
City of Bethel City Council Meeting Minutes

February 27, 2007

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on February 27, 2007 at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Leinberger called the meeting to order at 6:30p

II. ROLL CALL

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

PRESENT: Council Member Jorgensen
Council Member Kenick
Mayor Leinberger
Council Member Middlebrook
Vice-Mayor Rodgers
Council Member Trantham
Council Member McGowan (arrived at 6:40p)

STAFF: City Manager Baird
City Attorney Sigmon
City Clerk Modigh

III. PEOPLE TO BE HEARD

1. Mr. Peter Christian addressed Council to speak in favor of a multiuse recreation center.
2. Oley Olsen addressed Council to state the Finance Committee has been researching a liquor store and would like to know where that is stemming from considering there was a vote of the people in opposition. Mr. Olsen also brought a sample of the water that is distributed in his house and community (the water was a yellow/brown color) and then addressed the water rate increase. Mr. Olsen addressed the issue of the calcium chloride contract with a Council member and requested that this matter be looked into.
3. Kevin Murphy addressed Council to advise them and the community that he sent a letter to Senator Hoffman regarding dedicated sales tax for a second class city and read the reply from Senator Hoffman and referred to a legal opinion from his staff (copies were submitted to the City Clerk).
4. Willie Keppel addressed Council to state that we are in clear violation of the Bethel Municipal Code by not going out to bid for our current lobbyist and spoke in opposition of our current lobbyist and would like for the City to cease and desist the matter. Mr. Keppel also addressed the agenda item regarding EPS and BUC and stated that he could provide Council documentation and requested to have the agenda item placed under executive session and spoke in opposition of BUC and in favor of the consumer and

community (Mr. Keppel stated that he'll submit his documents to the City Attorney during the next business day).

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Kenick	To approve the Regular and Consent Agenda for the February 27, 2007 Regular City Council Meeting as amended removing Resolution 07-06, 07-07 from the consent agenda.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION Motion Passed Unanimously 6/0		

V. APPROVAL OF MEETING MINUTES

Item A-2/27/07 Regular City Council Meeting Minutes
Meeting minutes were passed on the consent agenda

VI. UNFINISHED BUSINESS

Item A- Public Hearing Of (Substitute) Ordinance #07-07: An Ordinance Amending Section 2.04.140 Of The Bethel Municipal Code-Organization Of Council

Public Hearing:
None

MOVED:	Trantham	To adopt (substitute) Ordinance 07-07: An Ordinance Amending Section 2.04.140 Of The Bethel Municipal Code-Organization Of Council
SECONDED:	Rodgers	
MOVED:	Middlebrook	To balance the vacancies in the 2007 election by creating a 2 & 3 yr term in 2007 and allowing the receiver of the most votes to have the 1 st choice of a 2 or 3 yr term.
SECONDED:	Kenick	
VOTE ON MAIN MOTION Motion Passed Unanimously 7/0		
VOTE ON MAIN MOTION Motion Passed Unanimously 7/0		

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

Public Hearing:

1. Beverly Hoffman addressed Council to speak in favor of the multiuse recreation center.
2. Peter Christian addressed Council to speak in favor of the multiuse recreation center.

Council Member Jorgensen spoke in favor of ordinance #07-08.

Vice-Mayor Rodgers spoke in opposition of ordinance #07-08.

MOVED:	McGowan	To direct administration to research a 1% sales tax increase and an exemption for poverty rate community members.
SECONDED:	Jorgensen	
MOVED:	McGowan	To suspend the rules to allow public testimony by Beverly Hoffman.
SECONDED:	Jorgensen	
Beverly Hoffman spoke to address statements by council members.		
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0	
VOTE ON MAIN MOTION	Motion Failed 3/4 with Mayor Leinberger, Council Member Middlebrook, Vice-Mayor Rodgers and Council Member Trantham voting in the negative.	

An additional public hearing for ordinance 07-08 is set for March 13, 2007.

Council concurred to recess at 8:25p.

VII. NEW BUSINESS

Item A- Introduction Of Ordinance #06-12 (E): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY2006-07 Budget

MOVED:	Rodgers	To adopt Ordinance 06-12 (E): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY2006-07 Budget
SECONDED:	Middlebrook	
MOVED:	Kenick	To suspend the rules to allow the Port Director Heath Martin to address Council
SECONDED:	Jorgensen	
Port Director Heath Martin addressed Council to provide additional information to Council regarding the budget modification.		

MOVED:	McGowan	To amend the ordinance to remove the \$30,000 increase for vehicles.
SECONDED:		
VOTE ON MAIN MOTION	<i>Motion failed for lack of a second</i>	
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0	
VOTE ON MAIN MOTION	Motion passed 6/1 with Council Member McGowan voting in the negative.	

Item B- Resolution #07-05: A Resolution Amending The Work Task Descriptions - Additional Services, Backbone Water And Sewer Facility Improvements

Resolution #07-05 was adopted on the consent agenda.

