
City of Bethel, Alaska

City Council Minutes

August 13, 2002

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on August 13, 2002, at 6:30 p.m. in the council chambers, Bethel, Alaska.

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

ROLL CALL

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

Jerry Drake	Stanley "Tundy" Rodgers
Dario Notti	Sue Trantham
Carl Berger	Gary Vanasse
Hugh Short, Jr.	

Excused absence(s): none

Unexcused absence(s): none

Also in attendance were the following:

Bob Herron, City Manager
Janette Persinger, City Clerk

PEOPLE TO BE HEARD

Willy Keppel brought his concerns over the juvenile mischief that has recently occurred in the City of Bethel. Mr. Keppel believes that the City has the right to take on the ACLU regarding the curfew law and should continue enforcing the ordinance until which time the City gets sued. Mr. Keppel further stated that he does not believe that the City has a legal binding agreement with the City Attorney. He cited that the attorney contract should go out for bid yearly to ensure that the City is receiving the best price for the services received.

Raymond Thor Williams voiced his opinion over the impending lawsuit filed against the City. Mr. Williams suggested that perhaps the City should retain another attorney to defend against the lawsuit and stated that he wanted both the council and public to hear both sides of the story.

Council Member Notti questioned Mr. Williams as to why he stated that the City shouldn't be wasting the City's money. Council Member Notti stated that as an elected public official, he and the other council members are bound to defend the City. Mr. Williams stated that the reasoning behind the lawsuit is to provide checks and balances – ensuring that all of the laws of the open meetings act are met.

Dave Trantham thanked the city clerk for her help with travel arrangements with the upcoming Boys and Girls Club trip. He stated that the trip was important to him and wanted to know if council members had any objections to him attending the meeting. There were no objections from council.

Colleen Soberay, Deputy City Manager, gave a presentation on the Bethel Community Priorities and Economic Development Strategic Plan project that is scheduled to be complete in May 2002. She explained the project and that a steering committee has been set up to develop the process to be used and who will drive the project to make sure it is complete. She underscored the plan itself will be community driven. Every effort will be made to include everyone from the community. She explained there will be a number of community meetings and that the first meeting is Oct. 10, 2002. Ms. Soberay also explained the reason the community needs a strategic plan in that it will help drive funding for the community and will serve as a guide for community leaders when making decisions. Ms. Soberay also explained that a Memorandum of Understanding was signed by the City and ONC agreeing to work together on this planning project and agreeing to use this plan when planning for Bethel.

Council member Short asked the cost of this project. Ms. Soberay said right now we don't have a total as to the cost to develop this plan, but are working on that. Ms. Soberay explained for now the project is receiving in-kind services, but later when a consultant is needed—second half of the project—she would apply for a mini-grant of \$30,000. Additionally, she said she plans to apply for a VISTA volunteer. Ms. Soberay explained that she has talked extensively with the Department of Community and Business Development, who have offered the project several resources—Staff to help develop the process and facilitate, including John Gliva who has more than 25 years rural development experience; its resource department to develop a certifiable survey for Bethel-specific statistics; and printing services for poster-size pin-ups at the meeting. Member agencies of the steering committee have offered services such as printing services for the media campaign, staff time, logistic support, and meeting space. The steering committee plans to seek donations from local businesses.

Council member Vanasse asked what Ms. Soberay was asking of the Council. Ms. Soberay said she would like Council's full support, and asked Council to commit to attending the October 10 community meeting and to each bring 10 people to the meeting.

Mayor Rodgers stated that he was happy to see that the process has started in the development of a Community Strategic Plan and thanked Deputy City Soberay for her efforts.

Andrei Jacobs, YKHC Grants Manager and member of the steering committee, explained the importance of the Community Strategic Plan. Mr. Jacobs also explained the importance of involving the youth of our community in the plan and his involvement in doing so. He stated that the median age for the community of Bethel is 29.0. Mr. Jacobs went on to explain the importance of media in the project and what the public can be expecting to see.

