
City of Bethel City Council Meeting Minutes

July 26, 2011

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on July 26, 2011 at 6:30p, at the City Council Chambers, Bethel, Alaska.

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

II. ROLL CALL

PRESENT: Council Member Terry Perry
Council Member Rick Robb
Vice-Mayor R. Thor Williams
Council Member Tundy Rodgers
Council Member Heather Pike
Mayor Eric Middlebrook

STAFF: City Clerk Lori Strickler
City Manager Lee Foley.

III. PEOPLE TO BE HEARD

Willie Keppel-

Spoke in opposition to the Council providing control of the BATH sales tax money to Kuimarvik-A Place to Swim Inc.

John Guinn-

As the Executive Director of ONC, spoke in favor of the Kuimarvik- A Place to Swim Inc., and encouraged the Council to join forces with the group to help find funding for the recreation facility.

Jerry Drake-

As the Chief Executive Officer of the Bethel Community Services Foundation, spoke in favor of the Kuimarvik- A Place to Swim Inc., and encouraged the Council to join forces with the group to help find funding for the recreation facility.

Dave Trantham-

Dogs have cause more than \$2,000 of damage to his property, something needs to be done; requested the Council step up their remedies on the dog control issue.

Frances Reich-

As an Alaska Small Business Development Center representative, he is encouraging community members to attend a conference being held at the Cultural Center, August 9th which will provide more information on the goals of the business.

Andre Achee-

Local #6055 representative, spoke in favor of Resolution 11-20: Approving The Collective Bargaining Agreement Between Alaska Public Employees Association/AFT City Of Bethel Local #6055 And The City Of Bethel, Effective July 1, 2011 Through June 30, 2014, and encouraged the Council to pass the contract.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Williams	Motion to approve the consent and regular agenda.
SECONDED:	Rodgers	
MOVED:	Williams	Motion to amend agenda, to move Special Order of Business in front of Reports of Standing Committees.
SECONDED:	Perry	
VOTE ON MOTION	All in favor	
MOVED:	Perry	Remove Resolution 11-20 and Resolution 11-21 from the consent agenda.
MOVED:	Robb	Motion to amend the agenda, to move Item f under New Business, to Item B under New Business.
SECONDED:	Pike	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

I. APPROVAL OF THE MEETING MINUTES

Item A- 7-12-2011 Regular City Council Meeting Minutes

Passed on the consent agenda.

I. SPECIAL ORDER OF BUSINESS

Item A-Bethel City Council's Appointment Of An Individual To Fill The Vacant Council Seat Until The Certification Of The October 4, 2011 Election.

Mike Shantz was the only individual who provided a letter of interest to the Council for the vacant city council seat.

Mike Shantz provided an opening statement.

Each council member asked Mr. Shantz one question, of which he answered.

Mike Shantz provided a closing statement.

MOVED:	Williams	Motion to appoint Mike Shantz to the vacant city council seat.
SECONDED:	Robb	
VOTE ON MAIN MOTION		
		All in favor

Round one of voting:

Council Member Pike voted for Mike Shantz.

Council Member Rodgers voted for Mike Shantz.

Council Member Robb voted for Mike Shantz.

Council Member Perry voted for Mike Shantz.

Vice-Mayor Williams voted for Mike Shantz.

Mayor Middlebrook voted for Mike Shantz.

With all six council members voting for Mike Shantz, he is appointed to the vacant council seat.

Item B- Oath Of Office For Newly Appointed City Council Member.

Council Member Mike Shantz read aloud his oath of office.

Item C- Mayor's Appointment Of Council Members To Committees and Commissions.

Mayor Middlebrook appointed Council Member Mike Shantz to the Finance Committee.

MOVED:	Williams	Motion to affirm the appointment of
SECONDED:	Pike	Mike Shantz to the Finance Committee.
VOTE ON MAIN MOTION	All in favor	

II. REPORTS OF STANDING COMMITTEES

Item A- Planning Commission

Mayor Middlebrook,

The Commission approve the preliminary plat for the assisted living home as well as the Alaska Housing Finance Corporation. Bethel Comprehensive Plan update and finalization.

Item B- Port Commission

Vice-Mayor Williams,

A special meeting was held on July 19th to discuss the small boat harbor dredging.

