
City of Bethel City Council Meeting Minutes

May 27, 2008

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on May 27, 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:

Council Member Willy Keppel
Council Member Dan Leinberger
Council Member Tiffany Zulkosky
Mayor Eric Middlebrook
Vice-Mayor Thor Williams
Council Member Yolonda Jorgensen

Members Absent:

Council Member Tundy Rogers

Others present:

City Manager Wally Baird
City Clerk Lori Strickler

I. PEOPLE TO BE HEARD

Wes Charlton

- Supporting Ordinance 08-08: An Ordinance Amending Ordinance 07-08 For Designating An Annual Budgetary Allotment For The Planning, Construction, Operation And Maintenance Of A Multiuse Recreation Center

Dianna Moffett

- Members of this community did not ask the state of Alaska to build the rec. center that is what the 1% is to be used for
- Supporting Ord. 08-08

Beverly Hoffman

- Disappointed in the governor's decision to veto the Recreation Center
People need to be given the opportunity to learn water safety
- Supporting Ord. 08-08
- Challenge anyone and everyone to pick up 10 bags of trash

Dave Trantham

- The City of Bethel is very lucky the governor did not veto more items, the City was late with the submission of their capital projects

- Concerned about what took place in the Endowment Fund, the law was broken

Andy Stemp

- Spoke on the consequences of the Ord. 08-09, increase in water sewer services.

II. SPECIAL ORDER OF BUSINESS

Item A- City Subdivision Water Treatment Plant Award Presentation

III. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Zulkosky	Motion to approve the agenda
SECONDED:	Williams	
MOVED:	Jorgensen	Amend the motion to move Item D to the beginning of Unfinished Business.
SECONDED:	Zulkosky	
VOTE ON MOTION	5-1 Motion passes Keppel apposed	
MOVED:	Zulkosky	Amend the amendment to move Item D to follow Item A in Unfinished Business
SECONDED:	Jorgensen	
VOTE ON MOTION	2-4 Motion failed Zulkosky and Jorgensen in favor	
MOVED:	Leinberger	Amend the motion to move Item D ahead of Item C under Unfinished Business
SECONDED:	Jorgensen	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Williams	Motion to hold the Executive session at 7:30
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

IV. APPROVAL OF THE MEETING MINUTES

The following minutes were approved on the consent agenda

- a. 04/22/2008 Regular Meeting
- b. 05/07/2008 Special Meeting
- c. 05/13/2008 Regular Meeting
- d. 05/14/2008 Special Meeting
- e. 05/15/2008 Special Meeting
- f. 05/20/2008 Special Meeting
- g. 05/21/2008 Special Meeting

V. UNFINISHED BUSINESS

Item A –Forensic Audit Of City Revenue

MOVED:	Keppel	<p>Motion to ask Altman, Rodgers to perform a forensic audit of the city budget, specific to the Endowment Funds. Questions to be answered:</p> <ol style="list-style-type: none"> 1) Who authorized the use? 2) Who signed the release for sale? 3) Was there a legal opinion, written or verbal, directed to the finance department? 4) How much was the cashed out funds worth? 5) How much and on what date or dates was monies placed in the General Fund? 6) When were the General Fund reserves at there lowest financial points in the last 2- financial years? 7) Would the city have been able to have made all employee pay rolls from the General Fund, without the influx of cash from the
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		<p>endowment fund sales?</p> <p>8) What is the calculated loss of revenue from the sale point to current?</p> <p>9) Where there any state or municipal laws violated by the invasion of the endowment fund? If so, which?</p>
SECONDED:	Williams	

MOVED:	Zulkosky	<p>Amend the motion to direct the city clerk and the city manager to coordinate with the firm selected for the audit to include all of the associated expenditures in the budgetary year by ordinance or Council approval accompany the working papers and be included in the audit that the Council receives</p>
SECONDED:	Jorgensen	
VOTE ON MOTION	All in favor	

MOVED:	Williams	<p>Amend the motion to state under item 2 of the motion – Who signed off the release of the Endowment Funds</p> <p>Item 7 – remove "sales" from the end.</p> <p>Item 8 – remove "sale point to current" and replace with "Removal of funds from the Endowment Fund"</p>
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	

MOVED:	Leinberger	<p>Amend the motion to include "Federal" under Item 9.</p>
SECONDED:	Williams	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Zulkosky	Motion to break for 5 minutes
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SECONDED:	Williams	
VOTE ON MOTION	5-1 Motion fails Zulkosky in favor	

Item B – Public Hearing Of Ordinance 08-05: An Ordinance Authorizing The Disposal Of 19,000 Square Feet Within The Surface Estate Of The Northwest Quarter Of Section 8, Range 71 West, Township 8 North, Seward Meridian, To The Association Of Village Council Presidents Regional Housing Authority.

