
City of Bethel City Council Meeting Minutes

September 9, 2008

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on September 9, 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:

Council Member Willy Keppel

Council Member Dan Leinberger

Mayor Eric Middlebrook

Vice-Mayor Thor Williams

Council Member Yolonda Jorgensen (Departed the meeting at 11:03p)

Council Member Tundy Rogers (Departed the meeting at 10:43p)

Council Member Tiffany Zulkosky

Others present:

Acting City Manager Lee Foley

City Clerk Lori Strickler

III. PEOPLE TO BE HEARD

Beverly Hoffman

- *Wanted to recognize the efforts of the Girl Scout's, for their "Pennies for the pool" fund drive for the Recreation Center.*
- *Spoke in favor of Resolution 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work as A Precursor To Successive Design Phases.*

Jerry Drake

- *Spoke in favor of 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work as A Precursor To Successive Design Phases.*
- *Requested the Council review Ordinance 08-16: Regulation On Toxic Substances and the legal issues and the impact the community would face.*

Susan Taylor

- *Questioned the validity of a quote made by a Council Member printed in the Tundra Drums.*
- *Spoke in favor of Resolution 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work as A Precursor To Successive Design Phases.*

Kerri Fulton

- *Spoke in favor of Resolution 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work as A Precursor To Successive Design Phases.*
- *Spoke in opposition to the six-month pay increase to the City Clerk.*

Mike Tunley

- *Stressed to the Council that other options are available for a pool, which are more cost effective.*

Jody Malus

- *Mentioned that it is important for everyone to understand how each employee contract is negotiated and who does the negotiating.*

IV. SPECIAL ORDER OF BUSINESS

Item A – Proclamation Recognizing The Hard Work Performed By The Staff Of The Bethel Police Department During The Shortage Of Police Officers

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Leinberger	Motion to approve the Consent and Regular Agenda.
SECONDED:	Keppel	
MOVED:	Keppel	Motion to move Items IX, Reports Of Standing Committees, X, Mayor's Report, XI, City Manager's Report, in front of Unfinished Business.
SECONDED:	Williams	
VOTE ON MAIN MOTION	3-4 Motion Fails; Williams, Rodgers, Keppel in favor	

MOVED:	Keppel	Motion to pull Item A, under New Business, Resolution 8-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-Design Work As A Precursor To Successive Design Phases, from the consent agenda.
MOVED:	Keppel	Motion to move Item F, Missing Questions On The Forensic Audit and Item E, Six Month Pay Increase To The City Clerk Per Contract Upon Council Concurrence, to the front of New Business.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	4-3 Motion passes; Jorgensen, Zulkosky, and Leinberger opposed	
MOVED:	Zulkosky	Motion to pull Items B, Ordinance 08-14: Adding Section 7.10.150 To The Bethel Municipal Code Establishing A Procedure For Filing Vacant Councilmember's Seats; Item C, Ordinance 08-15: An Ordinance Establishing An Alternative Energy Committee; Item D, Ordinance 08-16: Regulation On Toxic Substances, from the consent agenda.
MOVED:	Zulkosky	Motion to set Item B under Unfinished Business, MOA With The City Of Bethel And The Department Of Corrections, time certain at 7:30p.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	6-1 Motion passes; Rodgers opposed	
MOVED:	Williams	Motion to table Item D, under

	City Council meeting.
VOTE ON MAIN MOTION	All in favor
VOTE ON MAIN MOTION	6-1 Motion passed; Rodgers opposed

VI. APPROVAL OF THE MEETING MINUTES

MOVED:	Zulkosky	Motion to approve City Council Meeting Minutes from 8/18/2008; 08/05/2008; 08/25/2008.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Item E- Six Month Pay Increase To The City Clerk Per Contract On Council Concurrence

MOVED:	Leinberger	Motion to increase the salary of the City Clerk by 10%, as stated under section 4, paragraph B, of the City Clerk's Employee Contract.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	6-1 Motion passes; Jorgenson opposed	

Item B- MOA With The City Of Bethel And The Department Of Corrections
(Time certain 7:30p)

Dwayne Peoples participated by teleconference to answer questions regarding the Memorandum of Understanding.

