City of Bethel, Alaska
City Council Minutes

February 13, 2006 Regular Meeting Bethel, Alaska

CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on February 13, 2006, at 6:30p, in the Council Chambers, Bethel, Alaska.

Mayor Williams called the meeting to order at 6:32 p.m.

ROLL CALL

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

David E. Trantham
R. Thor Williams
Dan Leinberger
Stanley "Tundy" Rodgers
Hugh Dyment

Excused Absence(s):

Mary Kenick
Andrew McGowan

Also in attendance were the following:

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

PEOPLE TO BE HEARD

None

APPROVAL OF THE CONSENT AGENDA AND REGUALR AGENDA

MOVED:	Leinberger	To approve the Consent and Regular Agenda for the February 13, 2006 Council meeting as amended moving agenda item D from New Business to item C under Unfinished Business, removing resolution 06-03, ordinance 06-03 & 06-05, and removing item F under New Business from the consent agenda.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Passed	Council concurrence

APPROVAL OF MEETING MINUTES

- 1/31/06 Regular Meeting Minutes

1/31/06 meeting minutes passed on the consent agenda

REPORTS OF STANDING COMMITTEES

Finance Committee (Council Member Leinberger): Council Member Leinberger stated that the Committee has not met since the last Council meeting, they will meet next on 2/23/06.

Alternative Energy Committee (Council Member Leinberger): Council Member Leinberger that the Committee last met on 2/1/06 and discussed the following:

- Reviewed short term goals
- Assignment of tasks
- Wind turbine at the Public Works building
- Met with Bethel Utilities Company representative

Planning Commission (Council Member Rodgers): Council Member Rodgers stated that the Commission last met on 2/9/05 and discussed the following:

- Costal Zone Plan

Port Commission (Mayor Williams): Mayor Williams reported that the Commission has not met since the last Council Meeting; they will meet next on 2/22/06.

Alaska Municipal League (Council Member Trantham): Council Member Trantham stated that he did not have any additional comments for AML.

Public Safety & Transportation Commission: Council member Dyment stated that the Commission did not have a quorum on their last meeting date. Council member Dyment advised Council that at the next meeting they will be discussing drug & alcohol testing policy for taxi cab drivers.

Council members discussed taxi cab driver trip sheet options and requested that Administration follow-up on the matter.

Senior Advisory Board: Mayor Williams stated that the Board has not met since the last Council meeting; they will meet next on 2/14/06.

UNFINISHED BUSINESS

Item A- Introduction of Ordinance 05-11 (C): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY 2005-2006 Budget

MOVED:	Rodgers	To introduce ordinance #05-11 (C): An Ordinance Of The Bethel City Council Amending The Adopted Annual FY 2005-2006 Budget
SECONDED:	Dyment	

MOVED:	McGowan	To amend ordinance 05-11 (C) to set for Public Hearing at the 2/13 & 2/28 Council Meeting
SECONDED:	Dyment	

MOVED:	Leinberger	To restrict the public hearing to one public hearing.
SECONDED:	Kenick	
VOTE ON SECONDARY AMENDMENT	Passed	Voice vote 5-0

VOTE ON PRIMARY AMENDMENT	None	

VOTE ON MAIN MOTION	Passed	Roll call vote 5-0

Item B-<u>Introduction of Ordinance 06-03:</u> An Ordinance Repealing Section 9.24.010 C Of The Bethel Municipal Code, And Enacting A Replacement Section 9.24.010 C, D, And E Regarding Concealed Handguns

MOVED:	Leinberger	To introduce ordinance 06-03: An Ordinance Repealing Section 9.24.010 C Of The Bethel Municipal Code, And Enacting A Replacement Section 9.24.010 C, D, And E Regarding Concealed Handguns
SECONDED:		
VOTE ON MAIN MOTION	*Failed for lack of a second*	

Item C-Public Hearing of Ordinance 06-04: An Ordinance Amending Section 16.08.040 D. Of The Bethel Municipal Code Regarding Adoption And Contents Of The Comprehensive Plan

<u>Public Hearing:</u>

None

MOVED:	Dyment	To adopt ordinance 06-04: An Ordinance Amending Section 16.08.040 D. Of The Bethel Municipal Code Regarding Adoption And Contents Of The Comprehensive Plan
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Passed	Roll call vote 5-0

NEW BUSINESS

Item A- <u>Resolution 06-03:</u> A Resolution By The Bethel City Council Accepting The Bids Submitted For The Expansion And Remodeling Of The Building Owned By The City Of Bethel And Occupied By The State Of Alaska Courts, District Attorneys, State Attorney General's Office And Others, And Authorizing The City Manager To Issue The Appropriate Notices Upon Completion Of Necessary Reviews

MOVED:	Dyment	To adopt resolution 06-03: A Resolution By The Bethel City Council Accepting The Bids Submitted For The Expansion And Remodeling Of The Building Owned By The City Of Bethel And Occupied By The State Of Alaska Courts, District Attorneys, State Attorney General's Office And Others, And Authorizing The City Manager To Issue The Appropriate Notices Upon Completion Of Necessary Reviews
SECONDED:	Leinberger	
Kit Duke, Court House Facility Manager, addressed Council to advise Council on the State court building bid summary.		
VOTE ON MAIN MOTION	Passed	Voice vote 4-1 (No: Rodgers)

Council concurred to recess from 7:37p until 7:45p

Item B- <u>Resolution 06-04:</u> A Resolution Supporting The Submission Of An Unsolicited Proposal To The Alaska Energy Authority For Up To $200,000 To Fund A Wind Turbine Foundation Demonstration Project In Bethel

Resolution 06-04 was adopted by Council on the consent agenda.

