City of Bethel City Council Meeting Minutes

December 11, 2007 Regular Meeting Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on December 11, 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

MOVED:	Leinberger	To suspend the rules allowing 5 minutes per person for public testimony.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	Failed: 3 - 4 Kenick, Leinberger, Zulkosky voting for	

III. PEOPLE TO BE HEARD

Matt Kramberg, an emergency medical physician, Director of YKHC's Emergency Department, and the Director of the Bethel Sexual Assault Response Team (SART) addressed council on behalf of SART to express support for the Bethel Police Department and encouraged Council take this matter seriously and provide a more competitive benefits package.

Carrie Enoch & Carolina Nevak, on behalf of the Alaska Tobacco Summit Alliance, addressed Council to remind Council and the community of the 2008 Tobacco Summit that will be held in Bethel, February 5th & 6th. Council was

provided a draft agenda for the summit and scholarships to attend the summit were discussed.

Joli Morgan addressed council to read a letter from Mary Pete, KUC Director, speaking in opposition of the agenda item to rescind the City Managers authorization for outside employment, specifically the City Managers teaching position at KUC.

Mike Samuelson addressed Council to inquire whether or not a study or review was completed on the current water and sewer system and suggested one be completed regarding ordinance 07-26-water & sewer rate adjustments. Mr. Samuelson also stated that it's a good thing to have the City Manager working in other areas of the community and stated that he has had excellent evaluations.

Larry Epperly spoke in opposition of rescinding the City Managers outside employment.

Lee Foley, City of Bethel Port Director, addressed Council to speak in opposition of rescinding the City Managers outside employment.

Wayne Ogle addressed Council to speak in opposition of rescinding the City Managers outside employment and stated that he's confused on the matter and reminded Council that it was by a unanimous vote in favor, the City Manager was authorized to teach at KUC, and reminded Council of the City Managers evaluation which were completed in public last September.

Mike Mendenhall addressed Council to speak in opposition of rescinding the City Managers outside employment.

Carl Berger addressed Council to speak in opposition of rescinding the City Managers outside employment. Mr. Berger spoke in opposition of ordinance 07-24. Mr. Berger stated that the biggest concern on the agenda is our Police Department staffing and the current facility which is deplorable and stated that Councils priorities are out of sync with the community.

Vicki Malone on behalf of Lamont Albertson, read a letter speaking in opposition of rescinding the City Mangers outside employment.

Diana Moffett addressed Council to speak in opposition of rescinding the City Managers outside employment.

Kevin Kristof addressed Council to speak in opposition of rescinding the City Managers outside employment.

David E. Trantham Jr. addressed Council to encourage the Veterans that just returned from oversees to sign up for Veterans health care. A new transition officer has been appointed to assist the Veterans with their benefits.

February 10th, a group of citizens in Bethel are organizing a welcoming home gathering for our troops; volunteers are needed.

John Wallace addressed Council to speak in opposition of rescinding the City Managers outside employment and to state that Police Department staffing should be the communities #1 priority and requested Council help on this matter. Mr. Wallace also inquired as to when the pavement will be arriving for completion of Tundra Rd.

Catherine Day addressed Council to speak in opposition of rescinding the City Managers outside employment.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Rodgers	To approve the Consent & Regular Agenda for the December 11, 2007 Regular City Council Meeting.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried unanimously	

V. SPECIAL ORDER OF BUSINESS

Item A- Award Presentation Honoring Mayor Kenick
City Manager Baird presented Mayor Kenick an Award of Appreciation for her 2 years of service and dedication as a City Council Member.

Item A- Award Presentation Honoring the Girls BRHS Volleyball Team
City Manager Baird presented the BRHS Girls Volleyball Team an Award of Excellence for their outstanding victory as Regional & State Champions.

VI. APPROVAL OF MEETING MINUTES

Item A- 11-27-07 Regular City Council Meeting
Item B-12-4-07 Special City Council Meeting

Meeting Minutes were approved on the consent agenda.

VII. UNFINISHED BUSINESS

Item A- <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 introduced on the consent agenda and set for public hearing on January 8, 2008.

Item B- <u>Introduction Of Ordinance 07-12 (D):</u> An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2008 Budget By Restoring Full Funding For A Full Time Safety Coordinator Position And A Full Time Code Enforcement Officer Position and Removing Patrol Officer Position(s)

Ordinance 07-12 (D) was introduced on the consent agenda and set for public hearing on January 8, 2008

Item C-<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

<u>Public Hearing:</u>
David E. Trantham addressed Council to speak in opposition of ordinance 07-24.