MOVED:	Leinberger	Motion to accept the Memorandum Of Understanding Between The City Of Bethel And The State Of Alaska Regarding Expansion Of The Yukon-Kuskokwim Correctional Center, Draft #10.
SECONDED:	Zulkosky	
MOVED:	Keppel	Motion to amend the motion by

		constructed at YKCC.
VOTE ON MAIN MOTION	The motion does not carry for lack of second	
VOTE ON MAIN MOTION	3-4 Motion fails; Leinberger, Zulkosky, and Jorgensen in favor	
MOVED:	Rodgers	Motion to break for ten minutes.
SECONDED:	Williams	
VOTE ON MAIN MOTION	6-1 Motion passes; Zulkosky opposed	

Item F– Missing Questions On The Forensic Audit

MOVED:	Keppel	Motion to direct the City Clerk to provide the Finance Committee with all of the paperwork provided to Altman and Rodgers regarding the Forensic Audit.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	6-1 Motion passes; Zulkosky opposed	

VII. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 07-12 (J): An Ordinance By The Bethel City Council Amending The FY 08 Annual Budget For Year End

MOVED:	Zulkosky	Motion to suspend the rules to hear from the Finance Director, Laurie Walters.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

Public Hearing on Ordinance 07-12 (J)

Jody Malus

- *Suggested to the Council that they table the Ordinance until the next regular meeting.*

MOVED:	Zulkosky	Motion to adopt Ordinance 07-12 (J): An Ordinance By The Bethel City
SECONDED:	Leinberger	

		Council Amending The FY 08 Annual Budget For Year End, with proposed amendments.
MOVED:	Rodgers	Motion to table Ordinance 07-12 (J)
SECONDED:	Keppel	
VOTE ON MAIN MOTION	2-5 Motion failed; Williams, and Jorgensen in favor	
VOTE ON MAIN MOTION	2-5 Motion failed, Zulkosky, and Rodgers in favor	

Item C – Invitation To The City Attorney To Travel To Bethel,

MOVED:	Williams	Motion to invite the City Attorney, Michael Gatti and his assistant, Cindy Cartledge, to Bethel for the October 14, 2008 meeting.
SECONDED:	Zulkosky	
MOVED:	Leinberger	Motion to divide the question.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	2-5 Motion failed; Keppel and Leinberger in favor	
MOVED:	Zulkosky	Motion to amend the motion to read, "an invitation be extended to the Attorney, Michael Gatti and His assistant, Cindy Cartledge, to the October 14 th City Council meeting or a date deemed appropriate by the City Attorney and his assistant".
SECONDED:	Williams	
VOTE ON MAIN MOTION	6-1 Motion passes; Leinberger opposed	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Williams	Motion to break for ten minutes.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	4-3 Motion passes; Leinberger, Zulkosky, and Jorgensen opposed	

VIII. NEW BUSINESS

Item A –*Resolution 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work As A Precursor To Successive Design Phases.

MOVED:	Zulkosky	Motion to adopt Resolution 08-22: City Contract Negotiations With Architects Alaska For A Multi-use Recreation Center Feasibility Study And Related Pre-design Work As A Precursor To Successive Design Phases.
SECONDED:	Williams	
MOVED:	Williams	Motion to amend Resolution 08-22 by striking out, "the City of Bethel" and inserting the "City Manager" within the "NOW, THEREFORE, BE IT RESOLVED" section.
SECONDED:	Zulkosky	
VOTE ON MOTION	All in favor	
MOVED:	Leinberger	Motion to suspend the rules to extend the meeting past 10:00p.
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	6-1 Motion passes; Rodgers opposed	
MOVED:	Zulkosky	Motion to call for the question.
SECONDED:	Williams	
VOTE ON MAIN MOTION	4-3 Motion fails; Rodgers, Leinberger, and Keppel opposed	
VOTE ON MAIN MOTION	5-2 Motion passes; Keppel and Rodgers opposed	

Item B – *Ordinance 08-14: Adding Section 07.10.150 To The Bethel Municipal Code Establishing A Procedure For Filing Vacant Council Member Seats.

MOVED:	Leinberger	Motion to introduce Ord. 08-14: Adding Section 07.10.150 To The Bethel Municipal Code Establishing A Procedure For Filing Vacant Council
SECONDED:	Zulkosky	

		Member's Seats.
MOVED:	Zulkosky	Motion to table the introduction of Ord. 08-14.
SECONDED:	Williams	
VOTE ON MAIN MOTION	4-3 Motion passes; Leinberger, Zulkosky and Middlebrook opposed	
VOTE ON MAIN MOTION	<i>Motion was tabled</i>	

Item C – *Ordinance 08-15: An Ordinance Establishing An Alternative Energy Committee

MOVED:	Keppel	Motion to introduce Ordinance 08-15: An Ordinance Establishing An Alternative Energy Committee.
SECONDED:	Rodgers	
MOVED:	Rodgers	Motion to suspend the rules to allow Jody Malus to speak on this issue.
SECONDED:	Keppel	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Keppel	Motion to table indefinitely.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	<i>Motion was tabled</i>	

