

**CITY COUNCIL**

*Tad Miller  
Dario Notti  
Mike O'Brien  
Agnes Phillips  
Ruth Richardson, Mayor  
Stanley Rodgers  
Thor Williams*



**CITY MANAGER**

*Ken Weaver*

**CITY CLERK**

*L.J. Tanner*

**City of Bethel  
Special Council Meeting Minutes  
March 28, 1997**

**I. CALL TO ORDER**

The meeting was convened at 12:00 p.m. by Mayor Richardson in the City Office Conference Room.

**II. ROLL CALL**

Present: Miller, Notti, O'Brien, Phillips, Richardson, Rodgers, Williams

Absent:

Also present at the meeting: City Manager Ken Weaver, Port Director Stuart Greydanus, Planning Manager John Malone, BNC President Marc Stemp, City Clerk L.J. Tanner, Tom Warner-citizen.

**III. APPROVAL OF AGENDA**

**motion** M/M by Williams, 2nd by Miller to approve the agenda as presented.

**vote** Voice vote. Motion carried unanimously.

Tom Warner asked to address the Council and was allowed to do so. Mr. Warner stated that he didn't believe the topic of the meeting constituted a true emergency, nor was an appropriate topic for executive session. Mr. Warner also stated that the agreement between the City and BNC may affect other upland land owners, who should have been invited to, or at least notified of, this meeting.

Mayor Richardson and other Council members addressed Mr. Warner's concerns.

**motion** M/M by Miller, 2nd by O'Brien to discuss the BNC Tidelands Agreement in Open Session.

**vote** Voice vote. Motion carried unanimously.

Mayor Richardson stated for the record, her conflict of interest as Chairman of the Board of BNC, and relinquished the chair to Acting Mayor Tad Miller.

City Attorney Tom Evans was asked if he had a problem with the discussion being held in open session, and Mr. Evans stated that he had no objections. Mr. Evans then explained the meaning of the various documents that were distributed to the council, which will supersede the 1984 agreement with BNC. Port Director Stuart Greydanus was asked if his concerns had been addressed in the new agreement, and Mr. Greydanus responded that they had. City Manager Weaver concurred that he also had no concerns with the new agreement. City Planner John Malone had a question about the moorage agreement, which was answered by Mr. Evans.

Marc Stemp, President of BNC, distributed the 1984 agreement to the Council. Mr. Stemp noted that there is uncertainty about the 1984 agreement ever having been ratified by the Council at the time. Mr. Stemp asked the current Council to ratify the 1984 agreement, because it is referred to in the current agreement. Tom Warner noted that the motion to approve the current agreement and the motion to ratify the 1984 agreement could be made together.

At this time, Acting Mayor Miller opened the floor for comment.

Stuart Greydanus spoke on the issue of BNC granting an easement to the City along the Walsh property, so that the City can access that area in case of emergency. Mayor Richardson stated that the Council and city attorney hadn't wanted to address that parcel in this agreement, but in a future agreement, separately. Acting Mayor Miller noted that access in case of emergency is covered by state law. The City Clerk was asked to add "Access to Walsh Property" to a future Council agenda.

Council member O'Brien said that he was glad the agreement had been settled, and hoped that future agreements on other BNC parcels can be resolved in a timely manner. Acting Mayor Miller asked the City Manager to issue a press release about this agreement, as a way of informing upland owners. Seeing no one else to comment, Acting Mayor Miller asked for a motion to approve the agreement.

**motion** M/M by Phillips, 2nd by Notti to ratify the 1984 agreement, and approve the current settlement agreement with BNC.

**vote** Roll call vote. Motion carried, 6-Yes, 1-Abstain (Richardson)

**motion** M/M by Williams, 2nd by Rodgers to authorize the City Manager to sign the settlement agreement documents on behalf of the City.

**vote** Voice vote. Motion carried, 6-Yes, 1-Abstain (Richardson)

## V. ADJOURNMENT

**motion** M/M by Williams, 2nd by Rodgers to adjourn the meeting at 1:10 p.m.

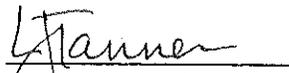
**vote** Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 1997.



Ruth M. Richardson, Mayor

ATTEST:

  
L.J. Tanner, City Clerk