
City of Bethel City Council Meeting Minutes

September 13, 2011

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on September 13, 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 Mike Shantz
Council Member Rick Robb
Vice-Mayor R. Thor Williams
Council Member Tundy Rodgers
Council Member Heather Pike
Mayor Eric Middlebrook
Council Member Terry Perry (arrived after roll call)

STAFF:

City Clerk Lori Strickler
City Manager Lee Foley

III. PEOPLE TO BE HEARD

Marty Langlois-Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Dr. Cindy Mondesir and Dr. Mien Chy-Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Dr. Dane Lенаае- Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Brian Lefferts- Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Oluwole Fadahunsi-Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Jody Malus- Spoke in favor of Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Jerry Drake- Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Spoke in favor of 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.

Jennifer Dobson- Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Dave Trantham Jr.- Provided the council with a few options in moving forward; pas the items and have the

Joseph Klejka - Spoke in favor of 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.

Spoke in favor of Budget Ordinance 11-10 (b).

Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Beverly Hoffman- Spoke in opposition to Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

Spoke in favor of 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.

Barbra Mosier- Read from a letter provided to the council supporting the swimming pool and recreation facility.

Spoke in favor of Ordinance 11-15: Adopting A New 2035 Comprehensive Plan For The City Of Bethel, however hoped to have seen the recycling center remain in the plan.

Council Member Robb read from a letter provided to the council from Diane McEachern, supporting a swimming pool and recreation center.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Robb	Motion to approve the consent agenda and regular agenda.
SECONDED:	Pike	
MOVED:	Robb	Motion to amend the agenda, to remove Resolution 11-30, Ordinances 11-16, 11-10(b), 11-17, 11-18 and 11-19 from the consent agenda.
MOVED:	Robb	Motion to amend the agenda, to move Item F under New Business, Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water, to Item A under Unfinished Business.
SECONDED:	Pike	
VOTE ON MOTION	All in favor	
MOVED:	Pike	Motion to amend the agenda, to move Item L under New Business, Legal Opinion On The City's Participation In The Kuimarvik-A Place To Swim Inc. to Item C under Unfinished Business, prior to 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.
SECONDED:	Shantz	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

I. APPROVAL OF THE MEETING MINUTES

Item A- 8-09-2011 Regular City Council Meeting Minutes.

MOVED:	Shantz	Motion to approve the 8-9-2011 meeting minutes, was made at the August 23, Regular City Council Meeting, item postponed for audio review.
SECONDED:	Robb	
MOVED:	Robb	Motion to amend the meeting minutes to make corrections suggested by the City Clerk.
SECONDED:	Rodgers	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item B- 8-11-2011 Special City Council Meeting Minutes.

MOVED:	Williams	Motion to approve the 8-11-2011 meeting minutes.
SECONDED:	Robb	
VOTE ON MAIN MOTION	All in favor	

Item C- 8-23-2011 Regular City Council Meeting Minutes.
Passed on the consent agenda.

Item D- 8-29-2011 Special City Council Meeting Minutes.
Passed on the consent agenda.

I. REPORTS OF STANDING COMMITTEES

Item A- Public Safety and Transportation Commission
 Council Member Robb-
 Nuisance abetment ordinance discussion.
 Bootlegging.

Item B- Finance Committee

MOVED:	Williams	Motion to suspend the rules to hear from the Finance Director, Bobby
SECONDED:	Shantz	

		Sutton.
VOTE ON MAIN MOTION	All in favor	

Finance Director Bobby Sutton –
 Sales Tax Remittance for Out of Town Contractors performing work within the City of Bethel.
 Proposed Water/Sewer Utility billing charges.

Item C- Parks and Recreation Committee
 Parks and Recreation Committee Chair, Barbra Mosier-
 Looking for a new council representative.
 Community Fair was a success.
 There was an individual from Mountain Village who is looking forward to coming into Bethel to use a pool.

Item D- Energy Committee
 A meeting was not held due to a lack of a quorum.

Item E- Public Works Committee
 Council Member Tundy Rodgers-
 Held an election of officers, Jeff Sanders was elected as chair.
 Public nuisance.
 Water and sewer.
 Honey bucket violations.

II. UNFINISHED BUSINESS

New Business

Item F- Introduction Of Ordinance 11-17: Creating Section 8.16 Of The Bethel Municipal Code Prohibiting The Addition Of Fluoride To Public Drinking Water.