MOVED:	Zulkosky	Motion to break for ten minutes.
SECONDED:	Williams	
VOTE ON MAIN MOTION	6-1 Motion passes; Leinberger opposed	

Item D- Ordinance 08-16: Regulations On Toxic Substances

MOVED:	Keppel	Motion to adopt Ordinance 08-16.
SECONDED:		
VOTE ON MAIN MOTION	Motion does not carry for lack of a second	

MOTION	
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Item G – Fire Station And Fire Truck Plan

MOVED:	Leinberger	Motion to suspend the rules to hear from the Mike Tunley on the issue.
SECONDED:	Williams	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Williams	Motion to have Administration come up with a plan for the fire station and the fire trucks for the Council's approval at the next regular meeting.
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Leinberger	Motion to extend the meeting past 11:00p.
SECONDED:	Keppel	
VOTE ON MAIN MOTION	4-2 Motion passes; Jorgenson and Zulkosky opposition.	

IX. REPORTS FROM STANDING COMMITTEES

Planning:

- *Meets on Thursday, the prospective City Planner will be there to meet everyone.*

Public Safety and Transportation Commission:

- *Reviewed a draft Ordinance on limousine regulation.*
- *Emergency preparedness was also discussed.*
- *A special meeting will be held Wednesday.*
- *Postage of speed limit signage has also been an issue for the commission and a request has been made for more signs in subdivision.*
- *Looking into obtaining radar signs.*

Public Works Commission:

- *Water Metering and medical waste with YKHC.*
- *Discussed deficiencies with the water and sewer pipe projects.*

MOVED:	Leinberger	Motion to suspend the rules to hear from Chuck Willert.
SECONDED:	Williams	
VOTE ON MAIN MOTION	All in favor	

Alternative Energy Committee:

MOVED:	Leinberger	Motion to suspend the rules to hear from John Sargent.
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	All in favor	

- *Transition from being an ad hoc and becoming a Council Committee*
- *Generation of transmission authority*
- *Bethel Native Corporations proposal*
- *Summary of Senator Murkowski's Indian Affairs Committee meeting*
- *Wind turbine project discussion*

Finance Committee:

- *Last met August 28th, 2008*

Cemetery Committee:

- *Working on finalizing opening the civilian side of the veteran's cemetery.*

X. MAYOR'S REPORT

XI. MANAGER'S REPORT

Chuck Willert gave a report on the Public Works Building

MOVED:	Keppel	Motion to direct the acting City Manager to draft a letter to the Polk Family acknowledging the City is not liable for fire, medical or emergency services.
SECONDED:	Leinberger	
MOVED:	Keppel	Motion to amend to have the City attorney write a letter to the Polk family.
SECONDED:	Williams	

VOTE ON MAIN MOTION	All in favor
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MOVED:	Williams	Motion to adjourn.
SECONDED:	Leinberger	

VOTE ON MAIN MOTION	3-2 Motion fails; Keppel and Zulkosky opposed
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XII. CITY CLERK'S REPORT
XIII. COUNCIL MEMBER'S COMMENTS

Keppel

- *Condolences to the family of Henry Willy*

Leinberger

- *No Comment*

Zulkosky

- *Thanked Council for moving forward with Resolution 08-22*

Williams

- *Went to school with the individual who established Architects Alaska*
- *The Council did a good job working together*
- *Prayers to the family in Akiachak for their loss of their little boy*

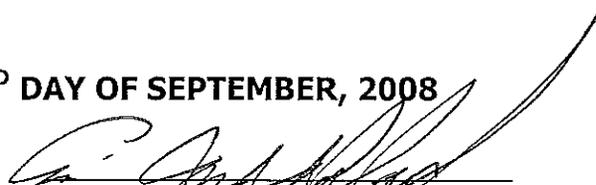
Middlebrook

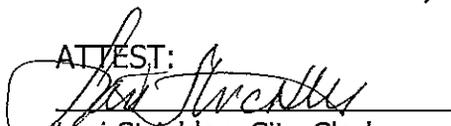
- *Thanked everyone for the support in his recent run for the State House seat.*

MOVED:	Leinberger	Motion to adjourn
SECONDED:	Zulkosky	
VOTE ON MAIN MOTION	4-1 Motion passes; Williams opposed	

XIV. ADJOURNMENT

APPROVED THIS 23RD DAY OF SEPTEMBER, 2008


Eric Middlebrook, Mayor

ATTEST:

Lori Strickler, City Clerk