Item C- <u>Resolution 06-05:</u> A Resolution By The Bethel City Council Requesting The Bethel Planning Commission And Bethel Port Commission Give Due Consideration To A Proposal By The Bethel Search And Rescue Organization Regarding A Lease Arrangement At A Nominal Rate For Unused Community Property Within The City Of Bethel

Resolution 06-05 was adopted by Council on the consent agenda.

Item D- <u>Introduction of Ordinance 06-05:</u> An Ordinance Amending The Sales Tax Code To Provide An Exemption For Senior Citizens' Heating Fuel

MOVED:	Trantham	To introduce ordinance 06-05: An Ordinance Amending The Sales Tax Code To Provide An Exemption For Senior Citizens' Heating Fuel as
SECONDED:	Rodgers	

		amended.

Council Member Trantham declared a conflict of interest per his private legal advice.

MOVED:	Leinberger	To over ride the Mayor's decision to declare a conflict of interest for Council Member Trantham on ordinance 06-05.
SECONDED:	Dyment	
VOTE ON PRIMARY AMENDMENT	Failed	Roll call vote 2-3 (Yes: Dyment & Leinberger)

MOVED:	Rodgers	To amend the introduction of ordinance 06-05 until the 2/28/06 Council meeting
SECONDED:		
VOTE ON MAIN MOTION	*Failed for lack of a second*	

MOVED:	Dyment	To amend ordinance 06-05 section 4, review by striking "an affirmative vote" and insert "introduction of this ordinance"
SECONDED:	Leinberger	
Council took a brief at ease at from 8:12p until 8:14p		
VOTE ON MAIN MOTION	Passed	Roll call vote 4-0

MOVED:	Leinberger	To set ordinance 06-05 for public hearing for March 28, 2006.
SECONDED:	Dyment	
VOTE ON MAIN MOTION	Passed	Voice vote 4-0

VOTE ON MAIN MOTION	Passed	Roll call vote 4-0

Item E- Approval of Port of Bethel Terminal Tariff

MOVED:	Rodgers	To approve the Bethel Port Terminal Tariff
SECONDED:	Leinberger	
VOTE ON MAIN MOTION	Passed	Voice vote 5-0

Council concurred to recess from 8:26p until 8:36p

Item F- Relocation of "SNOWBALL"

Council Member Trantham presented a picture of "SNOWBALL" for Council and the community.

Council Member Rodgers advised Council and the community on the history of "SNOWBALL".

MOVED:	Trantham	To suspend the rules to allow public testimony.
SECONDED:	Dyment	
Public Works Director Wayne Ogle addressed Council and requested that Public Works be able to access "SNOWBALL" before relocating. Port Director Heath Martin addressed Council to state that he would like to also have the Port Department access "SNOWBALL".		
VOTE ON MAIN MOTION		

MOVED:	Trantham	To direct the Port, Public Works, and Parks & Recreation Departments to access the relocation of "SNOWBALL" and provide Council a recommendation
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Passed	Voice vote 4-0

Item G- City Sales Tax for Utilities for Napakiak Village

Council Member Rodgers stated that he would like to see the utility City sales tax for the Napakiak Village exempt.

Council suggested Council Member Rodgers provide this issue to Council in ordinance form.

Item H- Capital Improvement Plan Discussion

City Manager Baird explained to Council the Capital Improvement Plan (CIP) provided in their Council packet.

Council discussed the CIP and stated that they are pleased with the plan.

Item I- Decrease In The City of Bethel Population

Mayor Williams stated that there are many families moving out of our community and would like to discuss ideas or suggestions to keep families in our community.

Council Member Trantham stated that he is working with a reporter from the Anchorage Daily News on an article regarding the high cost of living in Bethel.

Mayor's Report

- AML Dues
- Letter from State of Alaska Department of Transportation and Public AFacilities regarding the status of the Tundra Ridge Road project and H-Marker Road.
- River Bank Stabilization Browns Slough to small boat harbor entrance, public notice.
- Letter from Doreen O'Brien in favor of the taxi drivers in Bethel
- FY07 Population Determination by the Department of Commerce Community & Economic Development
- Letter from Kwethluck INC regarding the maintenance of the Ice Road

Mayor Williams reported to Council on his and Council Member Tranthams lobbying trip to Juneau.

Manager's Report

- Conference call for Court House expansion project 2/16/05
- Finance Department reorganization

Council directed the City Clerk to maintain the Mayor's of Bethel photographs in Council Chambers.

- Proposal from Pacifica Guest House

City Clerk's Report

- Codification
- Application for Initiative Petition
- Committee/Commission Appreciation
- Digital Recording System
- APOC

Council concurred to allow the City Clerk to purchase the digital recording system

COUNCIL MEMBER COMMENTS

Council Member Rodgers: Happy Birthday to all elders that have had their birthdays this month; go hug and elder.

MOVED:	Leinberger	To suspend the rules to proceed past 10p until 10:15p.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	Failed	Voice vote 1-4 (Yes: Trantham, Williams, Leinberger, & Rodgers).

Council Member Trantham: stated that he received a letter of reprimand from the governor and is in the process of responding to the letter. AML has hired a lobbyist for $49,000 to work on Community Dividends.

With no further business before the Council, the meeting adjourned at 10:02p.

APPROVED THIS 28th DAY OF FEBRUARY, 2006.

R. Thor Williams, Mayor

ATTEST:

Sandra Modigh, City Clerk