MOVED:	Williams	Motion to introduce Ordinance 11-17.
SECONDED:	Perry	

MOVED:	Shantz	Motion to amend, to hold three public hearings on this ordinance.
SECONDED:	Pike	
MOVED:	Pike	Motion to amend to strike three and insert <u>two</u> .
SECONDED:	Robb	
VOTE ON MOTION	6-1 Motion passes, Shantz opposed	
VOTE ON MOTION	6-1 Motion passes, Rodgers opposed	
VOTE ON MAIN MOTION	6-1 Motion passes, Rodgers opposed	

Unfinished Business

Item A - Public Hearing Of Ordinance 11-15: Adopting A New 2035 Comprehensive Plan For The City Of Bethel.

Mayor Middlebrook opened the public hearing.

No one wished to be heard.

Mayor Middlebrook closed the public hearing.

MOVED:	Pike	Motion to adopt Ordinance 11-15.
SECONDED:	Williams	
MOVED:	Pike	Motion to suspend the rules to hear from the City Planner Dan Shea.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Williams	Motion to direct the city clerk to make amendments to the ordinance to include BMC Section 16.08 in this ordinance.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	
MOVED:	Rodgers	Motion to postpone until the next regular meeting.
SECONDED:	Pike	

VOTE ON MAIN MOTION	All in favor
<i>Item postponed until the next regular meeting.</i>	

New Business

Item L- Legal Opinion On The City's Participation In The Kuimarvik-A Place To Swim Inc.

Unfinished Business

Item B- 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.

MOVED:	Robb	Motion to adopt was made at the August 9 th Regular City Council Meeting.
SECONDED:	Perry	
VOTE ON MAIN MOTION	2-5 Motion fails, Shantz, Williams, Rodgers, Pike and Middlebrook opposed	

III. NEW BUSINESS

Item A - Resolution 11-28: Confirming The Appointment Of Election Official Chairs And The Canvass Board Members For The October 4, 2011 Regular Election.

Passed on the consent agenda.

Item B- Resolution 11-29: Fiscal Year 2011 Edward Byrne Memorial Justice Assistance Grant.

Passed on the consent agenda.

Item C- Resolution 11-30: State Of Alaska FY13 Capital Priorities For The City Of Bethel.

MOVED:	Williams	Motion to adopt Resolution 11-30.
SECONDED:	Rodgers	

MOVED:	Robb	Motion to amend, to insert the Bethel Aquatic Training and Health Center for \$23 million as the number one priority.
SECONDED:	Perry	
VOTE ON MOTION	2-5 Motion fails, Robb and Perry in favor	
MOVED:	Robb	Motion to postpone Resolution 11-30 until October 11, 2011.
SECONDED:	Perry	
VOTE ON MAIN MOTION	2-5 motion fails, Robb and Perry in favor	
MOVED:	Pike	Motion to amend, to insert the Bethel Aquatic Training and Health Center for \$23 million as the number four priority.
SECONDED:	Williams	
MOVED:	Pike	Motion to amend to strike \$23 million and insert \$25 million.
SECONDED:	Williams	
VOTE ON MOTION	4-3 Motion passes, Rodgers Middlebrook and Shantz opposed	
VOTE ON MOTION	3-4 Motion fails, Pike Perry and Robb in favor	
VOTE ON MAIN MOTION	5-2 Motion passes, Perry and Robb opposed	
MOVED:	Williams	Motion to take a ten minute break and suspend the rules to extend the meeting to 10:30.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	

Council Member Rodgers departed the meeting.

Item D- Introduction Of Ordinance 11-16: Amending The Fee And Rate Schedule For The City Of Bethel.

MOVED:	Williams	Motion to introduce Ordinance 11-16.
SECONDED:	Shantz	
MOVED:	Williams	Motion to suspend the rules, to hear from the Parks and Recreation Director, Janet Athanas.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item E- Introduction Of Budget Ordinance 11-10 (b): Amending The FY 2012 City Of Bethel Budget.

MOVED:	Shantz	Motion to introduce Budget Ordinance 11-10 (b).
SECONDED:	Williams	
MOVED:	Williams	Motion to amend, to include the modifications provided by the administration.
SECONDED:	Pike	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item G- Introduction Of Ordinance 11-18: Amending BMC 2.04.050 To Insert The Pledge Of Allegiance To The Council's Meeting Agendas.

