
City of Bethel, Alaska

City Council Minutes

November 29, 2005

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on November 29, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Williams 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	
Hugh Dymont	Mary Kenick
Dan Leinberger	R. Thor Williams

Excused Absence(s):

Stanley "Tundy" Rodgers
Andrew McGowan (Council Member McGowan after several attempts was unable to attend the meeting via teleconference due to technical difficulties)

Also in attendance were the following:

Wally Baird, City Manager
Sandra Modigh, City Clerk

PEOPLE TO BE HEARD

1. Janet Athanas addressed Council to invite Council and the community to attend the 75th Anniversary Cooperative Extension Service in Alaska, December 4th, 2p-4p, at the Sackett Hall.
2. Yolonda Jorgensen addressed Council to state that it would be appreciated if the Public Works road plow crew wouldn't produce large snow drifts in front of community members drive ways. Mrs. Jorgensen also stated that she would like to see a business plan and operational plan put in place prior to Council passing an ordinance to create an Alcohol Delivery Site.
3. Willy Keppel addressed Council to state that he is opposed to the current plan that has been proposed for the Movie and Performing Arts Theater. Mr. Keppel stated that the location is inconvenient. Mr. Keppel stated that he is in favor of a movie theater and performing arts theater if it was in a more central location for the community.

4. Mary Kapsner addressed Council to state that she would like to have Council's list of local legislative priorities by Wednesday if possible. Mrs. Kapsner also stated that she has offered to work with the DOT Commissioner to work on the 10 remaining easements in order to move forward with the improvements of the Chief Eddie Hoffman Highway. Mrs. Kapsner stated that there have been many complaints regarding the operations of our Department of Motor Vehicle and would like to see the City of Bethel work with the state to rectify the problems.
5. Agnes Phillips addressed Council to state that she is in favor of the Alcohol Delivery Site and stated that she would like to have seen the original Alcohol Delivery Site ordinance tabled until all Council Members were in attendance to vote on the ordinance.

APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

MOVED:	Dyment	To approve the Consent and Regular Agenda for the November 29, 2005 Council meeting as amended removing Ordinance #05-20 from the consent agenda.
SECONDED:	Kenick	
VOTE ON MAIN MOTION		
	Passed	Council concurrence

SPECIAL ORDER OF BUSINESS

Item A-U.S. Marine Corps Sergeant Basil A. Roczicka Day-Proclamation

Mayor Williams read the "U.S. Marine Corps Sergeant Basil A. Roczicka Day-Proclamation" into the record with Sergeant Roczicka in attendance via teleconference.

Sergeant Roczicka thanked Council and stated that he was flattered. Sergeant Roczickas mother and father addressed Council and the community to state that they are very proud of their son.

Item B-Award Presentation From PATC & YKHC For Janet Athanas

Phillips Ayagnirvik Treatment Center (PATC) presented Janet Athanas with a certificate of appreciation for providing use of the Log Cabin for meeting space for the Bethel's Youth Support Group.

YKHC presented Janet Athanas a certificate of appreciation on behalf of the Monday Nights Youth Support Group for providing use of the Log Cabin free of charge. Janet Athanas thanked PATC and YKHC for the awards presented to her as well as thanking Council for keeping the Log Cabin and the Teen Center within the community.

Item C-Community Theater Presentation From Jerry Drake

Jerry Drake addressed Council with a presentation supporting the Bethel Community Services Foundation "Movie Theater and Performing Arts Theater Project".

Council requested that the site plans for the project be forwarded to the City Clerk to be provided to Council Members.

Council concurred to recess from 7:42p until 7:49p

Mayor Williams took a moment to allow City Manager Baird to introduce new City employees, Sharon Sigmon (Staff Attorney), Eric Kozak (Finance Director), and Rick Abboud (Planning Director).

REPORTS OF STANDING COMMITTEES

Parks & Recreation Committee (Vice-Mayor Kenick): Vice-Mayor Kenick reported that the Committee last met November 22nd and discussed the following:

- Elections of the Committees officers will be held at the December meeting
- There was public testimony and creation of a local ice skating rink

Finance Committee (Council Member Leinberger): Council Member Leinberger stated that the Committee last met in October and discussed the following:

- Ordinance #05-19
- Technical changes to the BMC

The Finance Committee will meet next on December 8th for November & December.

