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# City of Bethel City Council Meeting Minutes

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November 28, 2006

Regular Meeting

Bethel, Alaska

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## **I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on November 28, 2006 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 of the Council, the following were present:

Members present:

Mayor Leinberger Dan  
Vice-Mayor Tundy Rodgers (arrived at 6:36p)  
Council Member Dave Trantham  
Council Member Andrew McGowan  
Council Member Mary Kenick  
Council Member Eric Middlebrook  
Council Member Yolonda Jorgensen (arrived at 6:39p)

Others present:

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

## **III. PEOPLE TO BE HEARD**

1. Paul Gregory Sr. addressed Council to state that he would like to see the street lights at school bus stops, specifically in the City Sub Division addressed as well as speed limits.

Council concurred to refer the matter addressed by Paul Gregory Sr. to the Public Safety Commission and the Public Works Committee.

2. Bob Herron addressed Council and commented on the snow machine modified mufflers. Mr. Herron also addressed Council to bring attention to community members that have recently passed, Pauline Chaney and George Hohman, and stated that though they are not with us any more they are not forgotten.

**IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

<b>MOVED:</b>	Trantham	To approve the Agenda for the November 28, 2006 Regular City Council Meeting
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

<b>MOVED:</b>	Kenick	To postpone items A & B Under New Business to be addressed as item E & f
<b>SECONDED:</b>		
<b>VOTE ON MAIN MOTION</b>	<i>Failed for lack of a second</i>	

**V. UNFINISHED BUSINESS**

**Item A-Executive Session: Per The Bethel Municipal Code 2.04.110 B. 2.: Inquiry Into Council Member McGowan's City Of Bethel Business Travel October 8<sup>th</sup> & 9<sup>th</sup> '06 To Determine Whether Council's Travel Policy Passed By Council On May 9, 2006 Was Violated And If A Violation Has Occurred, Discussion Of Possible Action To Be Taken**

<b>MOVED:</b>	Middlebrook	To Proceed Into Executive Session Per The Bethel Municipal Code 2.04.110 B. 2.: Inquiry Into Council Member McGowan's City Of Bethel Business Travel October 8 <sup>th</sup> & 9 <sup>th</sup> '06 To Determine Whether Council's Travel Policy Passed By Council On May 9, 2006 Was Violated And If A Violation Has Occurred, Discussion Of Possible Action To Be Taken as amended
<b>SECONDED:</b>	Kenick	
<b>MOVED:</b>	Trantham	To exclude the City Attorney and City Clerk from the executive session
<b>SECONDED:</b>	McGowan	
<b>MOVED:</b>	Middlebrook	To declassify the confidential memorandum provided to Council from the City Attorney regarding the executive session
<b>SECONDED:</b>	Kenick	

<b>VOTE ON MAIN MOTION</b>	Failed: 2 - 5 Leinberger, Kenick voting for.	
<b>VOTE ON MAIN MOTION</b>	Carried: 4 - 3 Leinberger, Kenick, Middlebrook voting against.	
<b>MOVED:</b>	Trantham	To exclude the City Manager from the executive session
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Carried: 4 - 3 Leinberger, Kenick, Middlebrook voting against.	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

***Council exited Executive Session at 8:32p***

**Item B- Inquiry Into Council Member McGowan's City Of Bethel Business Travel October 8<sup>th</sup> & 9<sup>th</sup> '06 To Determine Whether Council's Travel Policy Passed By Council On May 9, 2006 Was Violated And If A Violation Has Occurred, Discussion Of Possible Action To Be Taken**

<b>MOVED:</b>	Rodgers	To declare the outcome of the inquiry regarding the travel of Council Member McGowan on October 8 <sup>th</sup> & 9 <sup>th</sup> not a violation of the current travel policy and closed the issue.
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Carried: 6 - 1 Leinberger voting against.	

**Item C- Public Hearing Of Ordinance 06-25: An Ordinance Outlining The Make Up Of The Finance Committee, The Public Works Committee, And The Parks And Recreation Committee, And The Cemetery Committee Of The City Of Bethel**

**Public Hearing:**

None

<b>MOVED:</b>	Trantham	To approve ordinance 06-25: An Ordinance Outlining The Make Up Of The Finance Committee, The Public Works Committee, And The Parks And Recreation Committee, And The Cemetery Committee Of The City Of Bethel as amended
<b>SECONDED:</b>	Kenick	
<b>MOVED:</b>	Middlebrook	Remove section I from ordinance 06-25
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Carried: 6 - 1 Leinberger voting against.	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

Mayor Leinberger appointed himself to the Cemetery Committee and Council Member Trantham to the Finance Committee

City Clerk agreed to contact to all current Cemetery Committee members to request completion of a committee/commission application for appointment as a new Council Committee.

