# City of Bethel City Council Meeting Minutes

November 13, 2007 Regular Meeting Bethel, Alaska

## I. CALL TO ORDER

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

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

## II. ROLL CALL

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

**Others present:**
City Manager Wally Baird
City Attorney Sharon Sigmon
City Clerk Sandra Modigh

## III. PEOPLE TO BE HEARD

Diana Moffett addressed Council to suggest a town meeting because corporations have meetings and make decisions without community input. A community meeting would be scheduled with an agenda to allow the community to address common interests.

Jody Malus addressed Council to suggest the stipend referenced in ordinance 07-24 also be provided committee/commission members and also agreed with Dana Moffetts idea of regularly scheduled town meetings.

Bob Herron addressed Council to advise Council and the community of the Bethel Detox Alternative Project and requested participation and support from Council and the community.

## IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

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| **MOVED:** | Leinberger | To approve the Consent & Regular Agenda for the November 13, 2007 Regular City Council Meeting as amended. |
| **SECONDED:** | Middlebrook | |

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| **MOVED:** | Jorgensen | To postpone ordinance 07-12 (B,C,D) |
| **SECONDED:** | Williams | |

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| **MOVED:** | Middlebrook | To withdraw ordinances 07-12 B the motion. |
| **SECONDED:** | Jorgensen | |
| **VOTE ON MAIN MOTION** | Carried: 5 - 2<br>Rodgers, Williams voting against | |

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| **VOTE ON MAIN MOTION** | Carried unanimously |

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| **MOVED:** | Leinberger | Postpone ordinance 07-24 until the next council member. |
| **SECONDED:** | Middlebrook | |

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| **MOVED:** | Williams | To hold two additional public hearings, November 27th & December 11th. |
| **SECONDED:** | Rodgers | |
| **VOTE ON MAIN MOTION** | Carried unanimously | |

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| **VOTE ON MAIN MOTION** | Carried unanimously |

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| **VOTE ON MAIN MOTION** | Carried unanimously |

## V. APPROVAL OF MEETING MINUTES

### Item A- 10/23/07 Regular City Council Meeting

*Meeting Minutes were approved on the consent agenda.*

## VI. UNFINISHED BUSINESS

### Item A- Introduction Of Ordinance 07-12 (B): An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2008 Budget By Appropriating $500,000 For Multiuse Recreation Center and Recognizing Anticipated Increase to Sales Tax Revenue

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| **MOVED:** | Leinberger | To introduce ordinance 07-12 (B): An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2008 Budget By Appropriating $500,000 For Multiuse Recreation Center and Recognizing Anticipated Increase to Sales Tax Revenue |
| **SECONDED:** | Jorgensen | |

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| **MOVED:** | Jorgensen | To increase the budgeted amount to $600,000 and to add language to state the entire 1% sales tax increase would be budgeted for the Multiuse Recreation Facility. |
| **SECONDED:** | Zulkosky | |
| Council requested a brief at ease for Council to review ordinance 07-08. | | |
| **VOTE ON MAIN MOTION** | Failed unanimously | |

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| **MOVED:** | Williams | To increase line item 46-46-669 in the amount of $350,000 for professional services |
| **SECONDED:** | Leinberger | |
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| **VOTE ON MAIN MOTION** | Carried: 4 - 3<br>Middlebrook, Rodgers, Leinberger voting against | |

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| **VOTE ON MAIN MOTION** | Carried: 6 - 1<br>Rodgers voting against |

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| **MOVED:** | Middlebrook | To suspend the rules to allow public testimony on ordinance 07-24. |
| **SECONDED:** | Leinberger | |
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| **VOTE ON MAIN MOTION** | Carried unanimously | |

**Item B- <u>Introduction Of Ordinance 07-12 (C):</u> An Ordinance OF The Bethel City Council Amending The Adopted Annual FY2008 Budget**

*Ordinance 07-12 (C) was tabled until the November 27, 2007 Council Meeting.*

**Item C- <u>Introduction Of Ordinance 07-12 (D):</u> An Ordinance Of The Bethel City Council Amending The Adopted Annual FY2008 Budget By Restoring Full Funding For A Time Safety Coordinator Position And A Full Time Code Enforcement Office Position, Currently A Combined Position Of City Safety Coordinator/Code Enforcement Officer**

