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# City of Bethel City Council Meeting Minutes

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December 12, 2006

Regular Meeting

Bethel, Alaska

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## **I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on December 12, 2006 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:

Members present:

Mayor Leinberger Dan  
Vice-Mayor Tundy Rodgers  
Council Member Mary Kenick  
Council Member Eric Middlebrook  
Council Member Yolonda Jorgensen

Members absent:

Council Member Dave Trantham  
Council Member Andrew McGowan

Others present:

City Clerk Sandra Modigh  
City Attorney Sharon Sigmon  
City Manager Wally Baird

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

1. Carrie Godden, Alaska Rural Water Association, addressed Council to state that she is assisting the community in their water research, grant funded through the USDA. Mrs. Godden informed Council that the first Water Protection Planning meeting/workshop was held in Bethel with many community agencies in attendance including the City of Bethel. Mrs. Godden continued to review the current findings regarding the City of Bethel water. Mrs. Godden stated that she is here to provide technical assistance, coordinate the protection team, assist in a written plan, and assist in the initial implementation of management of potential contaminant sources within the Bethel community and informed Council and the community to contact her with any inquiries.

- Peter Kim addressed Council to state that he is speaking on behalf of the taxi cab drivers and that they are concerned for their safety. Mr. Kim is asking the City to find the person that committed this weekend's crime; the cab drivers are willing to help in any way. Mr. Kim stated that it is everyone's responsibility to keep Bethel safe and would like to know if the City is taking any preventative measures to help secure the safety for the taxi driving community. Mr. Kim stated that he is very angry and this must stop and requested that the City work on something to provide a better environment for the City of Bethel. Mr. Kim stated that they are not here to be victimized and are here to live like everyone else.

|                            |             |  |
|----------------------------|-------------|--|
| <b>MOVED:</b>              | Middlebrook | For the City of Bethel to offer a \$10,000 reward related to the incident to be administered through the City Manager and Chief of Police. |
| <b>SECONDED:</b>           | Jorgensen   |  |
| <b>VOTE ON MAIN MOTION</b> |             |  |
| Carried unanimously.       |             |  |

- Mr. Choi, accompanied by a translator, addressed Council to state, "he is very sad, and as tax payers we are proud to live here as citizens, our co-worker, our friend was killed." Mr. Choi continued to state that if the victim was not Korean and was a City employee there would be a much faster reaction to this situation. Mr. Choi informed Council of the many incidents that have been reported to the Police Department in the past and how nothing was done, Mr. Choi also addressed more current violent acts and stated that the taxi drivers are afraid to work and asked the City what they can do to help the safety of the taxi drivers. Mr. Choi requested that the City address the racism within the community towards the Korean cab community
- Paul Gregory Sr. stated his condolences to the friends and family of the victim of the unfortunate crime this weekend. Mr. Gregory stated that he has always been an advocate for public safety within the community. Mr. Gregory advised Council that there need to be lights and signs in City Subdivision around the bus stations for the safety of the children. Mr. Gregory stated that there are not enough safety measures within the community. Mr. Gregory also addressed the fox issue within the community and the snowmobile drivers driving too fast.
- Mr. Tuin and Mrs. Mindy, co-owner of Quyana Cab Company, addressed Council to advise Council of previous incidents that have occurred that have

been brought to the attention to Police Department who have not acted on these matters and they are often being ignored. They also advised Council that they feel that racism is involved and that we should teach the children that this is not the right thing to do and suggested that these minors should be more responsibility for these matters. They asked Council if they have any answers or suggestions to address this matter or to prevent this type of crime.

6. Peter Twitchell addressed Council to state that Bethel is not a sleepy community; this is a violent community. Mr. Twitchell suggested that we have surveillance cameras installed at the BNC building as well as starting a neighborhood watch. Mr. Twitchell also stated that we need to make more funds available to the Police Department to keep our community safe.
  
7. Rich Pope, a small business owner, addressed Council to state that he agrees with Mr. Twitchell and that the BNC, AC, and the UPS Store has had an ever increasing amount of crime and criminal acts. Mr. Pope also stated that he was in attendance to show his support for the taxi drivers of the community and express his support for the Bethel Police Department.
  