MOVED:	Perry	Motion to introduce Ordinance 11-18.
SECONDED:	Williams	
MOVED:	Williams	Motion to amend, to insert <u>those not in the military</u> shall remove their hats.
SECONDED:	Pike	
VOTE ON MOTION	All in favor	

VOTE ON MAIN MOTION	All in favor
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Item H- Introduction Of Ordinance 11-19: Amending BMC City Council Meeting Times.

MOVED:	Robb	Motion to introduce Ordinance 11-19.
SECONDED:	Shantz	
MOVED:	Shantz	Motion to amend, to insert the language <u>meetings go on until such time all of the business is completed unless a majority of the council agrees to end the meeting.</u>
SECONDED:	Pike	
VOTE ON MOTION	3-3 Motion fails, Pike, Middlebrook and Perry opposed	
VOTE ON MAIN MOTION	4-2 Motion passes, Shantz and Williams opposed	

Item I- AM 11-39: Mayor Middlebrook's Appointment And Council's Concurrence Of Jennifer Dobson To The Public Works Committee.

Mayor Middlebrook appointed Jennifer Dobson to the Public Works Committee.

MOVED:	Williams	Motion to approve the mayor's appointment of Jennifer Dobson to the Public Works Committee.
SECONDED:	Pike	
VOTE ON MAIN MOTION	All in favor	

Item J- AM 11-40: Move BATH Funds From The Central Treasury To The Dedicated BATH Account.

MOVED:	Shantz	Motion to approve AM 11-40
SECONDED:	Robb	

MOVED:	Williams	Motion to amend, to direct this change be included in ordinance 11-10 (b).
SECONDED:	Pike	
MOVED:	Robb	Motion to suspend the rules to extend the meeting past 10:30p.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MOTION	2-4 Motion fails, Perry and Williams in favor	
MOVED:	Pike	Motion to direct administration to draft an ordinance to present to council to transfer funds from the central treasury to the designated BATH account.
SECONDED:	Shantz	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	2-4 Motion fails, Robb and Williams in favor	

Item K- City Manager Request For Medical Leave September 14, 15 and 16.

MOVED:	Williams	Motion to approve the City Manger's leave request.
SECONDED:	Pike	
VOTE ON MAIN MOTION	All in favor	

IV. MAYOR'S REPORT

Eager to hear more from the LNG preliminary report.

V. MANAGERS REPORT

MOVED:	Robb	Motion to extend the meeting past 11:00p.
SECONDED:	Shantz	
VOTE ON MAIN	4-2 Motion passes Middlebrook and Perry opposed	

MOTION	
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VI. CITY CLERK'S REPORT

VII. COUNCIL MEMBER COMMENTS

Council Member Robb-
 Apologies to the council for his motion to postpone Resolution 11-21 until October 11th it was not meant to be disrespectful to the current council.
 Thanked all of the members of the public who came out to speak under people to be heard.
 Congratulated those who got moose and good luck to those who are still hunting.
 Sunday was the ten year reunion for 911 which is a somber day for our nation.
 Thanked all of the service men and women who have served our country.

Council Member Perry-
 Apologized for the phone disconnections.
 Just became a grandparent to his 16th grandchild.

Vice-Mayor Williams-
 Bethel K9 Organization is looking to place dogs in the community.
 It was another productive meeting by the City Council, it is a stressful job.
 It is important to continue to try to improve the City's image; Bethel is a great community to live in.

Council Member Pike-
 Reminded everyone in the community that the blood bank is in town.
 Sitting as a council member can be difficult but it was a very productive meeting.

Council Member Shantz-
 No comment.

Mayor Middlebrook-
 No comment.

VIII. ADJOURNMENT

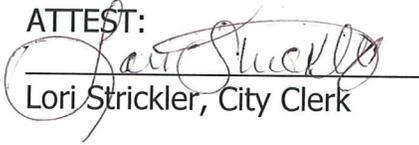
MOVED:	Williams	Motion to adjourn.
SECONDED:	Pike	
VOTE ON MAIN MOTION	5-1 Motion passes, Perry opposed	

Council adjourned at 11:16pm



Eric Middlebrook, Mayor

ATTEST:



Lori Strickler, City Clerk