Alternative Energy Committee (Council Member Leinberger): Council Member Leinberger stated that Mr. Willy Keppel was elected as the Vice-Chair and Council Member Leinberger was elected as the Chair of the Committee. The Committee has been created to look at operational and business plans to an alternative wind energy farm. Council Member Leinberger advised Council that the Committee is requesting the local supplier and AVAC to participate as members in the Committee.

Planning Commission (Council Member Rodgers): Council Member Rodgers was absent and unable to report on the past Planning Commission Meeting.

Port Commission (Mayor Williams): Mayor Williams reported that the Committee last met on November 21st and discussed the following:

- Dock transfer
- Propane storage
- Purchase of uplands (Crowley)
- Capitol Improvements
- Port ware house relocation

Public Safety & Transportation Commission (Council Member Dymont): Council Member Dymont reported that the Commission has not met since the last Council Meeting. However, Council Member Dymont reminded the community that the Commission oversees the Public Safety & Transportation and advised the community address the Commission with any complaints.

Community Cemetery Planning Committee (Council Member Trantham): Council Member Trantham reported the Committee last met on November 22nd and advised Council that he was unable to attend due to illness and will have the meeting minutes provided to Council. However, Council Member Trantham stated that AML did present an award to the City of Bethel for the Cemetery Planning Committee.

Public Works Committee (Council Member McGowan): Council Member McGowan was absent and unable to report on the past Public Works Meeting.

Alaska Municipal League (Council Member Trantham): Council Member Trantham advised Council and the community that AML sent out an alert regarding Senate Bill 112 related to local taxes. Council Member Trantham stated that AML would like to hold a teleconference with local municipalities regarding PERS & TERS, Council Member Trantham suggested that the Mayor and the City Manager get together to draft a 3 minute testimony for the City of Bethel.

UNFINISHED BUSINESS

Item A-Yuut Elitnarviat Update

Mr. LaMont E. Albertson, the Yuut Elitnarviat Development Director addressed Council to update Council on the projects that are now under development in the Yukon-Kuskokwim Region. Mr. LaMont E. Albertson provided Council a report including the history of past projects and phases of future projects.

Item B- Public Hearing Of Ordinance #05-18: An Ordinance Repealing Bethel Municipal Code Section 17.04.070 B, And Enacting A Replacement Section 17.04.070 B

Public Hearing:

None

MOVED:	Dyment	To adopt Ordinance #05-18: An Ordinance Repealing Bethel Municipal Code Section 17.04.070 B, And Enacting A Replacement Section 17.04.070 B
SECONDED:	Kenick	
VOTE ON MAIN MOTION Passed Roll call vote 5-0		

Council concurred to recess from 8:46p until 8:56p.

Item C-Discussion Concerning Committee & Commission Attendance And Priority Lists By Council

Council concurred to direct the City Clerk to provide Council an attendance record for all Committees & Commissions and a list of members that have not attended 65% of the their scheduled meeting within this calendar year per the BMC.

NEW BUSINESS

Item A- Introduction Of Ordinance #05-19: An Ordinance Amending Section 4.16.210 B Of The Bethel Municipal Code Regarding The Time Limit To Request A Refund On Over Payment Of Sales Tax Paid

Ordinance was introduced and set for Public Hearing on December 13, 2005 on the consent agenda.

Item B- Introduction Of Ordinance #05-20: An Ordinance Authorizing The Acquisition Of Lot 2A, Block 19, United States Survey NO. 3230 A/B, From Crowley Marine Corporation

MOVED:	Dyment	To introduce Ordinance #05-20 as amended and set for Public Hearing on December 13, 2005.
SECONDED:	Leinberger	

MOVED:	Dyment	To amend the ordinance by inserting in the
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		(Crowley Property Purchase). This appropriation is for the purchase of Lot 2A, Block 19, United States Survey No. 3230 A/B, Bethel Recording District.
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 5-0
VOTE ON MAIN MOTION	Passed	Roll call vote 5-0

Item C- Resolution #05-40: A Resolution Certifying That The City Did Suffer Significant Effects During The Program Base Year From Fisheries Business Activities That Occurred Within The Lower Kuskokwim Fisheries Management Area

Resolution #05-40 passed on the consent agenda

Item D- Resolution #05-41: A Resolution By The Bethel City Council In Support Of The Bethel Community Services Foundation Inc. Efforts In Developing A Movie And Performing Arts Theater

Resolution #05-41 passed on the consent agenda

Item E- Appointment To The Senior Advisory Board

Mayor Williams appointed himself to the Senior Advisory Board.