Diana Moffett addressed Council to speak in opposition of ordinance 07-24.

MOVED:	Jorgensen	To take a 10 minute recess.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried unanimously (Council Member Williams stepped out of chambers during the vote- requested a point of privilege)	

MOVED:	Zulkosky	To table the ordinance until the next council meeting to allow time to provide proposed amendments to place the issue as a proposition on the October 2008 ballot.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Failed unanimously	

MOVED:	Middlebrook	To approve ordinance 07-24: An Ordinance By The Bethel City Council Amending Chapter 2.04 Of The Bethel Municipal Code To Provide A Stipend For City Council Members
SECONDED:	Leinberger	
MOVED:	Leinberger	To approve the proposed amendments

		including the committee & commission members

MOVED:	Williams	To amend the motion to add "and special meetings" in section 2.52.060 A.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Carried: 4 - 3 Rodgers, Jorgensen, Zulkosky voting against	

MOVED:	Leinberger	To reconsider the motion
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	Carried: 6 - 1 Williams voting against	

Vote on motion *To amend the motion to add "and special meetings" in section 2.52.060 A.*

Carried: 4 - 3
Leinberger, Jorgensen, Zulkosky voting against.

MOVED:	Williams	to amend the motion to delete "that is not a" and insert "and" after member and before city council member
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Failed: 3 - 4 Middlebrook, Rodgers, Williams voting for	

VOTE ON MAIN MOTION	Carried: 6 - 1 Jorgensen voting against

MOVED:	Williams	To table ordinance 07-24 until the January 22nd Council Meeting.
SECONDED:	Middlebrook	
VOTE ON MAIN	Carried: 6 - 1	

MOTION	Rodgers voting against
VOTE ON MAIN MOTION	*tabled*

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

<u>Public Hearing:</u>
None

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

MOVED:	Middlebrook	To include the proposed amendments of 1,200- 1,400 – 1,750, gallons on the extra call rates and regular service call rates
SECONDED:	Zulkosky	
Council concurred to take a brief recess.		
VOTE ON MAIN MOTION	Carried: 5 - 2 Rodgers, Williams voting against	

MOVED:	Middelbrook	To suspend the rules to allow input from Administration
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Carried unanimously	

City Manager Baird stated that the water & sewer together would cost about .36 cents a gallon to have the water delivered and sewer hauled. City Manger Baird referred Council to the Finance Director & Public Works Director.

Wayne Ogle, Public Works Director, advised Council that the department has plans to review a metering system, advised Council of the work provided by the Public Works & Finance Committee, and answered council inquiries.

Laurie Walters, Finance Director, addressed Council to advise Council how the adjustment process started, discuss depreciation fees included in the rate

structure and to answer Council inquiries.

MOVED:	Zulkosky	To suspend the rules to proceed past 10p.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried: 6 - 1 Rodgers voting against	

VOTE ON MAIN MOTION	Carried: 5 - 2 Rodgers, Williams voting against

MOVED:	Zulkosky	To break for 10 minutes
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried: 6 - 1 Leinberger voting against	

Item E-<u>Public Hearing of Ordinance 07-28:</u> An Ordinance By The Bethel City Council Amending Penalties For Violation Of The Bethel Municipal Code

<u>Public Hearing:</u>
David E. Trantham addressed Council to speak in opposition of ordinance 07-28.

MOVED:	Leinberger	To approve ordinance 07-28: An Ordinance By The Bethel City Council Amending Penalties For Violation Of The Bethel Municipal Code
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	Carried: 4 - 3 Middlebrook, Rodgers, Williams voting against.	

VIII. NEW BUSINESS

Item A- Napakiak Ircinraq Power Tax Exemption Request

MOVED:	Zulkosky	To invite the power company to a council meeting to discuss their request.
SECONDED:	Jorgensen	

VOTE ON MAIN MOTION	Carried unanimously

MOVED:	Middlebrook	To suspend the rules to proceed past 11p
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	Carried: 5 - 2 Rodgers, Williams voting against	

Item B- Approval of City Manager Personal Leave

MOVED:	Rodgers	To approve the City Managers personal leave request.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried: 6 - 1 Williams voting against	

Item C- Committee/Commission Appointments

Mayor Kenick appointed Carol Ann Willard to the Finance Committee

MOVED:	Middlebrook	To approve the appointment of Carol Ann Willard to the Finance Committee
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Carried unanimously	

Mayor Kenick appointed Douglas P. Bushey to the Public Safety & Transportation Commission.

