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# City of Bethel, Alaska

## City Council Minutes

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August 23, 2005

Regular Meeting

Bethel, Alaska

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### CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 23, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Dymont 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
R. Thor Williams	Hugh Dymont
Stanley "Tundy" Rodgers	Yolonda Jorgensen
Dan Leinberger	

Also in attendance were the following:

Wally Baird, City Manager  
Sandra Modigh, City Clerk

### PEOPLE TO BE HEARD

1. Anna Hoffman addressed Council to state the St. Sophia Russian Orthodox Church hoped that the City would agree to the land swap proposed.
2. Alex Nick addressed Council to speak in support of the St. Russian Sophia Orthodox Church and City of Bethel land exchange.

### APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

<b>MOVED:</b>	Williams	To approve the Consent and Regular Agenda for the August 23, 2005 meeting as amended moving the St. Sophia Russian Orthodox Church discussion to Item A under Unfinished Business and removing Resolution #05-32 from the consent agenda.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b> Passed    Council concurrence		

### APPROVAL OF MINUTES

- \*8/9/05 Regular Meeting Minutes
- \*8/15/05 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 met on August 16, 2005, due to a lack of a quorum the committee could not conduct business. Council Member Jorgensen reviewed the upcoming Community Recreational Facility Planning meetings.

Public Works Committee (Council Member Leinberger): Council Member Leinberger reported that the Committee met on August 16, 2005, due to a lack of a quorum the committee could not conduct business.

Planning Commission (Vice-Mayor Rodgers): Vice Mayor Rodgers reported that the Commission met on August 11, 2005 and August 18, 2005 and discussed the following:

- St. Sophia Russian Orthodox Church proposed land exchange
- Slough property

Council concurred to direct Administration to move forward with the land exchange between St. Sophia’s Russian Orthodox Church and the City of Bethel.

Port Commission (Council Member Williams): Council Member Williams reported that the Commission met on August 15, 2005 and discussed the following:

- Dock Transfer
- Propane storage
- Recommendations to Council

<b>MOVED:</b>	Williams	To direct Administration to have an the engineers to assess the cost of Port optimal operating standards
<b>SECONDED:</b>	Trantham	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Voice Vote 6-1 (No: McGowan)

<b>MOVED:</b>	Williams	To direct Administration to review the documents from State of Alaska, specifically 5 & 7 and omission of section 6.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Council concurrence

Public Safety & Transportation Commission (Mayor Dyment): Mayor Dyment reported that the Commission has not met since the last Council Meeting.

Community Cemetery Planning Committee (Council Member Trantham): The committee met on August 18, 2005 and discussed the following:

- St. Sophia Russian Orthodox Church proposed and exchange
- Cemetery Update

Finance Committee (Council Member McGowan): Council Member McGowan stated the Finance Committee has not met since the last Council meeting.

Alaska Municipal League (Council Member Trantham): Council Member Trantham stated that the City Manager, Council Member Williams, and he just returned from the AML conference in Skagway. A trip report will be provided at the next Council meeting.

***Meeting recessed from 7:21p until 7:30p***

**UNFINISHED BUSINESS**

**Item A- Public Hearing of Ordinance #05-15: An Ordinance Amending Title 3 of the Bethel Municipal Code Regarding Employees Not Otherwise Covered Under a Collective Bargaining Agreement (3<sup>rd</sup> Public Hearing is set for September 27, 2005)**

**Public Hearing:**

***None***

City Manager Baird stated that the estimated cost to complete ordinance #05-15 was \$22,000.

Council Member Jorgensen stated that Council did not concur to revise title 3 of the BMC.

Council Member Leinberger recommended having ordinance #05-15 divided by sections that have to be revised as opposed to areas that do not have to be revised

<b>MOVED:</b>	Williams	To request the City Attorney attend the September 27, 2005 Council meeting to address Ordinance #05-15 revisions, questions and concerns.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>		
	Failed	Roll call vote 1-6 (No: Williams)

<b>MOVED:</b>	Leinberger	To direct administration to have Ordinance #05-15 divided into sections that have to be revised by law and sections and do not have to be revised by law.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>		
	Passed	Voice vote 6-1 (No: Williams)

**Item B- North to the Future**

Council discussed the North to the Future proposal, no action taken.

**Item C-Senior Center Transfer**

City Manager Baird stated the effective date of the Senior Center Transfer from the City to ONC is September 1, 2005.

City Manger Baird also stated that a transfer ceremony/reception will be held at the Senior Center on September 1, 2005.

An official notice has been given to all employees.

**Item D- Procedure-Contacting City**

Council Member Trantham stated that the City of Bethel has not established a procedure or policy on how to contact the City Attorney.

