City of Bethel City Council Meeting Minutes

July 24, 2007 Regular Meeting Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on July 24, 2007 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, the following members of Council were present:

Members present:	Mayor Dan Leinberger Council Member David E. Trantham Council Member Mary Kenick Council Member Andy McGowan Council Member Eric Middlebrook Council Member Yolonda Jorgensen
Members absent:	Vice-Mayor Tundy Rodgers
Others present:	City Manager Wally Baird City Clerk Sandra Modigh City Attorney Sharon Sigmon

III. PEOPLE TO BE HEARD

1. Representatives from the State Tobacco Prevention & Control and the Delta Tobacco Control Alliance addressed Council to recognize the City Council for passing the first clean indoor ordinance and stated that there have been many other communities that have passed similar ordinances since then. The Alaska Tobacco Control Board decided to hold a national summit in the City of Bethel in the month of February 2008 and presented Council tee shirts to wear to promote the summit in February 2008.

   Council Member Trantham donated his tee shirt to the Bethel Museum

2. Elsie Westman addressed Council to invite Council and the community to the Health Insurance Forums tomorrow at the Cultural Center.

3. Jody Malus addressed Council to suggest that Greg Jones complete another report that considers a cutting edge activated sludge system.

4. James Fueg, a Barrick Gold Representative, addressed Council to state that he is available to answer any questions regarding ordinance 07-11.

5. Tom Crafford a DNR Representative addressed Council to state that he is available to answer any questions regarding ordinance 07-11.

6. Allen Hippler, Finance Committee Vice-Chair, addressed Council to state that he would like to offer the services of the Finance Committee regarding ordinance 07-17.

7. Raymond Pete addressed Council to request the City of Bethel declare a 24 hour period drug and alcohol free during the last week in August.

MOVED:	McGowan	To draft a proclamation for a 24 hour Alcohol & Drug free period on August 31st per Mr. Raymond Pete's request
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Carried unanimously	

8. Alla Tinker addressed Council on behalf of the taxi cab industry to speak in favor of ordinance 07-20.

9. Willie Keppel addressed Council to speak in favor of ordinance 07-20. Mr. Keppel thanked ONC for their participation in the town meeting and spoke in favor of ordinance 07-11.

10. John Angaiak a Board Member of Calista addressed Council to speak in opposition of ordinance 07-11

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Kenick	To approve the Consent & Regular Agenda for the July 24, 2007 Regular City Council Meeting as amended, removing resolution 07-26 & 07-27 from the consent agenda and removing the introduction of ordinance 07-21 from the consent agenda.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Carried unanimously	

V. SPECIAL ORDER OF BUSINESS

Item A- An Award of Appreciation Ceremony For The Administrative Alternative Energy Committee

Council Member Trantham, City Manager Baird, and City Clerk Modigh presented the Administrative Alternative Energy Committee a group plaque and individual Awards of Appreciation certificates

MOVED:	Middlebrook	To recess for 10 minutes
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Carried unanimously	

I. APPROVAL OF MEETING MINUTES

Meeting minutes were approved on the consent agenda.

a) 7/10/07 Regular City Council Meeting

II. UNFINISHED BUSINESS

Item A- Resolution 07-24: A Resolution Of The Bethel City Council Choosing To Pursue Conventional Waste Water Treatment Facilities

MOVED:	Middlebrook	To approve resolution 07-24: A Resolution Of The Bethel City Council Choosing To Pursue Conventional Waste Water Treatment Facilities
SECONDED:	Trantham	

MOVED:	Trantham	To table the ordinance until additional information from VSW, Administration, and the Public Works Committee is provided to Council.
SECONDED:	Jorgensen	

MOVED:	McGowan	To amend motion to include council members in a work session to ensure councils intended path is followed
SECONDED:	Jorgensen	

Public Works Director Wayne Ogle addressed Council to further explain the current standings of the lagoon and the VSW Master Plan. Mr. Ogle suggested that Council pass a resolution directing administration to further research other alternatives.

