City of Bethel City Council Meeting Minutes

February 26, 2008 Regular Meeting Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on February 26, 2008 at 6:30p, in the Council Chambers, Bethel, Alaska.

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

II. ROLL CALL

Members present:
Mayor Eric Middlebrook
Vice-Mayor R. Thor Williams
Council Member Tundy Rodgers
Council Member Dan Leinberger
Council Member Yolonda Jorgensen
Council Member Tiffany Zulkosky
Council Member Keppel

Others present:
City Manager Wally Baird
City Clerk Lori Strickler

III. PEOPLE TO BE HEARD

Lee Foley – No room for personal agendas vindictiveness or any other actions that maligned the honesty, integrity or professionalism on either side. City Council represents all residence; they have an obligation to the electorate to conduct themselves in a manor which is above reproach and to work diligently for all residence, including city employees.

Dianna Moffett – The City of Bethel is the laughing stock of the delta. People outside of Bethel are noticing; our insurance carrier may not renew our insurance with the city.

Pamela Bumsted –Stipends for Council and Commissions would not be appropriate, cab fare for those individuals who do not have transportation to the Council meeting would be more appropriate.
Recommend Council look at the current fee rate structure to insure they are equitable.
Requests date for the utility clauses, just so the pubic knows how the data was calculated.

Requested more information on the court case Nick vs. the City of Bethel.

Jody Malus – Disagrees with the stipend the City would be responsible for providing payments into PERS and TERS.
Read a letter from Myron Angstman to Sharon Sigmon written March 30, 2007.
Suggested the individuals who participated in the firing of former City Attorney, Sharon Sigmon, should write the reasons down for the public.

James Pack –Interested in starting a limousine service, how would I go about beginning that process?

Dave Trantham – Thank you to a tribal leader who was recently recognized by the EPA and given an outstanding award in doing things to help clean up and maintain the environment, I take my hat off to Council Member, Tundy Rogers.
The community needs some help, in many ways. Join partners with the Chambers of Commerce and other business to gain revenue for the city.
Alaska Renewable Energy Taskforce, information left with the Mayor.
House Bill 3-10, 3-11 and 3-12; 2-73 (Educational Funding) senate bill 72 (Revenue sharing) senate bill 125 (PERS & TERS) all discussed and all very important.

Beverly Hoffman – Adjustment of the Council seating to reiterate them all working together. This Council can do some good work together, if only you could work together.
Requested, Council moves Item H under New Business up to Unfinished Business (concerns brought to Council by citizens regarding legal issues).

Michael Tunley – As a member of the community and a city employee, I want to stress things are not getting cheaper in town. Recruitment and Retention of employees, are ways to help with longevity of employees. With Union negations upcoming this can be a topic of discussion.

Carrie Fulton – The City does not have many financial recourses, we have issues with termination, these things impact the citizens of Bethel.
Concerns brought to council should be moved up on the agenda as well as APEI insurance concerns.
The City's insurance coverage is concerning, is their any insurance company who will underwrite the city with exclusions. Advised council to give considerable thought to their actions. The citizens of Bethel will have to fit the bill for actions of the Council.
Is it a necessity to hold so many Special Meetings?

Susan Taylor – Individually you are all good people, however the structure of this Council is intimidating. Some people do not come to testify because they don't want their future projects voted down.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Zulkosky	To approve the Consent & Regular Agenda for the February 26, 2008 Regular Meeting
SECONDED:	Rodgers	

MOVED:	Jorgensen	Move item h under new business, to before item a under unfinished business.
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	

MOVED:	Leinberger	Amendment to the amendment, move item j. ahead of item h. under unfinished business
SECONDED:	Jorgensen	
VOTE ON MOTION	All opposed	

MOVED:	Leinberger	Move item j. in front of special order of business
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Rodgers	Remove items a; b; c; d; e from the Consent Agenda

MOVED:	Leinberger	Remove from the Consent Agenda, minutes from the regular scheduled meeting of 01/29/08
VOTE ON MAIN MOTION		All in favor

V. APPROVAL OF MEETING MINUTES

The following minutes were approved on the consent agenda

a. 2/08/08 Special City Council Meeting
b. 02/12/08 Regular City Council Meeting

MOVED:	Leinberger	Accept the meeting minutes from 01/29/08
SECONDED:	Keppel	
MOVED:	Leinberger	Move to table 01/29/08, because the meeting was conducted incorrectly.
SECONDED:	Jorgenson	
VOTE ON MOTION	6-1 Jorgenson for	

MOVED:	Williams	Amend the meeting minutes from 01/29/2008, P.1 "statements"; 5 e; P.6 (item c) of the packet, Council Member Williams does not believe he made the motion; P. 11 no space between the 4 and the first zero (54,-000).
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	

MOVED:	Leinberger	Amend the amendment that the city clerk reviews the tape from the 01/29/2008 meeting to see who made the motion under item c. to allow 30 minutes for the presentation.
SECONDED:	Jorgenson	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	6-1 Jorgenson opposed	

Item K –APEI Insurance Concerns

MOVED:	Williams	Take a 10 min. break
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	All in favor	

Jeff Bush (Conference Call)-

Doug Brown (Conference Call) -

VI. SPECIAL ORDER OF BUSINESS

a. DOT Presentation On The City Dock Transfer

MOVED:	Zulkosky	Motion to go past 10:00
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Williams	Motion to break for 10
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	All in favor	

VII. UNFINISHED BUSINESS

Item H – Discussion Of The Concerns Brought To The Council By The Citizens Of Bethel At The 2/12/08 Regular Scheduled Meeting Regarding The City's Legal Issues

MOVED:	Rodgers	Motion To go past 11:00
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	6-1 Williams opposed	

MOVED:	Zulkosky	Move to suspend the rule to hear from the citizens who have stayed for this portion of the meeting.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	All in favor	

Beverly Hoffman - Realizes the Council cannot go back and reinstate Sharon Sigmon, however questions the legality of how it was handled.

