
City of Bethel, Alaska

City Council Minutes

October 26, 2004

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on October 26, 2004, at 6:30 p.m., in the Council Chambers, Bethel, Alaska.

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

ROLL CALL

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

Michael O'Brien	Dave Trantham
Hugh Short, Jr.	R. Thor Williams
Stanley "Tundy" Rodgers	Hugh Dymont

Also in attendance were the following:

Robert Herron, City Manager
Selena Malone, City Clerk
Andrew McGowan, Newly Elected Council Member
Dan Leinberger, Newly Elected Council Member
Frank Murkowski, Governor

SPECIAL ORDER OF BUSINESS

MOVED BY:	Dymont	To suspend the rules to allow Governor Murkowski to address the Council.
SECONDED BY:	Williams	

VOTE ON MOTION	Motion carried by unanimous voice vote 6-0.
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Gov. Murkowski stated that the Governor will be looking forward to receiving information from AML, specifically on revenue sharing. Governor Murkowski stated that rural Alaska needs consistency in funding for government. Gov. Murkowski encouraged the Council to meet with their legislatures regardless of their party affiliations, to address getting State assistance for local government funding.

Mayor Short thanked Governor Murkowski for being in Bethel, and highlighted the Governor's support for rural Alaska. Mayor Short also noted his concerns for rural Alaska. Mayor Short expressed the difficulties of budgeting without revenue sharing, and spoke of his concerns for a state-wide sales tax and the ramifications for our community.

Governor Murkowski stated a state-wide sales tax would have to have a cap.

Council Member Rodgers asked for clarification on the Longevity Bonus and how its discontinuation affected the elders in rural Alaska.

Governor Murkowski spoke of the divide in the number of people who got the Longevity Bonus check due to the date of qualification. Governor Murkowski stated that the Longevity Bonus check was replaced with a prescription drug benefit. Governor Murkowski also stated that Alaska pays all Alaskans a permanent fund dividend and noted that the system of the longevity bonus was unfair.

Council Member Trantham welcomed the Governor, his wife, and staff for coming to Bethel. Mr. Trantham thanked Governor Murkowski for his support, and expressed his concerns for small communities.

Council Member Williams expressed his concerns regarding the cost of energy, and spoke of the Crowley/Yukon merger. Mr. Williams asked the Governor to remember the small people.

Governor Murkowski stated that he is aware of the cost of energy and addressed the exploration of natural gas to overcome those difficulties. Governor Murkowski stated that Americans have allowed themselves to become dependent on oil imports.

Council Member O'Brien welcomed Governor Murkowski and stated that the major hubs are aware of the support they get from rural Alaska, particularly Anchorage. Mr. O'Brien stated that there is a common misconception that rural Alaska does not contribute to Alaska. Council Member O'Brien also expressed the importance of educating urban Alaska on rural Alaskan issues.

Governor Murkowski acknowledged the impact of rural Alaska.

Mayor Short spoke of a public safety building and the need for a public safety building for hiring and retention of quality public safety. Mayor Short also noted that the Council passed a resolution opposing a Road for the Donlin Creek Road.

Council Member Dymont spoke on the Power Cost Equalization (PCE) program and how it helps rural areas and asked for the Governor's thoughts on protecting PCE.

Governor Murkowski spoke of the successful wind power generated by Kotzebue with a diesel back up and how it was federal funded. The Governor stated that there are federal funds available for alternative power sources, and suggested that Bethel identify significant projects that would benefit this area. Governor Murkowski spoke of using part of the revenue from the permanent fund dividend to address the fiscal needs of Alaska.

OATH ADMINISTERED TO NEWLY ELECTED CITY COUNCIL MEMBERS

A break was taken from 7:11 p.m. until 7:21 p.m.

MOVED BY:	Trantham	To elect a new Mayor and Vice-Mayor on October
SECONDED BY:	McGowan	26, 2004.

VOTE ON MOTION	Motion failed 2-4 (No -- Leinberger, Rodgers, Dymont, Williams).	
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APPOINTMENT OF NEW CITY COUNCIL MEMBER TO FILL THE VACANCY LEFT BY FORMER COUNCIL MEMBER JACOBS

MOVED BY:	Dymont	To appoint Yolanda Jorgensen to the vacancy.
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SECONDED BY:	Leinberger	
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Council Member Dymont stated that he made the motion for discussion.

Council Member Rodgers stated that the letters of interest received should be taken into consideration.

A letter from Diane McEachern was read by the City Clerk.

Council Member Rodgers stated that he did not vote for the appointment of the fourth highest vote receiver in the past meeting.

