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# City of Bethel City Council Meeting Minutes

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April 24, 2012

Regular Meeting

Bethel, Alaska

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## **I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on April 24, 2012 at 6:30pm, at the City Council Chambers, Bethel, Alaska.

Mayor Joseph Klejka called the meeting to order.

## **II. PLEDGE OF ALLEGIANCE**

## **III. ROLL CALL**

**PRESENT:** Council Member Kent Harding  
Council Member Joseph Klejka  
Council Member Mary Sattler  
Council Member Mark Springer  
Council Member Rick Robb  
Council Member Eric Whitney

**ABSENT:** Council Member Gene Jr. Peltola

**STAFF:** City Clerk Lori Strickler  
City Manager Lee Foley

## **IV. PEOPLE TO BE HEARD**

Raymond Pete-

As the founder of the Berry Very Clean Fish Moose Harvest, a potluck held once a year to honor the agencies and community members who service us and our community, requests the Council have an updated proclamation on the next regular agenda .

Patty Burley-

Concerns with the City run Log Cabin, which has been closed for many months. Requests the City fix the issues at the facility preventing it from being open.

Steven Street-

Concerns with the City run Log Cabin, which has been closed for many months. Requests the City fix the issues at the facility preventing it from being open.

Willy Keppel-

Commented on the Proclamation recognizing Senator Hoffman and Representative Herron and suggested the document refer to all State Representatives not only the two representing Bethel.

Supports Alaska Village Electric Cooperative but does not support an alternate cooperative purchase of Bethel Utilities Corporation.

With regard to a water and sewer rate study, he informed the Council, there are organizations that will come to Bethel to perform a study for metered water for little to no cost.

#### V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

<b>MOVED:</b>	Robb	Motion to approve the consent and regular agenda.
<b>SECONDED:</b>	Sattler	
<b>MOVED:</b>	Robb	Remove Resolution 12-10 from the consent agenda.
<b>MOVED:</b>	Whitney	Remove meeting minutes from April 10 <sup>th</sup> .
<b>VOTE ON MAIN MOTION</b>	All in favor	

#### VI. APPROVAL OF THE MEETING MINUTES

**Item A-** 4-5-2012 Special City Council Meeting  
*Passed on the consent agenda.*

**Item B-** 4-10-2012 Regular City Council Meeting

<b>MOVED:</b>	Robb	Motion to approve the Meeting Minutes from April 10 <sup>th</sup> .
<b>SECONDED:</b>	Springer	
<b>MOVED:</b>	Springer	Motion to postpone until the next

<b>SECONDED:</b>	Whitney	regular meeting.
<b>VOTE ON MAIN MOTION</b>	All in favor	

**Item C-** 4-12-2012 Special City Council Meeting  
*Passed on the consent agenda.*

**VII. REPORTS OF STANDING COMMITTEES**

**Item B-** Public Safety and Transportation Commission  
 Council Member Harding-  
 The Public Safety and Transportation Commission has not held a meeting since the last Council Meeting.

**Item C-** Finance Committee  
 Finance Director, Bobby Sutton-  
 The Finance Committee has not held a meeting since the last Council Meeting.

**Item D-** Energy Committee  
 Leif Albertson, Chair of the Committee-  
 The Committee reviewed and received grant updates on grants specific to the Energy Committee.  
 Recycling Center and the option of a citizens group running the facility.  
 Hoped the terms in the past RFP could be revised to make it more conducive to individual ownership.

**Item E-** Port Commission  
 Council Member Springer-  
 The Commission is working on a code amended to state no more than two members of the Commission could have direct interest in the maritime industry.

**Item F-** Parks & Recreation Committee –  
 Council Member Sattler-  
 The Parks and Recreation Committee has not held a meeting since the last Council Meeting.

**Item G-** Planning Commission  
 Council Member Robb-

Received and voted against the resignation provided by Planning Director Dan Shea.

**Item H- Public Works Committee**

Jennifer Dobson, Vice Chair of the Committee-

One new member was recently appointed however, the committee but still has one vacancy.

The Committee is working on recommendations to present to the Council, on the metering of water services for the ASHA Housing as well as the reissuing an RFP for privatizing the recycling center.