MOVED:	Middlebrook	To approve the appointment of Douglas P. Bushey to the PS&T Commission
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Carried unanimously	

Mayor Kenick appointed Allen DeSousa to the Port Commission.

MOVED:	Rodgers	To approve the appointment of Allen DeSousa to the Port Commission
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried unanimously	

Item D- Approval of the 2008 City Council Meeting Schedule

MOVED:	Leinberger	To approve the 2008 City Council Meeting Schedule
SECONDED:	Zulkosky	

MOVED:	Leinberger	To change the second January meeting from the 22nd to 29th
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried unanimously	

MOVED:	Middlebrook	To change the December meeting from the 16th to 9th.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Carried unanimously	

VOTE ON MAIN MOTION	Carried unanimously

Item E- Rescind City Manager's Authorization For Outside Employment

No action taken

Item F- City Manager Hosted Radio Talk Show

MOVED:	Leinberger	To approve a City Manager hosted talk show.
SECONDED:	Middlebrook	

MOVED:	Middlebrook	To amend the motion to add the words "for one year".
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Carried: 5 - 2 Rodgers, Williams voting against	

VOTE ON MAIN MOTION	Carried: 6 - 1 Williams voting against

IX. REPORTS OF STANDING COMMITTEES

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

Council member Jorgensen advised the community that the ad hoc Multiuse Recreation Facility Committee will be meeting in Council Chambers on December 14th at 5p

Council Member Zulkosky (Public Safety & Transportation Commission) advised Council that the commission has not met since the last council meeting.

Council Member Leinberger (Finance Committee & Alternative Energy Committee) advised Council that the Finance Committee has not met since the last council meeting.

The Alternative Energy Committee last met and discussed the following:

- 10% Plan
- 30% Plan

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

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

Council Member Williams (Planning Commission) advised council that the commission has not met since the last council meeting.

Council Member Rodgers (Port Commission) advised council that the commission last met and held a work session to discuss tariffs.

X. MAYOR'S REPORT

- Letter from DOT regarding the Bethel Port
- Alaska Governor's Summit on Early Learning Issue Brief #3 & 4
- Letter from NIP for tax exemption
- AML January Legislative Meeting

MOVED:	Zulkosky	To approve travel for council members to attend the AML Legislative Meeting.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Carried unanimously	

XI. MANAGER'S REPORT

City Manager Baird advised Council of a meeting with DOT regarding the sea wall our docks. City Manager provided council a briefing on the meeting discussions.

XII. CLERK'S REPORT

- Office Applications

XIII. COUNCIL MEMBER COMMENTS

Council Member Rodgers thanked the community for keeping in contact with him and his family regarding his brothers heart attack, wished a happy birthday to all community seniors and Carl Berger, sent his condolences to the Charles family, and stated -hug an elder.

Council Member Williams stated happy holidays to the region at large and happy New Year.

Vice-Mayor Middlebrook wished happy holidays to everyone.

Mayor Kenick stated –no comments

Council Member Leinberger stated – Merry Christmas

Council Member Zulkosky congratulated the girls volleyball team for being #1 and recognized the wrestling team who is also very strong this year, recognized Gwen Drake for the officer of the year award and all of the other police officers who dedicate so much time and energy to serving our community.

Council Member Jorgensen stated a couple meetings ago the topic of community meetings was discussed and requested to have it placed on the agenda for the second meeting in January. Council Member also recognized the wrestling team and the volleyball team.

XIV. EXECUTIVE SESSION

Item A- City Attorney Annual Evaluation Per Bethel Municipal Code 2.01.110 B. 2.

MOVED:	Zulkosky	To proceed into executive session to conduct the City Attorneys annual evaluation per BMC 2.01.110 B.2.
SECONDED:	Middlebrook	

MOVED:	Williams	To table the executive session until the 1/8/08 council meeting.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Carried: 4 - 3 Middlebrook, Jorgensen, Zulkosky voting against	

VOTE ON MAIN MOTION	*tabled*

XV. ADJOURNMENT

MOVED:	Leinberger	To adjourn the meeting at 11:56p
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Unanimously carried	

With no further business before the Council, the meeting adjourned at 11:56p.

APPROVED THIS 8th DAY OF JANUARY, 2008.

Eric Middlebrook, Vice-Mayor

ATTEST:

Sandra Modigh, City Clerk