Council Member Dymont stated that he did not vote for the fourth elected person filling the vacant seat and that the Council could proceed with whatever method they wanted to take to appoint the seat

MOVED BY:	Dymont	To suspend the rules to allow public comment.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed 5-1 (No – Rodgers).
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Agnes Phillips stated that she is in favor of appointment of the fourth highest vote receiver.

Dianna Moffet asked for the votes of the people stand.

Yolanda Jorgensen spoke of why she decided to run for City Council and asked that her letter of interest for the vacant seat be considered.

VOTE ON MOTION	Motion passed 5-1 (No – Rodgers).
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The oath was administered to appoint Council Member, Yolanda Jorgensen.

A break was taken from 7:55 p.m. until 8:02 p.m.

PEOPLE TO BE HEARD

Loren Bradbury

- Read a scripture
- Spoke of a decision made by the Council in 1999 to start taxing the churches
- Suggested that the sales tax obligation is eliminated for the churches

APPROVAL OF MINUTES

MOVED BY:	Rodgers	To move the approval of minutes to the November 16, 2004, meeting.
SECONDED BY:	Trantham	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.
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APPROVAL OF AGENDA

MOVED BY:	Rodgers	To approve agenda for September 29, 2004 Special Meeting.
SECONDED BY:	Trantham	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.
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MAYOR'S REPORT

- CDBG visit to the Bethel Senior Center
- DNR Letter
- AML Board of Directors Nominations
- Governor's Report

MANAGER'S REPORT

- CDBG visit to the Bethel Senior Center
- Bethel Utilities and Regulatory Commission of Alaska
- Bethel Group Home Property
- Lot between NAPA and Longhouse
- Court House Expansion
- Crowley/Yukon Update
- Corp of Engineers (Above Brown's Slough Project)
- Port Authority Dialogue
- Ptarmigan Road
- Personnel Matters
- City Manager Travel Status

MOVED BY:	McGowan	To approve the City Manager's leave for December 3 – 7, 2004.
SECONDED BY:	Dyment	

VOTE ON MOTION	Motion passed 6-1 (No – Rodgers).
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CLERK'S REPORT

- Codification
- Municipal Elections
- General Elections
- Request for Public Records
- City Clerk leave

MOVED BY:	Trantham	To approve the City Clerk's leave for October 29, 2004 and half day on November 1, 2004.
SECONDED BY:	McGowan	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.
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Council Member Trantham requested that the new Council Members a copy of the FY05 Budget, 03 Annual Audit, BMC, TACAN information, Crowley/Yukon Merger Information, Attorney Billing Packets, Council Member Packet Binder

REPORTS OF STANDING COMMITTEES

Council members discussed the temporary assignments of the committees/commissions for the new Council Members.

Council Member Jorgensen – Parks & Recreation Committee
Council Member Leinberger – Finance Committee
Council Member McGowan – Public Works Committee

Assignments of Committee/Commissions are temporary until the new Mayor officially makes those assignments.

Planning Commission - Council Member Rodgers stated that the October 19th meeting was rescheduled due to the lack of quorum.

Senior Advisory Board – Council Member Trantham spoke of the current scheduled activities of the Senior Center. Council Member Trantham also announced the newly elected Senior Advisory Board officers. Next SAB will be on November 9, 2004. Mr. Trantham updated the new Council Members on the status of the Bethel Senior Center and its transfer to ONC. Council Member Trantham also acknowledged Crowley's contribution to the Seniors.

Parks & Recreation Committee

MOVED BY:	Trantham	To allow Janet Athanas, Parks and Recreation Director, to report on the Parks and Recreation Committee.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0
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Parks & Recreation Committee – Janet Athanas reported on the plans for the new recreation facility.

Port Commission – Council Member Williams reported on the purchase of new floats for the dock. Mr. Williams also reported on the seawall rocks and the off road vehicle maintenance along the seawall. Council Member Williams stated that the Crow property was discussed at their meeting as well as the closing of the port. Mr. Williams presented the drawings for the new port buildings and also reported on the five-year improvement plan for the City's take over of the port from the State.

Council Member Trantham asked for a list of critical (fuel & food) freight that has not been delivered to villages.

Public Works Committee

MOVED BY:	McGowan	To allow Mike O'Brien to report on the Public Works Committee.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0
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Public Works Committee - Mike O'Brien reported that the Public Works Committee met last Wednesday, and a recommendation was drafted to delay the 65% deadline until January 2005.

Finance Committee – Council Member Leinberger reported that there was no September meeting due to a lack of a quorum, and that the next scheduled meeting was for Thursday, October 28, 2004. Council Member Leinberger read the recommendation of the Finance Committee regarding the improvement of collecting sales tax from businesses.

Council Member Rodgers asked for unanimous consent to place the Finance Committee's recommendation in the next Council Packet for the November 16th meeting.