<b>MOVED:</b>	Jorgensen	To direct Administration to draft an ordinance pertaining to Council contacting the City Attorney allowing the City Manager to contact the City Attorney as necessary.
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Trantham	Amending the motion to allow the City Manager to contact the City Attorney as necessary.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON PRIMARY AMENDMENT</b>	Passed	Voice vote 5-2 (No: Williams & Rodgers)
<b>MOVED:</b>	Williams	To strike ordinance and insert guidelines to be attached to the oath.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON PRIMARY AMENDMENT</b>	Passed	Roll call vote 7-0
<b>VOTE ON MAIN MOTION</b>	Passed	Voice Vote 6-1 (No: Leinberger)

*Meeting recessed from 8:42 until 8:55p.*

**Item E- Senate Bill 40-Kuskokwim Port Authority**

Mayor Dyment stated that he will be drafting an ONC/COB Joint Resolution pertaining to SB40 to be provided to Council to review at the September 27, 2005 Council Meeting.

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

Dairo Notti addressed Council to state a Council Member previously spoke on behalf of Council on the record in favor of SB40. Mr. Notti spoke in opposition of SB40.

Mayor Dyment stated that Council Member Williams apologized to Council for his tone related to SB40 and stated that he was not speaking on behalf of the City of Bethel Council.

**Item F- Wireless Internet**

Council Member Williams stated that he would like to see the City become wireless.

**Item G- YKHC Water & Sewer Funds-\$2 Million**

Council Member Williams would like to have Council updated on the progress of the YKHC Water & Sewer Funds.

City Manager Baird and Public Works Director Wayne Ogle stated that YKHC has submitted a grant application and is waiting the results.

Council concurred to direct administration to draft a memorandum of agreement between YKHC and the City of Bethel regarding the Water & Sewer Funds.

**Item H- Vision 2025**

Council Member Trantham stated that he and Council Member Williams continue to place this item on the agenda to keep the discussion before the community and Council and to continue to seek input regarding the future of Bethel.

<b>MOVED:</b>	Leinbeger	To suspend the rules to address Item G under New Business before Item I under Unfinished Business.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence

**Item I- Discussion and Possible Action to Declare Vacancies on the Planning Commission Due To Non-Meeting Attendance**

<b>MOVED:</b>	Rodgers	To declare vacancies on the Planning Commission for the seats of Tim Albright and Joan Hamilton.
<b>SECONDED:</b>	Williams	
<b>VOTE ON MAIN MOTION</b>	Passed	Roll call vote 7-0

Council requested that the City Manager send a memorandum to Department Heads to remind them to have their Committee/Commission meeting minutes given to the City Clerk to be placed in the Council meeting packet.

**Item J- Legislative Priorities**

Council concurred to call a Special Council Meeting to discuss their Legislative Priorities.

<b>MOVED:</b>	Leinberger	To suspend the rules to proceed past 10p.
<b>SECONDED:</b>	Williams	
<b>VOTE ON MAIN MOTION</b>	Passed	Voice vote of 5-1 (No: Rodgers- Council Member Jorgensen had stepped out of Chambers momentarily)

<b>MOVED:</b>	Williams	To table Unfinished business agenda Items J & K and New Business agenda items A, B, D, E & F.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence.

<b>MOVED:</b>	Rodgers	To proceed into Executive Session for Discussion Of Pending Labor Negotiations Between The City And The City's Union Employees And Provide Direction To The City's Negotiators Regarding Such Pending Labor Negotiations.
<b>SECONDED:</b>	Williams	

<b>MOVED:</b>	Leinberger	To table the vote to go into executive session to determine the union negotiating team.
<b>SECONDED:</b>	Williams	
<b>VOTE ON PRIMARY MOTION</b>	Passed	Council concurrence.

<b>MOVED:</b>	Williams	To appoint Wally Baird as Chief Negotiator and appoint Wayne Ogle to the negotiating team.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON SECONDARY MOTION</b>	Passed	Council concurrence

<b>MOVED:</b>	Williams	To vote on the main motion.
<b>SECONDED:</b>	Leinberger	
Council concurred to dismiss Council Member Rodgers at 10p.		
<b>VOTE ON SECONDARY MOTION</b>	Passed	Council concurrence
<b>VOTE ON MAIN MOTION</b>	Passed	Council concurrence.

***Council exist Executive Session at 11:10p***

Council Member Trantham stated that there will be a Community Potluck on 8/31/05 at the Long House to welcome City Manager Baird and the new High School Principal from 6p-8p.

**Item B Under New Business-Resolution #05-33: A Resolution Requesting the State Of Alaska Allocate Funds for the Expansion and Improvement of the State of Alaska Correctional Facility in Bethel**

***Resolution #05-33 passed under the consent agenda***

**ADJOURNMENT**

<b>MOVED:</b>	Jorgensen	To adjourn at 11:20p.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Passed	Voice vote 6-0

With no further business before the Council, the meeting adjourned at 11:20p.

**APPROVED THIS 27<sup>th</sup> DAY OF SEPTEMBER, 2005.**

ATTEST:

  
Sandra Modigh, City Clerk

  
Hugh Dymont, Mayor