8. Charlie Chong addressed Council to inform the City of Bethel that the Korean community has a custom of a three day morning period and advised the community that the taxi's will be off the roads for that three day period and apologized for the inconvenience. Mr. Chong thanked the City of Bethel for the reward donation and stated that they will voluntarily help the police department in ay way possible. Mr. Chong stated that the City needs more of a safety system within the community.
  
9. Chief of Police Ben Dudley addressed Council to state that he greatly welcomes dialogue with any community members that would like to discuss this matter further; his door is always open. Chief Dudley updated the Council and the community on the current investigation status and advised as to what other agencies are participating.

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| <b>MOVED:</b>              | Kenick               | To recess for ten minutes. |
| <b>SECONDED:</b>           | Rodgers              |                            |
|                            |                      |                            |
| <b>VOTE ON MAIN MOTION</b> | Carried unanimously. |                            |

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

|                            |                      |  |
|----------------------------|----------------------|--|
| <b>MOVED:</b>              | Rodgers              | To approve the Regular and Consent Agenda for the December 12, 2006 Regular City Council Meeting as amended, removing ordinance 06-28 from the consent agenda. |
| <b>SECONDED:</b>           | Kenick               |  |
|                            |                      |  |
| <b>VOTE ON MAIN MOTION</b> | Carried unanimously. |  |

**V. NEW BUSINESS**

**Item A- Introduction Of Ordinance #06-28: An Ordinance Revising The Bethel Municipal Code Chapter 2.05-Responsibilities Of City Council Members, Municipal Officers, Appointed Officials, And Employees; Conflict Of Interest To Include Section 2.05.070-Representation Of The City Of Bethel**

|                            |                      |   |
|----------------------------|----------------------|---|
| <b>MOVED:</b>              | Middlebrook          | To introduce ordinance 06-28: An Ordinance Revising The Bethel Municipal Code Chapter 2.05-Responsibilities Of City Council Members, Municipal Officers, Appointed Officials, And Employees; Conflict Of Interest To Include Section 2.05.070-Representation Of The City Of Bethel, and set for public hearing on 1/9/07. |
| <b>SECONDED:</b>           | Kenick               |   |
|                            |                      |   |
| <b>VOTE ON MAIN MOTION</b> | Carried unanimously. |   |

**Item B- Introduction Of Ordinance #06-29: An Ordinance Modifying The City Planner Position Classification And Eliminating Unused Personnel Titles Within Title 3 Of The Bethel Municipal Code**

*Ordinance #06-29 was introduced on the consent agenda and set for public hearing on January 9, 2007.*

**Item C-Resolution #06-31: A Resolution Supporting The Preparation And Submission Of A Section 5311 New Start Grant Application To Obtain Transit System operating Funds**

*Resolution 06-31 was passed on the consent agenda.*

**Item D- Cemetery Committee Member Make-up**

|                            |         |                              |
|----------------------------|---------|------------------------------|
| <b>MOVED:</b>              | Rodgers | Table to the 1/9/07 meeting. |
| <b>SECONDED:</b>           | Kenick  |                              |
| <b>VOTE ON MAIN MOTION</b> |         |                              |
| Carried unanimously.       |         |                              |

**Item E-2007 Regularly Scheduled City Council Meeting Calendar**

|                            |             |  |
|----------------------------|-------------|--|
| <b>MOVED:</b>              | Middlebrook | To approve the 2007 Regularly Scheduled City Council Meeting Calendar holding the December '07 meeting on the 11 <sup>th</sup> . |
| <b>SECONDED:</b>           | Rodgers     |  |
| <b>VOTE ON MAIN MOTION</b> |             |  |
| Carried unanimously.       |             |  |

**VI. UNFINISHED BUSINESS**

**Item A-City Council Travel Policy #06-02**

|                            |             |   |
|----------------------------|-------------|---|
| <b>MOVED:</b>              | Middlebrook | To adopt the City Council Travel Policy #06-02.   |
| <b>SECONDED:</b>           | Rodgers     |   |
| <b>MOVED:</b>              | Middlebrook | To amend section A.1. by inserting "or a person designated by the city clerk" after the City Clerk's office and before completes. |
| <b>SECONDED:</b>           | Rodgers     |   |
| <b>VOTE ON MAIN MOTION</b> |             |   |
| Carried unanimously.       |             |   |

