipal Code Related to the Minimum Water and Sewer Holding Tank Sizes

Public Hearing: *None*

MOVED:	Williams	To adopt Ordinance #05-08: An Ordinance Amending Section 13.04.180 and Section 13.08.160 of the Bethel Municipal Code Related to the Minimum Water and Sewer Holding Tank Sizes
SECONDED:	Leinberger	
MOVED:	Jorgensen	To postpone the ordinance to the next Council meeting allowing AVCP and ONC to review the ordinance pertaining to their low income housing
SECONDED:	Rodgers	
VOTE ON PRIMARY AMENDMENT	Failed	Roll call vote 3-3 (Yes: Jorgensen, Williams, & Rodgers)
MOVED:	Trantham	To change the effective date of the ordinance to 8/26/05.
SECONDED:	Williams	
VOTE ON PRIMARY AMENDMENT	Failed	Roll call vote 3-3- (Yes: Williams, Rodgers, & Trantham)
VOTE ON MAIN MOTION	Passed	Roll call vote 4-2 (No: Williams & Rodgers)

MOVED:	Leinberger	To direct Administration to develop a Public Awareness Campaign for Ordinance #05-08 and the new policy.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Passed	Council concurrence

Item E-Resolution #05-26: A Resolution Authorizing the Establishment of a Retiree Rehire Program Consistent with State Legislation (HB 161) and the Opening Recruitment for Position of City Planner to PERS Retirees due to Shortage of Qualified Employees

MOVED:	Leinberger	To adopt resolution #05-26: A Resolution Authorizing the Establishment of a Retiree Rehire Program Consistent with State Legislation (HB 161) and the Opening Recruitment for Position of City Planner to PERS Retirees due to Shortage of Qualified Employees
SECONDED:	Jorgensen	

City Manager Baird stated that the City will need to extend the recruitment period for another 15 days per resolution, 30 days per City policy due to one of the 5 qualified candidates withdrawing their application.

MOVED:	Leinberger	To amend the resolution recruitment period from 15 days to 30 days.
SECONDED:	Jorgensen	
VOTE ON PRIMARY AMENDMENT	Failed	Roll call vote 3-3- (Yes: Leinberger, Jorgensen, & Dymant)
VOTE ON MAIN MOTION	Failed	Roll call vote 0-6

MOVED:	Williams	To continue meeting past 10p.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Passed	Roll call vote 4-2 (No: Jorgensen & Rodgers)

NEW BUSINESS

Item A-Introduction of Ordinance #05-15: An Ordinance Amending Title 3 of the Bethel Municipal Code Regarding Employees Not Otherwise Covered Under a Collective Bargaining Agreement (Council Member Williams)

MOVED:	William	To introduce Ordinance #05-15 and set for public hearing on August 9, 2005.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Passed	Roll call vote 4-2 (No: Jorgensen & Rodgers)

MOVED:	Trantham	To place "Procedure in Contacting the City Attorney" on the 8/9/05 Council Meeting agenda.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Passed	Council concurrence

Meeting recessed from 10p until 10:13p

Item B-Resolution #05-28: A Resolution by the Bethel City Council to Accept a \$30,000 Sub-Grant Award from the Association of Village Council Presidents, Inc. to Fund Supervised Youth Activities

Resolution #05-28 passed on the consent agenda

Item C-Resolution #05-29: A Resolution by the Bethel City Council to Accept the Contract for the Bethel Water and Sewer Facilities Upgrade Design Between CRW Engineering Group, LLC, INC. and the City of Bethel

MOVED:	Leinberger	To adopt Resolution #05-29: A Resolution by the Bethel City Council to Accept the Contract for the Bethel Water and Sewer Facilities Upgrade Design Between CRW Engineering Group, LLC, INC. and the City of Bethel
SECONDED:	Williams	
Council, City Manager Baird and Public Works Director Wayne Ogle discussed the pros and cons of the VSF contract.		
VOTE ON MAIN MOTION	Passed	Council Concurrence

Item D- Planning Commission-Responsibilities & Mission

Mayor Dyment stated that the Planning Commission is a Commission with extreme responsibilities.

Mayor Dyment reviewed the vacancy policy per the BMC.

Mayor Dyment informed Council that a member of the Planning Commission has resigned; therefore the Commission has a vacancy.

MOVED:	Leinberger	To suspend the rules to amend the agenda to address item F before item E.
SECONDED:	Williams	
VOTE ON MAIN MOTION	Passed	Council concurrence

MOVED:	Leinberger	To suspend the rules to proceed until 11:30p
SECONDED:	Williams	
VOTE ON MAIN MOTION	Passed	Roll call vote 4-1 (No: Rodgers)

Meeting recessed from 10:55p until 11:01p

By Council concurrence Council Member Jorgensen was excused from the meeting at 10:55p.

Item E- City Dock Transfer Agreement & Bill of Sale

Council Member Williams stated that the Port Director will be researching the transfer and providing information to the Port Commission.

City Manager Baird stated that he would like to begin discussion with the State regarding the City Dock transfer.

Item F- Port Enterprise Fund/General Fund Budget Reserve

Council Member Williams stated that the Port Commission would like to see the Port Reserve Funds reflected in the budget by line item.

City Manager Baird assured Council that future budgets will reflect the reserve funds by line item.

Item G- Staff City Attorney

MOVED:	Williams	To direct Administration to contact the City Attorney applicant to accept the counter offer.
SECONDED:	Rodgers	
MOVED:	Leinberger	To suspend the rules to proceed past 11:30p
SECONDED:	Williams	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 4-1 (No: Rodgers)
MOVED:	Leinberger	To amend the motion to include a three year contract.
SECONDED:	Williams	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 4-1 (No: Rodgers)
VOTE ON MAIN MOTION	Failed	3-2 (Yes: Williams, Trantham, & Rodgers)

Item H- Legislative Priorities

Council Member Trantham recommended all Council Members provide a list of legislative priorities at the next City Council Meeting (8/9/05).

Item I- Stipend for City Council Members

Council Member Rodgers suggested that Council discuss the option of a stipend for City Council Members.

Council Member Leinberger suggested that Council not vote on a stipend for their own Council seats but to vote on a stipend for future Council.

Council Member Rodgers suggested placing the same agenda item on the 8/9/05 Council Meeting for discussion with all Council Members.

Council Member Trantham suggested that the verbiage state "may receive" instead of "must receive" a stipend.

Item J- Automated Data Processing-ADP

Council Member Williams advised Council that a representative from ADP gave a presentation to City Manger Baird, HR Manager Hightower, and Acting Finance Director Walters.

City Manager Baird stated he's not opposed to ADP. City Manager Baird also stated that cutting someone from the Finance Department at this time is not feasible although there are a few areas the department needs to improve.

City Manager Baird stated that he's all in favor if we can find a way to pay for ADP.

Council Member Williams and City Manager Baird volunteered to work together in finding a solution to improve the Finance Department.

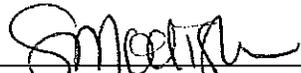
ADJOURNMENT

MOVED:	Leinberger	To adjourn the meeting at 12a.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION		
	Passed	Council concurrence

With no further business before the Council, the meeting adjourned at 12a.

APPROVED THIS 9th DAY OF AUGUST, 2005.

ATTEST:


Sandra Modigh, City Clerk


Hugh Dymont, Mayor