No one wished to be heard on this subject

MOVED:	Williams	Motion to adopt Ordinance 08-08
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Zulkosky	Motion to go into Executive Session – Nick vs. City of Bethel (Teleconference with representing attorneys from Preston Gates & Ellis)
SECONDED:	Williams	
VOTE ON MOTION	All in favor	

The Council went into Executive Session at 7:28p

VI. EXECUTIVE SESSION

Item B- Nick vs. City Of Bethel (Teleconference With Representing Attorneys from Preston Gates &Ellis)

The Council when back on the record at 8:12p

Item D –Public Hearing Of Ordinance 08-08: An Ordinance Amending Ordinance 07-08 For Designating An Annual Budgetary Allotment For The Planning, Construction, Operation And Maintenance Of A Multiuse Recreation Center

Beverly Hoffman

- The purpose of the tax increase was to support a recreation center

Ted Berry

- Asked for clarification on the use of the 1%
- All of the money from the tax should go to the recreation

MOVED:	Leinberger	Motion to adopt Ordinance 08-08: An Ordinance Amending Ordinance 07-08 For Designating An Annual Budgetary Allotment For The Planning, Construction, Operation And Maintenance Of A Multiuse Recreation Center
SECONDED:	Jorgensen	
MOVED:	Leinberger	Motion to call the question
SECONDED:	Zulkosky	
VOTE ON MOTION	Motion passes 5-1 Williams apposed	
VOTE ON MAIN MOTION	Motion passes 4-2 Keppel and Williams apposed	

Item C – Public Hearing Of Ordinance 08-07: An Ordinance Authorizing A Sales Tax Exemption From City Sales Tax On Fuel Purchased From The Combined Tank Farm, Serving Bethel, To Bethel Utilities Corporation

No one wished to be heard on this subject

MOVED:	Keppel	Motion to adopt Ordinance 08-07
SECONDED:	Williams	
VOTE ON MAIN MOTION	Motion failed unanimously	

Item E – Public Hearing Of Ordinance 08-09: An Ordinance By The Bethel City Council Increasing The Rates/Fees Charged For City Of Bethel Water And Sewer By 12%

(Another public hearing will be held at the next regular scheduled meeting, June 10th)

Dave Trantham

- Bethel citizens will be faced with a hardship if this passes
- Grateful to the water and sewer discount available for the seniors

MOVED:	Williams	Motion to amend Ordinance 08-09 to increase J G 3 to \$0.50
SECONDED:		
VOTE ON MAIN MOTION	Failed for lack of second	

Item F – Legal Representation

MOVED:	Zulkosky	Motion to continue the meeting until 10:30p
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Zulkosky	Motion to have the attorney draft a detailed tally of every communication he has had with the City.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	3-3 Motion failed Zulkosky, Jorgensen and Middlebrook in favor	

MOVED:	Williams	Motion to direct administration to draft and release an RFP for contracted city legal services
SECONDED:	Leinberger	
MOVED:	Keppel	Amend the motion to put a 15 day time limit on the RFP
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item G – Kronos Time Clock

MOVED:	Leinberger	Motion to table Item G - Kronos Time Clock, until the June 10 th meeting
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	4-2 motion passes Williams and Keppel apposed	

Item H- Assignment Of Kilbuck School Lease From The State Of Alaska To Lower Kuskokwim School District

MOVED:	Keppel	Motion to table Item H until Representatives from the Lower Kuskokwim school district and the state of Alaska to give feedback on this issue.
SECONDED:	Williams	
VOTE ON MOTION		
All in favor		
VOTE ON MAIN MOTION		
All in favor		

MOVED:	Zulkosky	Motion to suspend the rule to move Item C under New Business to the next item on the agenda
SECONDED:	Keppel	
VOTE ON MAIN MOTION		
All in favor		

MOVED:	Leinberger	Motion to extend the meeting until 10:35p
SECONDED:	Williams	
VOTE ON MAIN MOTION		
All in favor		

NEW BUSINESS

VII. NEW BUSINESS

Item C– Committee/ Commission Appointments

Mayor Middlebrook approved the appointment of Andrew Stemp to the Finance Committee

MOVED:	Williams	Motion to concur with Mayor Middlebrook’s appointment
SECONDED:	Keppel	

VOTE ON MAIN MOTION	All in favor
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Mayor Middlebrook approved the appointment of William W. Gemar to the Finance Committee

MOVED:	Zulkosky	Motion to concur with Mayor Middlebrook's appointment
SECONDED:	Leinberger	

VOTE ON MAIN MOTION	All in favor
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VOTE ON MAIN MOTION	All in favor
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MOVED:	Zulkosky	Motion to adjourn
SECONDED:	Leinberger	

VOTE ON MAIN MOTION	All in favor
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VOTE ON MAIN MOTION	All in favor
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Item A – Resolution 08-10: A Resolution By The Bethel City Council Supporting Adoption Of Local Hazards Mitigation

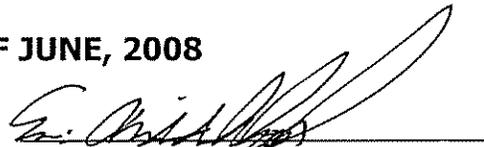
Passed on the Consent agenda

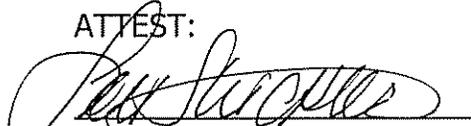
Item B – Introduction To Ordinance 08-10: An Ordinance Establishing A City Of Bethel Budget For Fiscal Year 2008-2009 Beginning July 1, 2008

Passed on the Consent Agenda set for public hearing on the June 10th Council Meeting

I. ADJOURNMENT

APPROVED THIS 10th DAY OF JUNE, 2008


Eric Middlebrook, Mayor

ATTEST:

Lori Strickler, City Clerk