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| <b>MOVED:</b>              | Middlebrook                         | To strike the word justification in section A.3.   |
| <b>SECONDED:</b>           | Jorgensen                           |  |
| <b>VOTE ON MAIN MOTION</b> | Carried unanimously.                |  |
| <b>MOVED:</b>              | Kenick                              | To amend the travel policy to state that the meals and incidentals will be based on the State of Alaska per diems rates. |
| <b>SECONDED:</b>           | Middlebrook                         |  |
| <b>VOTE ON MAIN MOTION</b> | Failed: 1 - 4<br>Kenick voting for. |  |
| <b>VOTE ON MAIN MOTION</b> | Carried unanimously.                |  |

Council requested the City Clerk research the State of Alaska per diem rates and bring information back to Council at the 1/23/06 meeting as an agenda item.

## VII. REPORTS OF STANDING COMMITTEES

**Planning Commission (Vice-Mayor Rodgers)** advised Council that the Commission has not met since the last City Council Meeting; next meeting December 14<sup>th</sup>.

**Public Safety & Transportation Commission (Council Member Middlebrook)** advised Council that the Commission had a scheduled meeting last night (12/11/06), but was unable to meet due to a lack of a quorum.

**Alternative Energy Committee (Mayor Leinberger)** advised Council that the Committee met and discussed the following:

- RFP proposal acceptance
- Alternative Energy vender systems and packages
- Energy Fair within Bethel
- Welcomed new member Vice-Mayor Rodgers

**Port Commission (Council Member Kenick)** advised Council that the Commission has not met since the last Council Meeting.

**Senior Advisory Board (Council Member Kenick)** advised Council that the Board met and matters that will be reported on at the next Council meeting.

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

**VIII. MAYOR'S REPORT**

Mayor Leinberger appointed Donna Perry to the Parks & Recreation Committee

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|----------------------------|-------------|---|
| <b>MOVED:</b>              | Kenick      | To confirm the appointment of Donna Perry to the Parks & Recreation Committee |
| <b>SECONDED:</b>           | Middlebrook |   |
| <b>VOTE ON MAIN MOTION</b> |             |   |
| Carried unanimously.       |             |   |

Mayor Leinberger appointed Brian Lefferts to the Public Safety & Transportation Commission

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|----------------------------|-------------|---|
| <b>MOVED:</b>              | Middlebrook | To confirm the appointment of Brian Lefferts to the Public Safety & Transportation Commission |
| <b>SECONDED:</b>           | Rodgers     |   |
| <b>VOTE ON MAIN MOTION</b> |             |   |
| Carried unanimously.       |             |   |

Mayor Leinberger stated that the December Cemetery Committee has been cancelled until all applications have been received.

**IX. CITY MANAGER'S REPORT**

- Alternative Energy RFP
- Reconfirmed the City's position regarding the weekends crime events
- Seawall update
- Homeland security approval for reimbursement

- Written report on current projects
- BCS gaming permit renewal applications

**X. CITY CLERK'S REPORT**

- Bethel Municipal Code
- Personal leave

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|----------------------------|-------------|---|
| <b>MOVED:</b>              | Middlebrook | To approve the City Clerk's personal leave 12/18 & 12/19. |
| <b>SECONDED:</b>           | Kenick      |   |
| <b>VOTE ON MAIN MOTION</b> |             |   |
| Carried unanimously.       |             |   |

- Newsletter distribution in December
- Oath of office
- passports

Council concurred to revise the City of Bethel's current oath's of office .