Item C- Public Works Committee

Council Member Rodgers,

A quorum was not established, a meeting was not held. They will be discussing the non sewage subscriptions at their next meeting.

Item D- Energy Committee

Council Member Pike,

A Special Meeting was held on June 27th. The next meeting will be held August 1st when they will be discussing wind energy.

III. UNFINISHED BUSINESS

Item A Public Hearing Of Ordinance 11-11: Modifying BMC 2.04.100 Council Vacancies Providing For limits On How Many Meeting Can Be Missed And Unexcused Absences.

Mayor Middlebrook opened the public hearing.

No one wished to be heard.

Mayor Middlebrook closed the public hearing.

MOVED:	Pike	Motion to adopt Ordinance 11-11.
SECONDED:	Robb	
MOVED:	Robb	Motion to amend, to insert 2.04.100 9. B. A council member will be excused from a meeting, with proper notification as defined in BMC 2.04.100 p A, for <ol style="list-style-type: none"> 1. <u>Illness or injury</u> 2. <u>Illness or injury of minor child or dependent adult,</u> 3. <u>Our of area travel and unable to call in,</u> 4. <u>Death of close relative within two weeks (bereavement)</u> 5. <u>Other unanticipated events making attendance impossible or an extreme hardship.</u>
SECONDED:	Pike	
VOTE ON MAIN MOTION	2-5 Motion fails, Pike and Robb in favor	
MOVED:	Robb	Motion to amend, to strike 75 percent and insert 60 percent in a twelve month period.
SECONDED:		
VOTE ON MAIN MOTION	Motion does not carry due to a lack of a second.	
VOTE ON MAIN MOTION	3-4 Motion fails, Shantz, Robb and Pike in favor	

IV. NEW BUSINESS

Item A -Resolution 11-20: Approving The Collective Bargaining Agreement Between Alaska Public Employees Association/AFT City Of Bethel Local #6055 And The City Of Bethel, Effective July 1, 2011 Through June 30, 2014.

MOVED:	Pike	Motion to adopt Resolution 11-20.
SECONDED:	Perry	
MOVED:	Robb	Motion to suspend the rules, to hear from Kimberly Geariety, the City's Negotiator for the contract.
SECONDED:	Pike	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	5-2 Motion passes, Williams and Rodgers opposed	

Item B-Articles Of Incorporation Kuimarvik- A Place To Swim- Council's Review And Suggested Modifications.

MOVED:	Williams	Motion to table, Items B and C under New Business until the next regular meeting.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	6-1 Motion passes, Robb opposed	

Item C- Resolution 11-21: Approving The Kuimarvik-A Place To Swim Inc. Bylaws Dated July, 2011 And Providing Support To The Creation Of The Corporation, And Committing To The City's Involvement.

Item tabled until the next regular meeting.

Item D- Introduction Of Ordinance 10-14: Establishing BMC 09.28 Places Of Pubic Assembly and providing For Closing Hours.

Passed on the consent agenda.

Item E- AM 11-35: Approve The Amended Committee/Commission Volunteers Application Revised.

MOVED:	Williams	Motion to approve AM 11-35.
SECONDED:	Rodgers	
MOVED:	Shantz	Motion to amend, to strike the paragraph following question number 5.
SECONDED:	Perry	
VOTE ON MOTION	6-1 Motion passes, Pike opposed	
MOVED:	Robb	Motion to reconsider the vote to "amend, to strike the paragraph following question number 5".
SECONDED:	Pike	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Shantz	Motion to amend, to strike the paragraph following number 5.
SECONDED:	Perry	
<i>Reconsideration of the vote.</i>		
VOTE ON MOTION	5-2 Motion passes, Pike and Robb opposed	
MOVED:	Rodgers	Motion to amend, to strike within the first paragraph in the box "and requires regular attendance at official meeting".
SECONDED:	Robb	
VOTE ON MOTION	5-2 Motion passes, Pike and Williams opposed	
MOVED:	Robb	Motion to amend, to strike the second paragraph in the box.
SECONDED:	Shantz	
VOTE ON MOTION	1-6 Motion fails, Robb in favor	
MOVED:	Shantz	Motion to amend, to insert <u>/committee member</u> in the last line of the second paragraph held inside the box.
SECONDED:	Williams	
VOTE ON MOTION	6-1 Motion passes, Robb opposed	

VOTE ON MAIN MOTION	6-1 Motion passes, Robb opposed	
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MOVED:	Robb	Motion to suspend the rules, to take a ten minute break.
SECONDED:	Williams	

VOTE ON MAIN MOTION	All in favor	
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Item F- Presentation From Planning Director, Dan Shea on the Institutional Corridor Water Feasibility Study And Requesting The City Council's Support Of The Project.