Hugh Dyment – Suggest the Council forward all of the information onto Preston Gates and Ellis, for legal opinion on if a mistake was made.

Carrie Fulton – It is important for the Council to move forward. There is a discussion of poor judgment on the leadership of this Council. To bring closure to the firing of the City Attorney, all of the written evaluations must be turned into administration.

Lee Folly – Concerned by the perception within the community.

Jody Malus – Perception is created by articles in newspapers and clips on the radio and people who begin rumors to scare people

Dianna Moffett – Perception is important if you are in the public light.

Item A – Public Hearing Of Ordinance 07-24: An Ordinance By The Bethel City Council Amending Chapter 2.04 Of The Bethel Municipal Code to Provide A Stipend For City Council Members.

Public Hearing:

David Trantham – In opposition to this Ordinance, for the last 50 years many people have served as volunteers without a stipend.

MOVED:	Williams	Table Ord. 07-24 until the next council meeting due to the fact of new information and the loss of the amendment of the amendment provided at previous meetings.
SECONDED:	Keppel	
VOTE ON MOTION	Motion Failed unanimously	

MOVED:	Leinberger	Motion to adopt 07-24
SECONDED:	Williams	
VOTE ON MOTION	Motion Failed unanimously	

Item B – Town Hall Meetings

MOVED:	Rodgers	Suspend the rule to move item i. and item j. under new business to the next agenda item.
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	

Item I – Committee / Commission Appointment
Mayor Middlebrook appointed Hugh Dyment to the Planning Commission

MOVED:	Rodgers	Approval of the appointment of Hugh Dyment to the Planning Commission
SECONDED:	Jorgensen	
VOTE ON MOTION	All in favor	

Mayor Middlebrook appointed Pamela Twitchell to the Pars and Recreation Committee

MOVED:	Jorgensen	Approval of the appointment of Pamela Twitchell to the Parks and Recreation Committee
SECONDED:	Williams	
VOTE ON MOTION	All in favor	

Item J – Council appointment of the Police Chief

MOVED:	Rodgers	Approve the conditional offer to Laurance (Larry) Elarton to the position of Police Chief.
SECONDED:	Jorgensen	
VOTE ON MOTION	All in favor	

Item C – Public Hearing of Ordinance 08-02: Fee & Rate Structure

Public Hearing

MOVED:	Rodgers	Motion to table to the discretion of the city clerk.
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	

Item D – Discussion Of Audit, City Funds, And Internal Controls

VIII. NEW BUSINESS
Item a. Introduction of Ordinance 07-12 (H): Amending The Adopted Annual FY 2008 Budget

MOVED:	Rodgers	Motion to go to 12:30
SECONDED:	Williams	
VOTE ON MOTION	All in favor	

MOVED:	Rodgers	Move to break for 5
SECONDED:	Zulkosky	
VOTE ON MOTION	6-1 Leinberger in opposition	

MOVED:	Williams	Motion to introduce Ord. 07-12 H
SECONDED:	Zulkosky	
MOVED:	Keppel	Amendment ~~$7,5000 from each of the line item 1073632 Fire station roof repair matching funds (Fund 44) & public safety building matching funds (Fund 46)~~ be moved to the city clerk's budget for councils use for RFP Entitled " agreed upon procedure" for release to CPA's for questionable city expenditures.
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	

MOVED:	Leinberger	Amend the amendment to strike the removal $7,5000.00 from the fire station and the police station and input $15,000.00 from the general fund.
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	
MOVED:	Williams	Amend the motion to include input into account number10-52-641 City Clerk, Audit Expense.
SECONDED:	Rodgers	
VOTE ON MOTION	All in favor	

MOVED:	Keppel	$6,000 moved from the general fund to acct. 10-61-683 computers for council members.
SECONDED:	Rodgers	
VOTE ON MOTION	Motion Failed	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to go to 12:45
SECONDED:	Zulkosky	

MOVED:	Williams	Amend the motion to go to item C. and Item D. under new business
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item D -- <u>Introduction to Resolution 08-04:</u> Supporting The Increased Development Of Renewable Energy In The Yukon – Kuskokwim Delta Region Through A State Sponsored Renewable Energy Fund

MOVED:	Leinberger	Move to adopt Res. 08-04
SECONDED:	Rodgers	

VOTE ON MAIN MOTION	All in favor

Item E – <u>Introduction Of Resolution 08-05</u>: Supporting Increased State Funding On Dispatch Services Provided By The Bethel Police Department To State Agencies

MOVED:	Jorgenson	Adopt resolution 08-05
SECONDED:	Leinberger	
VOTE ON MOTION	All in favor	

MOVED:	Williams	Amend the font used.
SECONDED:	Rodgers	
VOTE ON MOTION	All in favor	

Item B – <u>Introduction Of Ordinance 08-03:</u> Repeal BMC 4.18.060 Bethel Endowment Fund Reinvestment Proposals

MOVED:	Leinberger	Move to table until the next regularly scheduled meeting.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	All in favor	

Item E – Resolution 08-06 Request Additional Funding To State Agencies Of Alaska To Provide An Additional Wing

Council Member Leinberger declared a possible conflict of interest. Mayor Middlebrook did not determine a conflict of interest exists.

MOVED:	Zulkosky	Move to introduce 08-06
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Motion Died for lack of time	

MOVED:	Leinberger	Motion to go until 1:00
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	Motion Fails Zulkosky and Leinberger in favor	

APPROVED THIS 11 DAY OF MARCH, 2008.

Eric Middlebrook, Mayor

ATTEST:

Lori Strickler, City Clerk