Council concurred to approve the City Attorneys personal leave.

|                            |             |  |
|----------------------------|-------------|--|
| <b>MOVED:</b>              | Middlebrook | To suspend the rules to proceed with Council member comments prior to the executive session. |
| <b>SECONDED:</b>           | Jorgensen   |  |
| <b>VOTE ON MAIN MOTION</b> |             |  |
| Carried unanimously.       |             |  |

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| <b>MOVED:</b>                                | Kenick  | To recess for ten minutes. |
| <b>SECONDED:</b>                             | Rodgers |                            |
| <b>VOTE ON MAIN MOTION</b>                   |         |                            |
| Carried: 4 - 1<br>Leinberger voting against. |         |                            |

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|--|---------------------|---|
| <b>MOVED:</b>  | Jorgensen           | To create an area on the agenda for the City Attorney Report. |
| <b>SECONDED:</b>   | Middlebrook         |   |
| The matter was discussed and it was decided to have the City Attorney report under the City Manager if needed. |                     |   |
| <b>VOTE ON MAIN MOTION</b>   | Failed unanimously. |   |

## XI. COUNCIL MEMBER COMMENTS

**Council Member Jorgensen** stated her deepest regrets to the friends and the family of the former cab driver that passed away this Sunday. Council Member Jorgensen also stated that she still cannot believe that something this dramatic has happened in our small community but she hopes that the community can come together to find out who completed this crime and to prevent this from happening again. Council Member Jorgensen advised the community to hug our elders so they know how important they are to the community. "Hug an elder every chance you get, hug a friend, a loved one, and give a stranger a kind gesture to make a persons day and to help keep the community close."

**Council Member Kenick** wished the community a Merry Christmas and a Happy New Year.

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| <b>MOVED:</b>              | Kenick              | To suspend the rules to proceed past 10p |
| <b>SECONDED:</b>           | Middlebrook         |  |
|                            |                     |  |
| <b>VOTE ON MAIN MOTION</b> | Failed unanimously. |  |

**Council Member Middlebrook** expressed his sorrow to Chung's family, friends, and co-workers who all felt this tragedy hard. Council Member Middlebrook stated that reason he finds this matter difficult is because he has always thought of Bethel as a place that's strong quality is their openness and acceptance to everyone in the community and although we live our lives apart in many groups he see us all as community members and valued members. Council Member Middlebrook advised the community to continue to make Bethel a welcoming place and wished the community happy holidays.

**Vice-Mayor Rodgers** stated his condolences to the friends and the family of the deceased cab driver and informed the community that this Council sits with them to

try to resolve this matter with all of our departments within the City and advised everyone not to give up and stated that if anyone has any questions to contact a Council Member. Vice-Mayor Rodgers stated that he is pleased to see other Council Members recognizing the elders of the community and stated how that touches him deeply "Hug an elder".

**Mayor Leinberger** expressed his condolences to the family of Mr. Young and stated that we always read about incidents like this happening in other communities and it's a shocker when it happens in your own. Mayor Leinberger stated that he appreciates the cab drivers attending the meeting and showing their support to their own and the Police Department in this matter and stated that the City will do everything it can to find the person/persons responsible for this and that no expense will be spared, no rock shall be unturned, and that the City will bring to bare all resources at it's disposal to find who is responsible for this. Mayor Leinberger also stated that this was not the death of a Korean cab driver but the death of a citizen of Bethel, he was one of us, not one of them, one of us, and we all have to remember that, we all are one family. Mayor Leinberger wished everyone Happy Holidays and a Merry Christmas.

**XII. EXECUTIVE SESSION**

**Item A- City Attorney Annual Evaluation Per The Bethel Municipal Code 2.04.110 B. 2.**

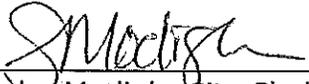
|                            |             |   |
|----------------------------|-------------|---|
| <b>MOVED:</b>              | Kenick      | To enter executive session to complete the City Attorney's annual evaluation per the Bethel Municipal Code 2.04.110 B. 2. |
| <b>SECONDED:</b>           | Middlebrook |   |
| <b>VOTE ON MAIN MOTION</b> |             |   |
| Carried unanimously.       |             |   |

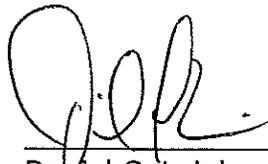
**XIII. ADJOURNMENT**

**With no further business before the Council, the meeting adjourned at 10:00p.m.**

**APPROVED THIS 9<sup>th</sup> DAY OF JANUARY 2007.**

ATTEST:

  
\_\_\_\_\_  
Sandra Modigh, City Clerk

  
\_\_\_\_\_  
Daniel C. Leinberger, Mayor