**UNFINISHED BUSINESS**

**Item A- Public Hearing Of Ordinance 12-03: Amending Bethel Municipal Code Section 1.08 General Penalties to Increase the Maximum Penalties for A Violation of the Bethel Municipal. *Time certain 7:00pm.***

*Mayor Klejka opened the public hearing.*

*No one wished to be heard.*

*Mayor Klejka Closed the public hearing.*

*City Attorney, Michael Gatti, participated telephonically.*

<b>MOVED:</b>	Robb	Motion to adopt Ordinance 12-03 was made at the March 13 City Council Meeting by Council Member Whitney and seconded by Council Member Harding.
<b>SECONDED:</b>	Peltola	
<b>VOTE ON MAIN MOTION</b>		
		All in favor

*City Attorney, Michael Gatti, departed the meeting.*

**VIII. SPECIAL ORDER OF BUSINESS**

**Item A- Proclamation Honoring Senator Lyman Hoffman And Representative Bob Herron, Legislative Heroes, For Their Hard Work Establishing Funding For The City Of Bethel State Priorities For Fiscal Year 2013.**

**IX. UNFINISHED BUSINESS**

**Item B- Public Hearing Of Ordinance 11-13 Substitute: Repealing And Reenacting Title 7 of the Bethel Municipal Code, Elections.**

*Mayor Klejka opened the public hearing.*

*No one wished to be heard.*

*Mayor Klejka Closed the public hearing.*

<b>MOVED:</b>	Springer	Motion to adopt Ordinance 11-13 Substitute.
<b>SECONDED:</b>	Whitney	
<b>MOVED:</b>	Robb	Motion to amend under 7.30.070 Determination of candidate eligibility;  J. The clerk will send notice of final determination in writing to the person making the complaint, if applicable, and to the candidate. <del>The determination of the clerk is final.</del> <u>K. The candidate, or other aggrieved party, may appeal the decision of the clerk to the city council. The city council will make the final determination of the candidate eligibility.</u>
<b>SECONDED:</b>	Sattler	
<b>MOVED:</b>	Sattler	Motion to divide the question.
<b>SECONDED:</b>	Robb	
<b>VOTE ON MAIN MOTION</b>	3-3 Motion fails Klejka, Springer and Harding opposed	
<b>VOTE ON MOTION</b>	1-5 motion fails, Robb in favor	
<b>MOVED:</b>	Robb	Motion to amend to strike under Section 7.30.070 Subsection J, <del>is final</del> and insert <u>shall stand.</u>
<b>SECONDED:</b>	Sattler	
<b>VOTE ON MOTION</b>	4-2 Motion passes, Springer and Whitney opposed	
<b>MOVED:</b>	Robb	Motion to amend 7.90.010

<b>SECONDED:</b>		<p>4. <u>A very close election of 10 or fewer votes separating a winning and losing candidate, initiate, referendum, or recall.</u></p> <p>7.90.030  A. A recount application shall state in substance the basis of the belief that a mistake has been make, <u>or that it is a tie or very close election of 10 or fewer votes separating the winning and losing candidate, initiative, referendum or recall,</u> and shall identify the particular precinct, office, proposition or question for which the recount is to be held, ...</p>
<b>VOTE ON MOTION</b>	Motion does not carry due to a lack of a second.	
<b>MOVED:</b>	Springer	Motion to postpone until the next meeting and hold an additional public hearing.
<b>SECONDED:</b>	Harding	
<b>VOTE ON MAIN MOTION</b>	4-2 Motion passes, Klejka and Robb opposed	

<b>MOVED:</b>	Robb	Motion to take a ten minute break.
<b>SECONDED:</b>	Springer	
<b>VOTE ON MAIN MOTION</b>	All in favor	

**X. NEW BUSINESS**

**Item A- \*Resolution 12-10: Supporting The Idea Of A Cooperative Electric Utility Purchase.**

<b>MOVED:</b>	Springer	Motion to adopt Resolution 12-09.
<b>SECONDED:</b>	Harding	