Item C- Resolution #07-06: A Resolution Opposing SB 5207 Of The State Of Washington Legislature Which Would Implement A \$50.00 Surcharge On All Containers Processed At The Port Of Seattle

MOVED:	Rodgers	To adopt Resolution #07-06: A Resolution Opposing SB 5207 Of The State Of Washington Legislature Which Would Implement A \$50.00 Surcharge On All Containers Processed At The Port Of Seattle
SECONDED:	Middlebrook	
MOVED:	Middlebrook	To amend the "now, therefore, it be resolved" to insert the words "and the citizens of the YK region" after the words citizens of the City of Bethel.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Motion passed 6/1 with Council Member Kenick voting in the negative.	
MOVED:	Trantham	to include the distribution to each 60 members of the state legislature, the Governor, Lt. Governor and the lobbyist in Juneau
SECONDED:	Kenick	

VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0 with None voting in the negative.	
MOVED:	Trantham	To amend the resolution to include all recipients on page 3 under copies of the state resolution
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0 with None voting in the negative	
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0	

Item D- Resolution #07-07: A Resolution Opposing SB 34 Of The Alaska State Legislature Which Would Implement A Head Tax On Individuals Residing In Regional Educational Attendance Areas

MOVED:	Middlebrook	To adopt Resolution #07-07: A Resolution Opposing SB 34 Of The Alaska State Legislature Which Would Implement A Head Tax On Individuals Residing In Regional Educational Attendance Areas
SECONDED:	Trantham	
MOVED:	Trantham	To include distribution of the resolution to the Governor, Lt. Governor, 40 State Representatives, 20 Senators, and the City lobbyist.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0	
VOTE ON MAIN MOTION	Motion Passed Unanimously 7/0	

Item E- Resolution #07-08: A Resolution Requesting The Alaska State Legislature Adequately Fund A Full Gymnasium At The New Kilbuck School In Bethel

Resolution #07-08 was adopted on the consent agenda.

Item F-Establishment Of Solid Waste Enterprise Fund

Council Member Trantham stated that this request came from the Finance Committee as well as the Finance Department and both are in support of the fund.

The City Manager stated that Administration is in favor of this budget modification for 2008.

MOVED:	Middlebrook	To direct administration to move forward with the establishment of a solid waste enterprise fund
SECONDED:	Trantham	
VOTE ON MAIN MOTION Motion Passed Unanimously 7/0		

Item G- Establish A Date For The Cemetery Committee's 1st Meeting

Mayor Leinberger called the 1st Cemetery Meeting on March 15, 2007, at 6:30p, Council chambers.

The City Clerk stated that she would create and forward the 1st agenda to committee members.

Council concurred to recess at 9:38p

MOVED:	Jorgensen	To suspend the rules to proceed into executive session to complete the City Clerk's Annual Evaluation Per Bethel Municipal Code 2.01.110 B. 2.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION Motion passed 4/3 with Council Member Kenick, Council Member McGowan and Vice-Mayor Rodgers voting in the negative.		
VOTE ON MAIN MOTION Motion passed 4/3 with Mayor Leinberger, Council Member McGowan and Vice-Mayor Rodgers voting in the negative.		

MOVED:	Middlebrook	To suspend the rules to address item I under new business in regards to the City Clerk annual raise.
SECONDED:	Trantham	
VOTE ON MAIN MOTION		
Motion Passed Unanimously 6/0		

Item I- Approval Of The City Clerks Annual Increase Per Contract; Retroactive January 31, 2007

MOVED:	Kenick	To approve The City Clerks Annual Increase Per Contract; Retroactive January 31, 2007
SECONDED:	Jorgensen	
<i>Council Member Rodgers departed meeting at 10p</i>		
VOTE ON MAIN MOTION		
Motion Passed Unanimously 6/0		

MOVED:	Middlebrook	To suspend the rules to proceed past 11p
SECONDED:	Trantham	
VOTE ON MAIN MOTION		
Motion passed 4/2 with Council Member Kenick and Council Member McGowan voting in the negative.		

Item H- Electrical Power Systems/Bethel Utilities Corporation Communications

Mayor Leinberger advised Council of the current status between Electrical Power Systems and Bethel Utilities Company regarding the Alternative Energy Feasibility Study and the lack of cooperation on behalf of BUC.

City Manager Baird informed Council that his attempt to contact BUC has not been successful and suggested contacting state agencies regarding this matter.

MOVED:	Middlebrook	To direct Council Member McGowan to contact Ed Tilbury, President of Bethel Utilities Company to set up a meeting regarding EPS.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION		
Motion passed 5/1 with Council Member Trantham voting in the negative.		

MOVED:	Middlebrook	To approve travel for Council Member McGowan to meet with BUC.
SECONDED:	Kenick	
VOTE ON MAIN MOTION		
Motion passed 5/1 with Mayor Leinberger voting in the negative.		

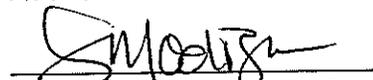
MOVED:	Middlebrook	To direct the City Manager to proceed with contacting state agencies if the meeting between Council Member McGowan and BUC does not prove fruitful.
SECONDED:	Kenick	
VOTE ON MAIN MOTION		
Motion passed 5/1 with Council Member Trantham voting in the negative.		

MOVED:	McGowan	To adjourn meeting at 11:29p
SECONDED:	Kenick	
VOTE ON MAIN MOTION		
Motion Passed Unanimously 6/0 with None voting in the negative.		

With no further business before the Council, the meeting adjourned at 11:29 p.m.

APPROVED THIS 13th DAY OF MARCH 2007.

ATTEST:


Sandra Modigh, City Clerk


Daniel C. Leinberger, Mayor