VOTE ON MAIN MOTION	Carried unanimously

VOTE ON MAIN MOTION	Carried unanimously

VOTE ON MAIN MOTION	*Resolution postponed*

Item B- <u>Public Hearing Of Ordinance 07-11:</u> An Ordinance Prohibiting Toxic Substances From Being Transported Through, Used, Discharged, Or generated Within The City Limits Of The City Of Bethel

<u>Public Hearing:</u>

1. Mr. Peter Jacobs addressed Council to state the feasibility study should be completed prior to a decision being made. Mr. Jacobs stated that this ordinance is premature.
2. Bob Herron addressed Council to thank Council for holding additional public hearings on this matter and stated that the decision made sends a message and we should consider what message we are sending. Mr. Herron suggested that Council defeat this ordinance and let the Region make this decision.

MOVED:	Middlebrook	To approve ordinance 07-11: An Ordinance Prohibiting Toxic Substances From Being Transported Through, Used, Discharged, Or generated Within The City Limits Of The City Of Bethel
SECONDED:	Trantham	

MOVED:	Kenick	To suspend the rules to allow public testimony regarding ordinance 07-11
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried unanimously	

Mr. James Fueg, a Barrick Gold representative answered Council inquiries.

Mr. Tom Crafford, a DNR representative answered Council inquiries.

MOVED:	Trantham	To table ordinance 07-11 until September 25, 2007.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Failed: 2 - 4 Trantham, Middlebrook voting for	

VOTE ON MAIN MOTION	Failed: 2 - 4 Trantham, Middlebrook voting for

MOVED:	Kenick	To break for 10 minutes
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried unanimously	

Item C- <u>Introduction Of Ordinance 07-17:</u> An Ordinance Increasing The Rates/Fees Charged For City Of Bethel Water And Sewer Services

Additional public hearings for ordinance 07-17 are set for August 14th & August 28th

<u>Public Hearing:</u>

1. Mike Samuelson, an ONC representative addressed Council to advise Council that ONC has passed a resolution in opposition to ordinance 07-17.

MOVED:	Middlebrook	To direct administration to look into the water & sewer study.
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Carried unanimously	

MOVED:	Trantham	To refer ordinance 07-17 to the Public Works & Finance Committee
SECONDED:	McGowan	

MOVED:	Middlebrook	To suspend the rules to proceed past 10 p.m.
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Carried unanimously	

MOVED:	Kenick	To amend the motion to hold a council work session with the committees to discuss ordinance 07-17
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Carried unanimously	

Council concurred to suspend the rules to allow public testimony

Public Works Director Wayne Ogle stated that the Public Works Committee would have input for ordinance 07-17.

VOTE ON MAIN MOTION	Carried unanimously

III. NEW BUSINESS

Item A- <u>Resolution 07-26:</u> A Resolution of The Bethel City Council Approving The Waste Water Treatment Facility as a Part of The Backbone Water & Sewer Improvement Program of The City of Bethel Final Business Plan

No action taken

Item B- <u>Resolution 07-27:</u> A Resolution Of The Bethel City Council Supporting The Transfer Of City Land On And Adjacent To The ONC Multipurpose Building

MOVED:	McGowan	To approve resolution 07-27: A Resolution Of The Bethel City Council Supporting The Transfer Of City Land On And Adjacent To The ONC Multipurpose Building
SECONDED:	Middlebrook	

MOVED:	Jorgensen	To suspend the rules to allow public testimony
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Carried unanimously	

Mike Samuelson addressed council to answer inquiries regarding resolution 07-27.

MOVED:	Trantham	To table until the next council meeting to include supporting documentation
SECONDED:	Kenick	
Mr. Henry Hunter (ONC) stated that the details were discussed at the last Joint Task Force Meeting.		
VOTE ON MAIN MOTION	Carried unanimously	

VOTE ON MAIN MOTION	*Tabled until the 8/14 City Council Meeting*

Item C- <u>Introduction of Ordinance 07-18:</u> An Ordinance Amending 5.20 of The Bethel Municipal Code Regarding The Renewal Process For Chauffeur Licenses And Vehicle Permits

Ordinance 07-18 was introduced on the consent agenda and set for public hearing on 8/14/07