Item G- Approval Of The City Manager's Leave Request For August 1st through August 19th, 2011.

MOVED:	Williams	Motion to approve the City Manager's leave request.
SECONDED:	Rodgers	

VOTE ON MAIN MOTION	All in favor	
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Item H- IM 11-07: Bethel Small Boat Harbor Dredging Design Analysis.

MOVED:	Rodgers	Motion to suspend the rules to hear from the Port Director, Pete Williams.
SECONDED:	Pike	

VOTE ON MAIN MOTION	All in favor	
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V. MAYOR'S REPORT

Department of transportation will have traffic counters out in the community.

White Alice clean up with the Air force.

VI. MANAGERS REPORT

Grant updates to the council.

VII. CITY CLERK'S REPORT

Election updates.

VIII. COUNCIL MEMBER COMMENTS

Council Member Robb-

Welcomed Mike Shantz to the City Council.

Sorry to hear that Council Member Pike is moving out of town.

Glad to have passed the Union Contract that is fare.

Two weeks ago hoping to get the A Place to Swim bylaws past which didn't happen but hopefully next meeting the bylaws will come back and be passed.

Council Member Perry-

Welcomed Mike Shantz to the City Council.

Hope to see the A Place to Swim bylaws brought back with some useful modifications.

Mayor Middlebrook-

Welcomed Mike Shantz to the City Council.

Will not be attending the next meeting due to the AML Summer meeting in Fairbanks.

Vice-Mayor Williams-

There is a local reporter working for Tundra Drums that actually provides news for the community. It is disheartening to learn that the paper is going to be closing next month.

The ONC meeting went well even though there are ongoing issues that are tenuous for both organizations.

Political season has started.

Hoped for sunny weather and good fishing.

Council Member Rodgers-

Hug an elder.

Council Member Pike-

Thanked Mr. Trantham for speaking up about the dog issues.

Thanked fellow council members for excusing her from the council meetings over the past month.

She announced to the community that she will not be rerunning for the Bethel City Council. She will be leaving Bethel October 31st of this year.

Council Member Shantz-

No comment.

IX. EXECUTIVE SESSION

MOVED:	Robb	Motion to suspend the rules to
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SECONDED:	Perry	reconsider the vote to "approve the consent and regular agenda".
VOTE ON MAIN MOTION	All in favor	

MOVED:	Robb	Motion to approve the consent and regular.
SECONDED:	Perry	
<i>Reconsideration of the vote.</i>		
MOVED:	Robb	Motion to amend, to strike Executive Session item B.
SECONDED:	Perry	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item A- Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The City (Discuss Legal Strategy To Enforce Sales Tax Lien (Jeffwood Estates) (City Manager Foley) And Matters Which Are Required By Law To Be Kept Confidential, And Potential Litigation Note: Direction May Be Given To The City Attorney In Executive Session.

MOVED:	Pike	Motion to move into executive session for Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The City (Discuss Legal Strategy To Enforce Sales Tax Lien (Jeffwood Estates) (City Manager Foley) And Matters Which Are Required By Law To Be Kept Confidential, And Potential Litigation Note: Direction May Be Given To The City Attorney In Executive Session
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	6-1 Motion passes, Williams opposed	

MOVED:	Robb	Motion to allow Finance Director, Bobby Sutton into the Executive Session.
SECONDED:	Pike	

VOTE ON MAIN MOTION	6-1 Motion passes, Williams opposed	
MOVED:	Rodgers	Motion to adjourn.
SECONDED:	Pike	
VOTE ON MAIN MOTION	5-2 Motion passes, Williams and Perry opposed	

X. ADJOURNMENT

Council adjourned at 9:31 pm



Eric Middlebrook, Mayor

ATTEST:

 Lori Strickler, City Clerk

