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# City of Bethel City Council Meeting Minutes

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February 12, 2008

Regular Meeting

Bethel, Alaska

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## **I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on February 12, 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:**

Mayor Eric Middlebrook  
Vice-Mayor R. Thor Williams  
Council Member Dan Leinberger  
Council Member Yolonda Jorgensen  
Council Member Keppel

### **Members not present:**

Council Member Tundy Rodgers  
Council Member Tiffany Zulkosky

### **Others present:**

City Manager Wally Baird  
City Clerk Lori Strickler

## **III. PEOPLE TO BE HEARD**

Wayne Ogle - Council Member Keppel had an apparent conflict of interest during the City Attorneys evaluation and firing. The City of Bethel has no legal defense, with numerous pending lawsuits. Ask the mayor to put on the next agenda the city's plan regarding the city's lawsuits.

Jeff Lee – The termination of the City Attorney and her treatment thereafter was deplorable. The retaliation from the Council is due from the actions taken against Council Member Keppel by the City Attorney and the Code Enforcement Officer.

Beverly Hoffman –Wants a council that will work together, who will respect each other and the people they represent. Recall has been brought up and city employees are wanting to quite, all of which will further divide this community. I would like the Council to review their actions and I would like to see Sharon Sigmon reinstated.

Dianna Moffet – Laws and rules are meant to keep order in people’s lives, the Council has had an opposite effect. Friday February 8<sup>th</sup>, 2008 a special meeting was called for the sole purpose of taking over our city government. Council Member Keppel should not have had a vote in the firing of the City Attorney, this was and is a conflict of interest. A recall petition has been obtained for Mayor Middlebrook and Vice Mayor Williams.

Tom Condrad - Churches are not-for profit however in Bethel they are taxed. Asking council to reverse the rule and once again allow churches be a not taxed not-for profit organization.

Jody Malus – Sated she is extremely proud of four brave men on the City of Bethel Council for their action on Friday’s Special Council Meeting. The selected portions of the Special Council Meeting played by KYUK do not display the entire story. Spoke from a letter written to City Attorney, Sharon Sigmon from Myron Angstman, a local attorney in March 2007.

Susan Taylor – Explains her inability to understand the firing of the City Attorney. Hundreds of thousands of lawsuits which the city attorney took care of, she saved the city a lot of money. The decision did not represent the people.

San Davis – Corporate Express representative, Corp. Express wants to do business with the City of Bethel. All of the City’s orders are tax free.

Sharon Lindley – There has been much commotion from the City Council over the past few years. Personal vendettas have influenced the Councils decisions. Propose the City of Bethel make a vote and put Bob Herron as a City Council member.

Hugh Dymont – Council Member Keppel should have said he had a questionable conflict of interest; he should have stepped down from the vote. The issue of the conflict of interest should have gone to outside legal counsel. With this, the Council has opened the city up to a wrongful discharge suit.

Toney Vaska – Several items have been raised regarding problems with the city. If the Council does not do their job the State Legislature will take over. Mayor Middlebrook should declare that you are running for office and Ms. Malus should have stated she is acting as the manager for the campaign.

Dan Hartman – The decision to fire the City Attorney was a reckless one. Spoke in support of Beverly Hoffman statement regarding the City Attorney's reinstatement.

Carrie Fulton – Spoke in support of Beverly Hoffman's statement regarding the City Attorney's reinstatement.

**IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

<b>MOVED:</b>	Williams	To approve the Consent & Regular Agenda for the February 12, 2008 Regular Meeting
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>		
Carried unanimously		

<b>MOVED:</b>	Leinberger	Table the approval of the 1/29 /08 meeting minutes until the next Regular Scheduled Meeting.
<b>SECONDED:</b>	Jorgenson	
<b>VOTE ON MAIN MOTION</b>		
Carried unanimously		

<b>MOVED:</b>	Leinberger	Table Ordinance 07-24 to the 2/26/08 Regular Meeting
<b>SECONDED:</b>	Jorgenson	
<b>VOTE ON MAIN MOTION</b>		
Carried unanimously		

<b>MOVED:</b>	Williams	Table item b. under UNFINISHED BUSINESS and item c. under NEW BUSINESS
<b>SECONDED:</b>	Leinberger	
<b>MOVED:</b>	Williams	Motion to divide the question
<b>SECONDED:</b>	Jorgenson	
<b>VOTE ON MOTION</b>		
Carried unanimously		
Table item b. under UNFINISHED BUSINESS, Public Hearing of Ordinance 07-12 (G)		

<b>VOTE ON MOTION</b>	All opposed
	Table item c. under NEW BUSINESS, Approval Of Waiver For The City Of Bethel To Contract Eric Middlebrook To Service City Of Bethel Equipment
<b>VOTE ON MOTION</b>	Carried unanimously

<b>MOVED:</b>	Jorgenson	Motion to call a Special Meeting to address concerns brought up by the citizens of Bethel.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Motion Ruled out of order.	

<b>MOVED:</b>	Jorgenson	Motion to amend the motion to post an agenda for a Special Meeting Fri. February 15, 2008 at 6:00pm
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MAIN MOTION</b>	Motion Ruled out of order.	