MOVED:	Leinberger	To appoint Mayor Williams to the Senior Advisory Board.
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Passed	Voice vote 4-1 (No: Trantham)

Item F-Discussion Of And Direction To The City Manager To Investigate The Operational Expenses Of An Alcohol Delivery Site(S) With The Intent To Report Back To Council With Findings And A Proposed Business And Operational Plan

MOVED:	Leinberger	To direct The City Manager To Investigate The Operational Expenses Of An Alcohol Delivery Site(S) With The Intent To Report Back To Council With Findings And A Proposed Business And Operational Plan.
SECONDED:	Dyment	
MOVED:	Trantham	To amend the motion to send this to the Public Safety Committee to develop independently their own plan regarding the same subject.
SECONDED:	Leinberger	

MOVED:	Dyment	To suspend the rules to proceed past 10p.
SECONDED:	Leinberger	
MOVED:	Keinck	To amend the motion to proceed past 10p until 10:30p.
SECONDED:	Leinberger	
VOTE ON PRIMARY AMENDMENT	Passed	Voice vote 4-1 (No: Trantham)
VOTE ON MAIN MOTION	Passed	Voice vote 5-0
VOTE ON SECONDARY MOTION	Failed	1-4 (Yes: Trantham)
MOVED:	Leinberger	To amend the motion to give the City Manager a deadline to provide the plan to Council by the first Council meeting in April.
SECONDED:	Keinck	
MOVED:	Trantham	To amend the amendment changing the date from April deadline to May 1, 2006.
SECONDED:		
VOTE ON PRIMARY AMENDMENT	<i>Failed for lack of a second</i>	
VOTE ON PRIMARY AMENDMENT	Passed	Roll call vote 4-1 (No: Trantham)
MOVED:	Leinberger	To suspend the rules to proceed past 10:30p until 10:45p.
SECONDED:	Keinck	
VOTE ON SECONDARY MOTION	Passed	Voice vote 5-0
VOTE ON MAIN MOTION	Passed	Roll call vote 4-1 (No:Trantham)

MAYOR'S REPORT

- ONC donation request for their yearly Christmas Party
- City Hall Renovation Grant
- Letter & passed resolution from the Lower Kuskokwim School District regarding underage consumption of alcohol.
- Bethel Search and Rescue Report

Mayor Williams appointed Alan Murphy to the Port Commission

MOVED:	Dyment	To appoint Alan Murphy to the Port Commission.
SECONDED:	Trantham	
VOTE ON MAIN MOTION Passed Council concurrence		

Mayor Williams advised Council that Kerri Lee Fulton is not eligible for appointment to the Parks & recreation Committee due to the fact that Mrs. Fulton has not been a resident of Bethel for a year.

MANAGER'S REPORT

- Advised Council that he has drafted a letter of support for the improvements of the Eddie Hoffman Highway.
- Participated in "Moving Wall Memorial" meetings
- Staff Projects
 1. Water utility rates
 2. Labor negotiations
 3. Upgrade & transition of the City's management information system
 4. Comprehensive Capitol Improvement Plan

MOVED:	Kenick	To suspend the rules to proceed past 10:45p to complete the Clerk's Report.
SECONDED:	Dyment	
MOVED:	Trantham	To suspend the rules to proceed until the agenda is completed.
SECONDED:		
VOTE ON PRIMARY AMENDMENT	<i>Failed for lack of a second.</i>	
VOTE ON MAIN MOTION Passed Council concurrence		

MOVED:	Trantham	To suspend the rules to proceed until the agenda is completed.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	<i>Failed for lack of a second.</i>	

CLERK'S REPORT

MOVED:	Trantham	To approve the Clerk's request for travel and personal leave.
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Passed	Council concurrence

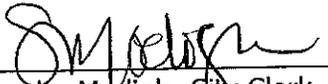
ADJOURNMENT

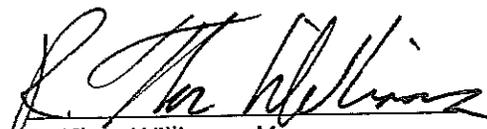
MOVED:	Leinberger	To adjourn at 10:48p.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	Passed	Council concurrence

With no further business before the Council, the meeting adjourned at 10:48p.

APPROVED THIS 13th DAY OF DECEMBER, 2005.

ATTEST:


Sandra Modigh, City Clerk


R. Thor Williams, Mayor