City of Bethel, Alaska
City Council Minutes

April 26, 2005 | Regular Meeting | Bethel, Alaska

CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on April 26, 2005, at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Dyment called the meeting to order at 6:30 p.m.

ROLL CALL

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

Andy McGowan	Dave Trantham
R. Thor Williams	Hugh Dyment
Stanley "Tundy" Rodgers	Yolonda Jorgensen
Dan Leinberger	

Also in attendance were the following:
Bob Herron, City Manager
Sandra Modigh, City Clerk

PEOPLE TO BE HEARD

1. Sam Shields awarded City Council an Award of Appreciation from the Bethel American Legion for their support with the new cemetery.

2. Laura Baez addressed Council to request the City's support on behalf of Children's Mental Health Day-May 4th. Mrs. Baez invited Council and City employees to support and attend the event. The Mayor and Council Member Williams have agreed to participate in the event.

APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

MOVED BY:	Williams	To approve the Consent and Regular Agenda as amended, proceeding into executive session at 8:00 p.m. and removing Resolution #05-17 from the consent agenda.
SECONDED BY:	Leinberger	

Council Member Trantham requested Resolution #05-17 be removed from the consent agenda.

VOTE ON MOTION	Motion passed by unanimous Council consent.

APPROVAL OF MINUTES

- *4-11-05 Special Meeting Minutes
- *4-12-05 Regular Meeting Minutes

Meeting Minutes as amended approved under the consent agenda

REPORTS OF STANDING COMMITTEES

Parks & Recreation Committee (Council member Jorgensen): Council Member Jorgensen read a Parks & Recreation resolution to Council regarding their budget that was approved unanimously by the Committee. Council Member Jorgensen reported June 4, 2005 is National Trails Day.

Council concurred to suspend the rules to remove Resolution #05-18 from the consent agenda.

Public Works Committee (Council Member Leinberger): Reported the Committee met last Tuesday, April 19th and agreed to meet tomorrow night, April 27th to review their budget. Reported the Committee at their last meeting discussed the purchase of pumps by the City, the maintenance of local roads, and the issue of H-Marker Road.

Planning Commission (Council Member Rodgers): Reported the Commission met on April 14th and reviewed the Commissions meeting agenda items.

Senior Advisory Board: Council Member Williams discussed the boards last meeting agenda items.

Port Commission (Council Member Williams): Reported the Commission met April 18, 2005. Council Member Williams reviewed the Commissions agenda items discussed at their last meeting. Council Member Williams updated Council on the progress of SB 40.

Public Safety & Transportation Commission (Mayor Dyment): The next Commission meeting will be May 2, 2005. Reported several recommendations the Commission will be forwarding to Council.

Finance Committee (Council Member McGowan): Reported the Committee will meet Thursday, April 28th.

UNFINISHED BUSINESS

Item A-Appointment of Acting City Manager

MOVED BY:	Trantham	To appoint Laurie Walters as Acting City Manager effective April 29, 2005.
SECONDED BY:	Rodgers	

City Manager Herron reported Laurie Walters and George Young have both declined the position of Acting City Manager. City Manager Herron included, John Malone, Acting Planning Director has agreed to accept the position of Acting City Manager if requested by Council.

MOVED BY:	Williams	Called the question to end debate.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

VOTE ON MOTION	Motion failed by a roll call vote of 1-6 (yes-Rodgers)

MOVED BY:	Trantham	To appoint George Young as Acting City Manager effective April 29, 2005.
SECONDED BY:	Williams	

Council debate regarding the motion on the table.

Council recessed from 7:25 p.m. until 7:35 p.m.

MOVED BY:	Leinberger	To postpone the motion until George Young arrives at the City Council Meeting.
SECONDED BY:	Jorgensen	

VOTE ON MOTION	Motion passed by a Council vote of 5-2 (no-Williams & Rodgers)

VOTE ON MOTION	*Postponed (Motion failed)*

NEW BUSINESS

Item A- Introduction of Ordinance #04-09 (D): An Ordinance of the Bethel City Council amending the adopted Annual FY04-05 Budget

MOVED BY:	Leinberger	To introduce Ordinance #04-09 (D) as amended and set for public hearing on May 10, 2005.
SECONDED BY:	Rodgers	

MOVED BY:	Williams	To amend budget modification 05-4E, 10-65-643, decrease engineering fees in the amount of $1400.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

MOVED BY:	Williams	To amend budget modification 05-4K, 52-50-697, increase in the amount of $40,000 to move the Port office and tower. Decrease 52-50-643, engineering fee of $40,000.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

George Young, Fire Chief, addressed Council to respectfully decline the position of Acting City Manager.