<b>MOVED:</b>	Whitney	Motion to amend the title, to read "A Resolution By The Bethel City Council Supporting A Cooperative Run And Owned Electric Utility In Bethel.
<b>SECONDED:</b>	Harding	
<b>VOTE ON MOTION</b>	All in favor	
<b>MOVED:</b>	Springer	Motion to amend under the 2 <sup>nd</sup> whereas, to state: "the sale of Bethel Utilities Corporation to a public electric utility would result in a reduction in the cost of electricity..."
<b>SECONDED:</b>	Sattler	
<b>VOTE ON MOTION</b>	4-2 Motion passes, Klejka and Robb opposed	
<b>VOTE ON MAIN MOTION</b>	All in favor	

**Item B- AM 12-21: Directing Administration To Go Out With An RFP For A Cost Of Service Study For Metered Water.**

<b>MOVED:</b>	Sattler	Motion to direct the administration to draft a RFP for a full cost analysis for water and sewer services with the City of Bethel, with input from the Finance Committee and the Public Works Committee and to have the RFP brought back to the City Council for approval.
<b>SECONDED:</b>	Robb	
<b>VOTE ON MAIN MOTION</b>	All in favor	

<b>MOVED:</b>	Sattler	Motion to direct Administration to advertise for an In-House City Attorney.
<b>SECONDED:</b>	Robb	
<b>VOTE ON MAIN MOTION</b>	All in favor	

**Item C- AM 12-22: Appointment Of Amanda Colvin To The Parks And Recreation Committee.**  
*Passed on the consent agenda.*

**Item D-** IM 12-02: Water And Sewer Project Update.

**Item E-** Options To Hiring An In House Attorney For The City Of Bethel.

<b>MOVED:</b>	Sattler	Motion to direct Administration to advertise for an In-House City Attorney.
<b>SECONDED:</b>	Robb	
<b>VOTE ON MAIN MOTION</b>	All in favor	

**Item F-** ONC/City of Bethel Transit System Funding Sources For Continued Operation Past June 30, 2012.

**XII. MAYOR'S REPORT**

**XIII. MANAGERS REPORT**

**XIV. CITY CLERK'S REPORT**

**XV. COUNCIL MEMBER COMMENTS**

Council Member Sattler-

Reiterate the proclamation recognizing the legislators for making sure Bethel's and the regions needs are met. The City's Representatives, did a great job in Juneau they worked very hard for Bethel and this region.

Council Member Robb-

Recognized his son Timmy Robb as well as Doug Corp for receiving their Eagle Scout Award, congratulations. Thanked everyone for the help they provided the boys during their work.

Bethel Sportsman's Club is having a membership drive at the Lion's Club this Friday at 7p.

Wished an early birthday to Timmy, his son.

Supported Bev Hoffman's letter regarding the YK Regional Health and Training Center article.

*Council Member Sattler departed the meeting at 9:25p.*

Council Member Springer-

Congratulated the 15 HAM Radio graduates.

There are rumors that the birds have arrived, spring has arrived.

Council Member Whitney –

Red Devil Mine investigation meeting was held last week. There is mercury contamination on the site and there will need to be clean up.

Council Member Harding-

Reiterated Council Member Sattler's Comments regarding the Legislators as well as the hard work provided by the Senator and Representative staff members.

Mayor Klejka-

Expressed appreciation to the Council as well as City Manager Foley.

Would like to see the recycling center opened. Suggested members of the community make suggestions to the council members.

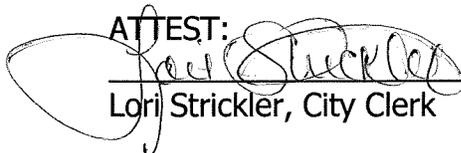
Concerned there is no enforcement of the plastic bag and polystyrene container ban.

<b>MOVED:</b>	Springer	Motion to adjourn.
<b>SECONDED:</b>	Harding	
<b>VOTE ON MAIN MOTION</b>	All in favor	

## **XVI. ADJOURNMENT**

*Council adjourned at 9:30p.*

  
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Joseph A. Klejka, Mayor

**ATTEST:**  
  
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Lori Strickler, City Clerk