Public Safety & Transportation Commission – Council Member Dyment reported on the vacancies for the Commissions.

A break was taken from 9:44 p.m. until 9:55 p.m.

MOVED BY:	Rodgers	To suspend the rules to allow the meeting to go past 10:00 p.m.
SECONDED BY:	Trantham	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0
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UNFINISHED BUSINESS

Public Hearing of Ordinance #04-26: An Ordinance authorizing the acquisition of interests in land from various owners for utility easements involving City Subdivision

Oly Olson stated that no one paid him for going through his property and that he is opposed to paying people to upgrade their property.

MOVED BY:	Trantham	To adopt Ordinance #04-26.
SECONDED BY:	Dyment	

A break was taken from 10:08 p.m. until 10:11 p.m.

VOTE ON MOTION	Motion passed 6-1 (No – Rodgers).
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Council Member Rodgers asked for unanimous consent to look in to history of the implementation of water and sewer easements w/out payment

NEW BUSINESS

Item A – Resolution #04-50: A Resolution in support of the Donlin Creek – Crooked Creek resource extraction road

MOVED BY:	Dyment	To adopt Resolution #04-50.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion passed 6-1 (No – Rodgers).
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Vice-Mayor Williams asked that the Calista Letter be placed on the November 16th agenda, in resolution form.

Item B – Discussion: Hiring a local attorney

Council Members discussed hiring a staff attorney and the difference in money it may or may not save.

MOVED BY:	Rodgers	For Administration to pursue the possibility of hiring a staff attorney through advertisement, and that a contract be negotiated at a later time.
SECONDED BY:	Jorgensen	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.	
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MOVED BY:	Rodgers	To suspend the rules to allow the meeting to go past 11:00 p.m.
SECONDED BY:	Trantham	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.	
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Item C - Discussion: Donut Hole right-of-way

MOVED BY:	Rodgers	To Send this Donut Hole issue to the Planning Commission for recommendation, with a timeline of the first week of February in 2005.
SECONDED BY:	McGowan	

John Malone, Planning Director recommended going into discussions with BNC prior to making decisions to start anything.

City Manager Herron recommended allowing this to be a public process.

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.	
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Item D - Discussion: Crowley/Yukon merger

City Manager Herron reported that the Nome Judge granted the cancellation of the October 26, 2004 hearing and that there was a delay in further dates to allow the Supreme Court to address this case.

Item E - Discussion: Alaska Municipal League

Council Member McGowan asked if the Council had any messages to bring to the Alaska Municipal League (AML) and asked if there was a chance to get a salmon from the Bethel Art Guild for the Mayor's Auction.

MOVED BY:	Rodgers	To send Council Member Jorgensen to the AML conference in November 2004.
SECONDED BY:	Trantham	

Council Member Dymont spoke against the motion, not as a personal issue, but to be conscience of the budget.

VOTE ON MOTION	Motion passed 6-1 (No – Dymont).	
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COUNCIL MEMBER COMMENTS

Council Member Rodgers – Welcomed the three new faces of the Council and stated that he looks forward to working with the Council. Council Member Rodgers expressed his condolences to Wassilie Isaac and his family for the loss of their loved one. Mr. Rodgers also reminded pedestrians to wear reflective gear, and for people to go hug an elder.

Council Member Trantham – Welcomed the new members of Council, and thanked the people of Bethel for their vote of confidence. Mr. Trantham Invited the City Clerk and the public to attend the October 17, 2004 10:30 AML teleconference. Council Member Trantham expressed his happiness for the Governor appearance. Mr. Trantham also thanked his family for attending the meeting.

MOVED BY:	Dymont	To have the November 1, 2004, meeting at 6:30 PM at the
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SECONDED BY:	Jorgensen	Log Cabin.
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VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.	
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Council Member Jorgensen - Thanked everyone who voted and stood behind her in her decision to apply for a recount. Ms. Jorgensen stated her hope for putting the issue of taxing churches on the next Council meeting agenda.

Council Member Dymment – Welcomed the new Council Members and recommended getting together to establish the common goals of the Council.

Council Member McGowan – Thanked his supporters and family.

Council Member Leinberger – Thanked the people of Bethel and stated that he is looking forward to his term on the Bethel City Council. Council Member Leinberger stated that he would like to come up with a solution to address the dysfunction of committees/commissions, and building lines of communication between committees/commissions.

ADJOURNMENT

MOVED BY:	Trantham	To adjourn the meeting at 12:00 a.m.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote 7-0.	
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With no further business before the Council, the meeting was adjourned at 12:00 a.m.

APPROVED THIS 30th DAY OF November, 2004.

ATTEST:

Hugh Dymment, Mayor

Selena Malone, City Clerk