Yolanda Jorgensen expressed her concerns over the escalation of graffiti. She stated that the persons involved in these activities should have more respect for other person's property. She also proposed a second Green Up Clean Up day. She went on to explain her frustration with the littering problems and asked if there was a litter ordinance in place that would combat the issue.

APPROVAL OF MINUTES

MOVED BY:	Drake	To approve the minutes of the July 23, 2002 meeting
SECONDED BY:	Short	

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

MOVED BY:	Berger	To approve the agenda as amended
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR’S REPORT

The Mayor’s Report included the following:

- A resolution of the Alaska Municipal League – Hospitality Award to the City of Bethel
- Notice from Alaska Department of Environmental Conservation
- Press release from Governor Knowles re: statement on the death of Glenn Godfrey
- Notice of Council vacancies
- **Notice of Election workers needed for the August 27, 2002 primary election, October 1, 2002 City election, and November 5, 2002 general election**
- News release from Anchorage Daily News re: Candidates dropping out of primary
- Governor’ Talking Points for the week of August 5, 2002

Council Member Notti asked that in conjunction with the City of Bethel and police department that a letter of condolence be sent to the Godfrey family.

MOVED BY:	Short	To donate \$100.00 to the Godfrey Memorial Fund located at Alaska USA credit union
SECONDED BY:	Drake	

City Manager Herron recommended that a \$100.00 donation be sent to the Godfrey Memorial fund.

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MANAGEMENT TEAM’S REPORT

City Manager Herron noted the management reports included in Council packets.

City Manager Herron informed the Council that the police department does have leads and suspects in the vandalism cases. He further stated that it is unfortunate that during the vandalism spree that not one member of the community called the police department to report the activities that were occurring. Every citizen must be involved in the protection of the community.

City Manager Herron stated that Village Safe Water has sent out a questionnaire for the council to submit for feasibility studies. At the next council meeting City Manager Herron will be presenting a resolution indicating the council’s number one priorities.

REPORTS OF STANDING COMMITTEES

Senior Advisory Board

Council Member Berger reported that the senior advisory board had not met.

Parks and Recreation Committee

Council Member Trantham reported that, due to a lack of quorum, a meeting was not held.

Planning Commission

Council Member Notti reported that there was not a meeting due to the lack of a quorum.

Port Commission

Mayor Rodgers reported that he was out of town for the last meeting and highlighted the, Port Director’s report.

Public Works Committee

Council Member Vanasse highlighted the public works committee minutes and indicated that there was some discussion regarding the water/sewer vacation policy. The committee felt that an ordinance should be passed that would allow for a water/sewer vacation policy. Positive comments were given regarding the dust control efforts.

Public Safety and Transportation Commission

Council Member Drake reported that the Public Safety & Transportation Commission had discussions of bootlegging and excessive use of four-wheelers.

Finance Committee

Council Member Short highlighted the finance committee meeting minutes held on July 25, 2002. A brief discussion ensued regarding the childcare exemption.

UNFINISHED BUSINESS

Item A – Public Hearing – Ordinance #02-25: An ordinance to amend section 4.16.040.C of the Bethel Municipal Code regarding sales tax exemption on single sale units

Mayor Rodgers opened public hearing.

James Blake stated that he objects to the ordinance on the basis that it is discriminatory and the tax should be applied to all sales – cars, boats, aircrafts, etc. Mr. Blake also feels that it is being selectively enforced. He stated that it has only been enforced in the past two months. Mr. Blake wanted to know if the issue of discrimination had been addressed with the city attorney and with the passage of the new ordinance would the sales tax be retroactive.

Louann Cutler, City Attorney, stated that she does not feel that the tax is discriminatory. Further, she stated that the items that he was referring are two separate types of sales and two separate types of issues. She also stated that when the ordinance is adopted it would be in immediate effect and therefore would not be retroactive.