*Ordinance 07-12 (D) was tabled until the November 27, 2007 Council Meeting.*

**Item D-<u>Public Hearing of Ordinance 07-24:</u> An Ordinance By The Bethel City Council Amending Chapter 2.04 Of The Bethel Municipal Code To Provide A Stipend For City Council Members**

*Ordinance 07-24 was tabled until the November 27, 2007 Council Meeting*

**<u>Public Hearing:</u>**

1. David E. Trantham Jr. addressed Council to speak in opposition of ordinance 07-24.

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| **MOVED:** | Rodgers | To suspend the rules to address |

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| **SECONDED:** | Leinberger | resolution 07-34 as the next item of business. |
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| **VOTE ON MAIN MOTION** | Carried unanimously | |

**Item E- <u>Resolution 07-34</u>: A Resolution Approving Amendment No. 11 For The City Of Bethel Water And Sewer Improvements Funded Through The State Of Alaska Village Safe Water Program**

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| **MOVED:** | Leinberger | To adopt Resolution 07-34: A Resolution Approving Amendment No. 11 For The City Of Bethel Water And Sewer Improvements Funded Through The State Of Alaska Village Safe Water Program |
| **SECONDED:** | Middlebrook | |

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| **MOVED:** | Middlebrook | To suspend the rules to allow the Village Safe Water Representatives to address Council. |
| **SECONDED:** | Zulkosky | |
| Jim Patterson addressed Council to answer inquiries. | | |
| **VOTE ON MAIN MOTION** | Carried unanimously | |

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| **MOVED:** | Middlebrook | To table resolution 07-34 until the next council meeting. |
| **SECONDED:** | Williams | |

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| **MOVED:** | Jorgensen | To hold a special council meeting on Tuesday, November 20th to discuss the VSW issue. |
| **SECONDED:** | Williams | |
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| **VOTE ON MAIN MOTION** | Carried: 4 - 3<br>Kenick, Middlebrook, Leinberger voting against | |

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| **VOTE ON MAIN** | Carried: 5 - 2 |

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| **MOTION** | Kenick, Leinberger voting against |
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| **VOTE ON MAIN MOTION** | *Postponed* |

**Item F-<u>Public Hearing of Ordinance 07-23:</u> An Ordinance By The Bethel City Council Amending Bethel Municipal Code 2.52.040-Board, Committee, And Commission Qualifications**

**<u>Public Hearing:</u>**

1. David E. Trantham Jr. addressed Council to speak in opposition of ordinance 07-23.

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| **MOVED:** | Leinberger | To approve ordinance 07-23: An Ordinance By The Bethel City Council Amending Bethel Municipal Code 2.52.040-Board, Committee, And Commission Qualifications |
| **SECONDED:** | Jorgensen | |

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| **MOVED:** | Middlebrook | To amend section A to read as follows: A1-shall have been a resident of the city for one year A2-A person who has resided in the city for six months may be appointed to a committee or commission if there has been a vacancy for six months or more. Or to fill a 2nd, 3rd, or higher vacant seat. |
| **SECONDED:** | Leinberger | |
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| **VOTE ON MAIN MOTION** | Failed: 3 - 4<br>Middlebrook, Rodgers, Williams voting for | |

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| **VOTE ON MAIN MOTION** | Carried: 5 - 2<br>Rodgers, Williams voting against |

**Item G- Public Hearing of Ordinance 07-25: An Ordinance By The Bethel City Council Designating The Mayor As A Member-At-Large Of All Committees & Commissions**

**Public Hearing:**

1. Jody Malus addressed Council to state a concern regarding the ordinance which would be the Mayor possibly intimidating other community participants.
2. David E. Trantham Jr. addressed Council to speak in opposition of ordinance 07-25.