Council voted on the postponed motion to appoint George Young as Acting City Manager. Motion failed 3-4 (yes- Williams, Rodgers, and Trantham)

MOVED BY:	McGowan	To appoint John Malone as Acting City Manager.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed by a roll call vote of 4-3 (no-Rodgers, Williams, and Trantham)

Item B- <u>Introduction of Ordinance #05-08:</u> An Ordinance amending section 13.04.180 and section 13.08.160 of the Bethel Municipal Code related to minimum water and sewer holding tank sizes

MOVED BY:	Leinberger	To introduce Ordinance #05-08 as amended and set public hearing for June 14, 2005.
SECONDED BY:	McGowan	

MOVED BY:	Leinberger	To amend the effective date of Ordinance #05-08 to read effective for permits issued after September 30, 2005.
SECONDED BY:	Rodgers	

MOVED BY:	Williams	To amend the amendment on Ordinance #05-08 to become effective immediately exempting the site plans already filed with planning
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion passed by a vote 5-2 (no-McGowan & Leinberger)

VOTE ON MOTION	Motion passed by a vote of 5-2 (no-Williams & Rodgers)

MOVED BY:	Jorgensen	To proceed into executive session to receive legal advice and discuss proposed ground rules and/or other matters at issue in pending labor negotiations with City Employees Association #6055, and provide direction to the City's negotiators and legal counsel regarding the ground rules and/or other matters.
SECONDED BY:	Williams	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

Council proceeded into executive session from 8:02 p.m. until 8:32 p.m.

Meeting recessed from 8:32 p.m. until 8:39 p.m.

MOVED BY:	Jorgensen	To amend Ordinance #05-08 to add the Finance Committee in the 4th whereas.
SECONDED BY:	Leinberger	

Council Member Williams requested public hearing of the ordinance be postponed to June 14th to allow the committee's time to review the ordinance in the month of May.

VOTE ON MOTION	Motion passed by unanimous Council concurrence

VOTE ON MOTION	

Item C- Introduction of Ordinance #05-09: An Ordinance approving the reconciliation agreement with the Bethel Native Corporation

MOVED BY:	McGowan	To introduce Ordinance #05-09 and set public hearing for May 10, 2005.
SECONDED BY:	Leinberger	

Council Member Rodgers abstained from debate and voting of Ordinance #05-09.

VOTE ON MOTION	Motion passed by a roll call vote of 4-2 (no-Williams & Trantham)

Item D-Resolution #05-15: A Resolution by the Bethel City Council to accept the Bethel Water and Sewer Facilities Master Plan Update, April 2005

MOVED BY:	Trantham	To suspend the rules to allow the public to speak in regards to Resolution #05-15.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

Greg Roczicka addressed Council to state his concern regarding snowmobile crossing revisions to be made to the 95% Master Plan.

Mike Rabe stated CRW intends to include the revision to the 100% plan.

MOVED BY:	Trantham	To adopt Resolution #05-15.
SECONDED BY:	Rodgers	

Council discussed the motion on the table.

VOTE ON MOTION	Motion passed by unanimous Council concurrence

Item E-*Resolution #05-16: A Resolution by the Bethel City Council requesting the Bethel Planning Commission give due consideration to a proposal by the St. Sophia Russian Orthodox Church regarding land exchange with the City of Bethel

Item D-Resolution #05-16 passed under the consent agenda

Item F- Resolution #05-17: A Resolution by the Bethel City Council to give cash and in-kind resources to the Orutsararmuit Native Council to fund the senior services offered through the Senior Center

MOVED BY:	Leinberger	To adopt Resolution #05-17.
SECONDED BY:	McGowan	

Council Member Trantham requested to delay action on the resolution.

Council Member Williams stated that he is not in favor of moving forward with this resolution at this time.

VOTE ON MOTION	Motion passed by a vote of 6-1 (no-Williams)

Item G- <u>Resolution #05-18</u>: A Resolution by The Bethel City Council concerning the thirty-five year ground lease, from 1985 to 2020, between the City of Bethel (Landlord) and (ONC) Onutsararmuit Native Council (Tenant) for a facility that will house a bowling alley or similar recreation facility and authorizing the ground lease as a multi-use building including but not limited to a community hall, dances, parties/receptions, bingo operations, and youth/adult indoor recreational activities

MOVED BY:	Rodgers	To adopt Resolution #05-18 as amended.
SECONDED BY:	Jorgensen	

Council Member Jorgensen stated that the community has concerns with this resolution. Requested that Council refer this resolution to Parks and Recreation.

MOVED BY:	Williams	To amend the resolution to forward to the Parks & Recreation Committee for further discussion.
SECONDED BY:	Jorgensen	

Council discussed the motion on the table.

Meeting recessed from 9:32p until 9:37p

Council Member Jorgensen requested to withdraw the amendment. Request passed by unanimous Council consent.

VOTE ON MOTION	*Withdrawn*

MOVED BY:	Jorgensen	To forward the resolution to the Parks & Recreation Committee and the Planning Commission.
SECONDED BY:	Leinberger	

VOTE ON MOTION	Motion passed by unanimous Council concurrence.

VOTE ON MOTION	Motion passed unanimously