Mayor Rodgers closed public hearing.

MOVED BY:	Short	To adopt ordinance #02-25
SECONDED BY:	Drake	

Discussion ensued regarding the differences between casual and isolated sales and the exemption rate. Finance Director, Rob Strahan, gave an overview of 4.16.040 and the history of the exemption. Council Member Short explained his original intention of this proposed ordinance.

VOTE ON MOTION	Motion carried with a unanimous roll call vote.
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MOVED BY:	Drake	Add to section C – “The finance director shall be authorized to enter into a payment plan to collect the tax.”
SECONDED BY:	Short	

Discussion ensued regarding how the tax would be collected.

VOTE ON MOTION	Motion carried with a unanimous voice vote.
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MOVED BY:	Notti	Application of sales tax only when an agent is involved
SECONDED BY:	Short	

Council Member Short stated that the community of Bethel is a small community and there has not been a need for real estate agents. Council Member Short further felt that if a real estate agent attempted to work within the community of Bethel, that person would not have a chance to make a decent living. Thus, the industry would be handicapped.
Discussion ensued.

VOTE ON MOTION	Motion failed with the withdrawal of the second.
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MOVED BY:	Short	To withdraw the second on the previous motion
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion carried with a unanimous roll call vote.
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Item – B – Public Hearing – Ordinance #02-26: Amending the adopted annual FY02-03 budget – City insurance

Mayor Rodgers opened public. There were no members of the public to speak to this item. Mayor Rodgers closed public hearing.

MOVED BY:	Drake	To adopt ordinance #02-26
SECONDED BY:	Vanasse	

Discussion ensued regarding the adjustments made to each line item.

VOTE ON MOTION	Motion carried with a unanimous roll call vote.
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Item C – Discussion Item – Childcare Exemptions – Comments from Finance Committee and Public Safety and Transportation Commission

The finance committee expressed their desire to provide an exemption for childcare. However, Council Member Vanasse stated that he felt that at this time another exemption would be unwise.

Council Member Short stated that if any members of council wished to have this exemption provided they should propose an ordinance at the next meeting.

NEW BUSINESS

Item A – Resolution #02-21: A Resolution Requesting Governor Knowles not to implement a proposed administrative order mandating all publicly funded projects over \$100,000 use prevailing wages for workers

MOVED BY:	Short	To adopt resolution #02-21
SECONDED BY:	Berger	

Discussion ensued regarding the impact on working individuals and the loss of local control.

VOTE ON MOTION	Motion carried with a roll call vote 6 – 1 (Notti).
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COUNCIL MEMBER COMMENTS

Council Member Berger stated his concerns over the recent acts of vandalism and said that the responsibility for our community rests on everyone. He also stated his concerns over the upcoming PFD checks and the expected rise in bootlegging.

Council Member Trantham informed the public that at the Kuskokwim Campus fall registration has begun.

Council Member Notti agreed with Council Member Berger, in that, it is up to each individual citizen to report crimes that are being committed.

Mayor Rodgers stated his faith in the new chief to teach the police department to provide law enforcement without harassment. He also stated his concerns over the commercial fishing season.

Council Member Drake – no comment.

Council Member Vanasse asked that administration investigate the curfew ordinance and the possibility of wind generation in our area.

Council Member Short thanked the Kids Don't Float program for their efforts.

MOVED BY:	Short	To continue the meeting past 10:00 p.m.
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MOVED BY:	Short	To move into executive session to discuss with city attorney regarding lawsuit filed against the City by Oly Olson, <i>et al.</i> concerning Open Meetings Act
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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ADJOURNMENT

MOVED BY:	Short	To adjourn the meeting.
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 11:35 pm.

APPROVED THIS 27th of August 2002.

ATTEST:

Stanley "Tundy" Rodgers, Mayor

Janette Persinger, City Clerk