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| **MOVED:** | Leinberger | To approve ordinance 07-25: An Ordinance By The Bethel City Council Designating The Mayor As A Member-At-Large Of All Committees & Commissions |
| **SECONDED:** | | |
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| **VOTE ON MAIN MOTION** | *Failed for lack of a second* | |

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| **MOVED:** | Rodgers | To break for 10 minutes |
| **SECONDED:** | Williams | |
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| **VOTE ON MAIN MOTION** | Carried: 6 - 1<br>Leinberger voting against | |

**Item G-Legislative Priorities**

Council Members discussed their legislative priorities

Council Member Leinberger suggested community revenue sharing, PERS & TERS relief, Fire Station roof

Vice-Mayor agreed that the Fire Station roof and suggested Police Department building improvements

Council Member Zulkosky agreed with the Police Department building improvements and suggested a second fire truck house closer to Kasayulie

Council Member Jorgensen agreed with the Police Department building improvements and suggested other building within the community. Council Member Jorgensen also agreed with the Fire Station roof repairs as well as State Highway improvements and Tundra Ridge Road & Ptarmigan Road completion.

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| **MOVED:** | Leinberger | To approve the City Council Legislative Priorities: Revenue sharing, PERS & TERS, Fire Station roof, and Police Department building improvements and to direct Administration to draft the priorities for the Governors budget. |
| **SECONDED:** | Middlebrook | |

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| **MOVED:** | Rodgers | To have the resolution by the next council meeting. |
| **SECONDED:** | Williams | |
| **VOTE ON MAIN MOTION** | Carried unanimously | |

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| **VOTE ON MAIN MOTION** | Carried unanimously |

## VII. NEW BUSINESS

**Item A- <u>Introduction of Ordinance 07-26</u>: An Ordinance By The Bethel City Council Adjusting The Rates/Fees Charges For City Of Bethel Water & Sewer Services**

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| **MOVED:** | Middlebrook | To introduce ordinance 07-26: An Ordinance By The Bethel City Council Adjusting The Rates/Fees Charges For City Of Bethel Water & Sewer Services |
| **SECONDED:** | Zulkosky | |

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| **MOVED:** | Middlebrook | To hold two additional public hearings, November 27th & December 11th. |
| **SECONDED:** | Rodgers | |
| **VOTE ON MAIN** | | |

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| **MOTION** | Carried unanimously |

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| **MOVED:** | Rodgers | To suspend the rules to proceed past 10 p.m. |
| **SECONDED:** | Leinberger | |

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| **VOTE ON MAIN MOTION** | Carried: 6 - 1<br>Williams voting against |

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| **VOTE ON MAIN MOTION** | Carried unanimously |

**Item B- APOC Statements**

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| **MOVED:** | Middlebrook | To direct the City Clerk to upload all council member financial disclosure statements on the City of Bethel website |
| **SECONDED:** | Zulkosky | |

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| **MOVED:** | Leinberger | To upload all required financial disclosure statements including the City Manager and Planning Commission member statements on the City of Bethel website. |
| **SECONDED:** | Williams | |

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| **MOVED:** | Middlebrook | To suspend the rules to allow public testimony. |
| **SECONDED:** | Leinberger | |

Jody Malus addressed Council to state that if the motion does not pass, community members should request to review the statements.

Diana Moffett addressed Council to speak in opposition of committee members completing an APOC.

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| **VOTE ON MAIN MOTION** | Carried unanimously |

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| **VOTE ON MAIN MOTION** | Failed: 1 - 6<br>Williams voting for |

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| **MOVED:** | Williams | To have the City Clerk upload the financial statements on the website by November 30th. |
| **SECONDED:** | Middlebrook | |
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| **VOTE ON MAIN MOTION** | Carried: 5 - 2<br>Kenick, Jorgensen voting against | |

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| **MOVED:** | Leinberger | To include council candidate financial disclosure statements on the website. |
| **SECONDED:** | Williams | |
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| **VOTE ON MAIN MOTION** | Carried: 4 - 3<br>Kenick, Middlebrook, Zulkosky voting against | |

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| **VOTE ON MAIN MOTION** | Carried: 5 - 2<br>Kenick, Jorgensen voting against |