Item D- <u>Introduction of Ordinance 07-19:</u> An Ordinance Amending 5.30.120 of The Bethel Municipal Code Regarding Insurance Requirements For Taxicabs

Ordinance 07-19 was introduced on the consent agenda and set for public hearing on 8/14/07

Item E- <u>Introduction of Ordinance 07-20:</u> An Ordinance Amending 5.20.020 Of The Bethel Municipal Code Increasing Taxi Cab Rates

Ordinance 07-20 was introduced on the consent agenda and set for public hearing on 8/14/07

Item F- Introduction of Ordinance 07-21: An Ordinance Approving The Language Of The October 2007 General Election Ballot Proposition Increasing City Sales Tax

MOVED:	Jorgensen	To introduce ordinance 07-21: An Ordinance Approving The Language Of The October 2007 General Election Ballot Proposition Increasing City Sales Tax
SECONDED:	Kenick	

MOVED:	Jorgensen	To amend the proposition to read as follows: Shall the City of Bethel increase the sales tax and use tax by one (1) percent (total tax of 6%) for a period of 2 years followed by a decrease of a half (.5) percent (total tax 5.5%) for 18 years?
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried unanimously	

MOVED:	Middlebrook	To amend the 3rd whereas to reflect the .5 % for 18 years
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried unanimously	

VOTE ON MAIN MOTION	Carried unanimously

Item G- City Manager Annual Evaluation

City Manager Baird reviewed his goals & objectives for 2007-2008

Council Member Trantham stated that he feels that the Council has violated the terms & conditions (section 6) of the City Managers contract and requested to be excused from the discussion.

Council took a brief at ease to review the City Managers contract.

The City Attorney advised Council that she did not feel that Councils actions have breached the City Managers contract.

The City Manager stated that he did not feel he has been harmed by the Council action.

Council Member Trantham did not participate in the discussion.

MOVED:	Jorgensen	To suspend the rules to proceed past 11p.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Carried: 5 – 1 McGowan voting against	

MOVED:	Middlebrook	To table the evaluation until the August 28th council meeting
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Carried unanimously Trantham abstaining	

Item H- City Council Travel Policy

MOVED:	Trantham	To amend the travel policy to read as follows: If any council member owes the city of bethel money other than a monthly bill that is ongoing, they will not be allowed to travel at the city's expense. This includes airfare, lodging, registration, car rental, and per diem
SECONDED:	McGowan	

MOVED:	McGowan	To amend the motion to insert the words "is delinquent on any money owed the City of Bethel"
SECONDED:	Kenick	

MOVED:	McGowan	To amend the motion to designate the City Clerk as the provider of the information
SECONDED:	Trantham	
VOTE ON MAIN MOTION	Failed unanimously	

VOTE ON MAIN MOTION	Carried unanimously

MOVED:	Middlebrook	Table this issue until the next council meeting
SECONDED:	Kenick	
VOTE ON MAIN MOTION	Failed: 3 - 3 Trantham, McGowan, Jorgensen voting against	

MOVED:	Trantham	To amend the travel policy to make the amendments to the policy effective at 8a tomorrow morning
SECONDED:	McGowan	
VOTE ON MAIN MOTION	Carried unanimously	

VOTE ON MAIN MOTION	Carried: 5 – 1 Middlebrook voting against.

Item I- AML Draft 2008 Policy Statement

Council Member Trantham requested that Council Members review the draft policy and submit any suggested revisions.

Item J- Public Official Financial Disclosure Statements

MOVED:	Trantham	To direct the City Clerk, within 5 days, to post all 7 Council Member financial disclosure statements on our City of Bethel website.
SECONDED:	Middlebrook	
VOTE ON MAIN MOTION	Failed: 2 – 4 Trantham, Middlebrook voting for	

IV. ADJOURNMENT

MOVED:	McGowan	To adjourn the meeting at 11:56p
SECONDED:	Jorgensen	
VOTE ON MAIN MOTION	Carried unanimously	

With no further business before the Council the meeting adjourned at 11:56P.

APPROVED THIS 25th DAY OF SEPTEMBER 2007.

Daniel C. Leinberger, Mayor

ATTEST:

Sandra Modigh, City Clerk