**I. APPROVAL OF MEETING MINUTES**

*The following minutes were approved on the consent agenda*

- a. 1/22/08 Special City Council Meeting
- b. 1/28/08 Special City Council Meeting
- c. 02/4/08 Special City Council Meeting

**II. UNFINISHED BUSINESS**

**Item B – Public Hearing of Ordinance 07-12 (G): An Ordinance Of The Bethel City Amending The Adopted Annual FY 2008 Budget**

**Public Hearing:**

<b>MOVED:</b>	Leinberger	Move to adopt 07-12 (G)
<b>SECONDED:</b>	Williams	

<b>VOTE ON MAIN MOTION</b>	Carried unanimously.
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<b>MOVED:</b>	Williams	Move to amend 07-12 (G) by deleting all items from Ordinance 07-12 (G) except item 08-(G)37
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MOTION</b>	Carried unanimously	

<b>MOVED:</b>	Leinberger	Move to suspend the rule to allow the Finance Director Laurie Walters to speak.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MOTION</b>	Carried unanimously	

<b>MOVED:</b>	Williams	Move to amend the amendment to include items 08-(G) 38 and 08-(G) 39 in Ordinance 07-12 (G)
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MOTION</b>	Carried unanimously	

**Item C – Town Hall Meetings**

<b>MOVED:</b>	Williams	Move to suspend the rule to allow citizen speak
<b>SECONDED:</b>	Keppel	
<b>VOTE ON MOTION</b>	Carried unanimously	
Dianna Moffett – OMA will definitely interfere with this meeting, if the Council could listen to the public then go back and write a news letter addressing the issues as a Council.		

<b>MOVED:</b>	Leinberger	Move to break for 10
<b>SECONDED:</b>	Keppel	
<b>VOTE ON MOTION</b>	Carried unanimously	

<b>MOVED:</b>	Jorgensen	Direct city administration to work on a date with the Cultural Center for the
<b>SECONDED:</b>	Leinberger	

		Town Hall Meeting
<b>VOTE ON MOTION</b>	Carried unanimously	

<b>MOVED:</b>	Keppel	Amendment to the motion for administration look at all of the options for the location of the Town Hall Meeting
<b>SECONDED:</b>	Williams	
<b>VOTE ON MOTION</b>	Carried unanimously	

**Item D – Discuss And Review Talking Points Of Our Capital Project Priorities**

**III. NEW BUSINESS**

**Item a. Introduction of Ordinance 08-02: Fee & Rate Structure –**

Council member Leinberger declared a conflict of interest as did Council Member Jorgensen and Vice Mayor Williams

<b>MOVED:</b>	Leinberger	Move to allow the Finance Director to speak
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MOTION</b>	All in favor	

<b>MOVED:</b>	Leinberger	Introduce Ordinance 08-02: Fee & Rate Structure
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MOTION</b>	Carried unanimously	

<b>MOVED:</b>	Williams	Motion to ask administration to review the taxi rate ordinance to insure they are at the right amount.
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MOTION</b>	All in favor	

**Item B - Discussion of Audit, City Funds, And Internal Controls**

<b>MOVED:</b>	Leinberger	Suspend the rule to allow Laurie Walters to give the presentation given to the Finance Committee
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	All in favor	

<b>MOVED:</b>	Williams	Motion to take a 10 min. break with an amendment to go past 10
<b>SECONDED:</b>	Leinberger	
<b>VOTE ON MOTION</b>	All in favor	

**Item D – City Manager Leave Request From February 15 Through February 23**

<b>MOVED:</b>	Williams	Approve City Managers Leave
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	All in favor	

**IV. REPORT OF STANDING COMMITTEES**

Council Member Keppel is appointed to the Cemetery Committee by Mayor Middlebrook.

**Planning Commission (Vice-Mayor Williams)** will meet at 6:30 on Thursday and will be discussing the AVCP Housing issue.

**Public Works Committee (Mayor Middlebrook)** Discussed Bethel Heights pipe update plan, and listened to a presentation from Clean Earth Energy.

**Alternative Energy Committee (Council Member Leinberger)** Viewed a DVD presentation by Chenna Hot Springs, who is fully functional from Geothermal. Discussed the Clean Earth Energy, with a direction to the Grant Manager to make contact with them and find out if they do have an operating plant which can be looked at.

**Finance Committee (Council Member Leinberger)** Briefed on the Endowment Fund which was discussed tonight.

**Parks and Recreation Committee (Council Member Jorgenson)** Continuing the efforts for the pond at Pinky's Park to be available for ice skating; establishment of a youth advisory board; fundraising by making an YK Delta Life Saver Cookbook.

**AD HOC Committee (Council Member Jorgenson)** Set goals that the committee will work to accomplish. Reviewed three options for design plans for the Swimming Pool as well location possibilities. A name still needs to be established as well as a ground breaking day.

**V. MAYOR'S REPORT**

- Letter from Senator Ted Stevens dealing with entry requirement for anyone arriving from ports or coming in from Canada

**VI. MANAGER'S REPORT**

- Meeting with the USDA Rural Development
- Police Chief Conditional Hire

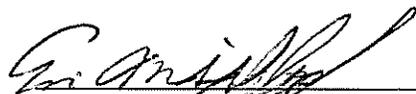
**VII. CLERK'S REPORT**

**VIII. COUNCIL MEMBER COMMENTS**

Council Member Jorgensen – Water and sewer delivery and fee concerns, and not having someone available after-hours to answer questions; request the snow plows lift their gates when passing a driveway.

11:00 Adjournment, no motion made to go past 11:00p

**APPROVED THIS 26 DAY OF FEBRUARY, 2008.**

  
Eric Middlebrook, Mayor

ATTEST:

  
Lori Strickler, City Clerk