**Item C- Election of AML Representative for Region 9**

Council Member Jorgensen nominated Council Member Zulkosky

Council Member Rodgers nominated Council Member Williams

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| **MOVED:** | Rodgers | To suspend the rules to allow public testimony |
| **SECONDED:** | Middlebrook | |
| David E. Trantham Jr. addressed Council to discuss his tenure as the Region Representative. | | |
| **VOTE ON MAIN MOTION** | Carried unanimously | |

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| **MOVED:** | Jorgensen | To suspend the rules to proceed past 11p |
| **SECONDED:** | Middlebrook | |
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| **VOTE ON MAIN MOTION** | Carried: 6 - 1<br>Rodgers voting against | |

Council Member Williams was elected by a vote of 4-3 as AML Region 9 Representative.

**Item D- Update on Police Chief Vacancy**

City Manager Baird updated Council on the hiring of a Police Chief.

## VIII. REPORTS OF STANDING COMMITTEES

**Council Member Rodgers (Port Commission)** advised council that the commission has not met since the last council meeting.

**Council Member Williams (Planning Commission)** advised council that commission discussed the following at their last meeting:

- Alaska Housing Finance Corporation Request for land

**Vice-Mayor Middlebrook (Public Works Committee)** advised council that the committee has not met since the last council meeting.

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| **MOVED:** | Middlebrook | To direct administration to follow the Public Works Committee recommendation |
| **SECONDED:** | Williams | |
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| **VOTE ON MAIN MOTION** | Carried unanimously | |

**Mayor Kenick (Cemetery Committee)** advised council that the committee has not met since the last council meeting.

**Council Member Leinberger (Finance Committee & Alternative Energy Committee)** advised Council that neither committee has met since the last council meeting.

**Council Member Zulkosky (Public Safety & Transportation Commission)** advised Council that the commission has not met due to a lack of a quorum. A special meeting is planned the following week.

**Parks & Recreation Committee (Council Member Jorgensen)** advised Council that the committee has not met since the last Council meeting.

## IX. MAYOR'S REPORT

- Resignation
- Alaska Early Childhood Investment Summit

## X. MANAGER'S REPORT

- Adhoc Multiuse Recreation Facility Committee
- Bethel Detox Alternative Project

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| **MOVED:** | Middlebrook | To approve the City Manager travel. |
| **SECONDED:** | Rodgers | |
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| **VOTE ON MAIN MOTION** | Carried unanimously | |

## XI. CLERK'S REPORT

- Special Meeting & ONC JTF Meeting on November 20th
- 2007 Newsletter submission deadline is November 14th

## XII. COUNCIL MEMBER COMMENT

Council Member Jorgensen thanked everyone for listening.

Council Member Zulkosky recognized all of the Delta region Veterans and current Police Officers & State Troopers who are the front line of this area.

Council Member Zulkosky reiterated the crisis we are in with our current police work force.

Council Member Leinberger stated he had no comments.

Mayor Kenick sated she had no comments.

Vice-Mayor Middlebrook stated he had no comments.

Council Member Williams stated that he would like to have a link on the city web site to access city email. Council Member Williams gave a shout-out to Fred Watson. Council Member Williams stated that the Governor will be budgeting for revenue sharing. Council Member Williams apologized to Council Member Zulkosky for being rude to her earlier in the meeting.

Council Member Rodgers welcomed back the National Guard soldiers and thanked his fellow vets for their sacrifice and said Happy Birthday to all seniors that have birthdays this month. Council Member Rodgers sent his condolences to the Ignatius Dan family. Council Member Rodgers stated "Hug an elder".

**XIII. ADJOURNMENT**

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| **MOVED:** | Zulkosky | To adjourn the meeting at 11:26p. |
| **SECONDED:** | Jorgensen | |
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| **VOTE ON MAIN MOTION** | Carried: 6 - 1<br>Rodgers voting against | |

With no further business before the Council, the meeting adjourned at 11:26p.

APPROVED THIS 27th DAY OF NOVEMBER, 2007.

Mary Kenick, Mayor

ATTEST:

Sandra Modigh, City Clerk