**Item D-Public Hearing Of Ordinance 06-26: An Ordinance Addressing The City The Organization Of The Bethel City Council**

**Public Hearing:**

None

<b>MOVED:</b>	Rodgers	To approve Ordinance 06-26: An Ordinance Addressing The City The Organization Of The Bethel City Council
<b>SECONDED:</b>	Middlebrook	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

**Item E-Public Hearing Of Ordinance 06-27: An Ordinance Addressing The Terms Of Council Member Representation On Commissions And Committees**

**Public Hearing:**

None

<b>MOVED:</b>	Middlebrook	To approve Ordinance 06-27: An Ordinance Addressing The Terms Of Council Member Representation On Commissions And Committees
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

<b>MOVED:</b>	Jorgensen	To suspend the rules to all public testimony by Representative Mary Kapsner.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

Mary addressed Council to update Council and the community on the outcome of the Special Legislative Session and thanked Council and the City Manager for their efforts and contributions. Representative Kapsner advised Council that the following items were added into the Governors Budget:

- 1.2 million-Fire Station Roof repairs
- 2 million-Safety Building
- 4 million-Chief Eddie Hoffman Highway improvements

## **VI. REPORTS OF STANDING COMMITTEES**

**Planning Commission (Vice-Mayor Rodgers)** advised Council that the Commission met on 11/9 to discuss the following:

- Review of Comprehensive Plan
- Hazard mitigation review
- Update on site plans
- Update on public nuisances
- Trailer certification to comply with guidelines
- Plat, subdivision, and land use law training
- New member appointment

**Finance Committee (Council Member Trantham & Mayor Leinberger)** Council Member Trantham advised the Council that the Committee last met on 11/9 and discussed the following:

- Review of attendees
- Water & sewer rate structure
- Liquor store feasibility structure
- Review of 2006 finances
- 12/21/06-next meeting

**Mayor Leinberger** included that splitting the water and sewer from the solid waste enterprise fund was briefly addressed but not discussed because it was not on the agenda, however, it will be discussed by the committee at following an upcoming meeting. Mayor Leinberger also touched on the liquor store feasibility study.

**Public Safety & Transportation Commission (Council Member Middlebrook)** that the Commission met on November 13<sup>th</sup>, Council Member Middlebrook was unable to attend the meeting but the following was addressed:

- vacancies in the Police Department
- Post Office jurisdiction
- Lori Strickler updated the PD area of the website
- School road/safety

**Alternative Energy Committee (Mayor Leinberger)** advised Council that the Committee has not met since the last Council Meeting.

**Public Works Committee (Council Member McGowan)** advised Council that the Committee met and discussed the following:

- Water & sewer rates

- Grinder pumps

<b>MOVED:</b>	McGowan	To suspend the rules to proceed past 10p
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

Council discussed senior citizen and low income family tax exemptions

**Port Commission (Council Member Kenick)** advised Council that the Commission has not met since the last Council Meeting due to a lack of a quorum.

**Senior Advisory Board (Council Member Kenick)** advised Council that the Board has not met since the last Council Meeting.

**Parks & Recreation Committee (Council Member Jorgensen)** advised Council that the Committee last met on 11/15, Council Member Jorgensen was not in attendance due to AML Conference. Council Member Jorgensen stated that AVCP has agreed to work with the City of Bethel on a community ice rink.

## VII. MAYOR'S REPORT

Mayor Leinberger appointed Gabriel Gomes to the Finance Committee

<b>MOVED:</b>	Trantham	To confirm the appointment of Gabriel Gomes to the Finance Committee.
<b>SECONDED:</b>	Rodgers	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

<b>MOVED:</b>	Kenick	To break for five minutes.
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Carried: 6 - 1 Leinberger voting against.	

### VIII. CITY MANAGER'S REPORT

- Wind energy RFP response study

<b>MOVED:</b>	Trantham	To extend the RFP response deadline
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

- AML Conference update
- Personal leave

<b>MOVED:</b>	Trantham	To approve the City Managers personal leave
<b>SECONDED:</b>	McGowan	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

- Court House Expansion Update/Bond & Finances

### IX. CITY CLERK'S REPORT

- Planning Commission member appointment
- Code Publishing, new code update-custom binders are to arrive on 12/9.
- Newsletter distribution in December

### X. COUNCIL MEMBER COMMENTS

**Council Member Jorgensen** stated that she will be out of town 12/17-1/9 and will not be able to attend any Special Council Meetings or the Parks & Recreation Committee, also condolences to the community family members that have lost loved ones, hug an elder.

**Council Member Kenick** stated condolences to the families that recently that lost loved ones. Council Member Kenick also encouraged Council to set aside all of their differences and begin our work for the community and not hold nay grudges because we do have a lot of important matters to address.

**Council Member McGowan** no comments

**Council Member Middlebrook** expressed his condolences to George Hohman's family who was support of him in his role as a Council Member and he appreciated that. Council Member Middlebrook stated that he felt good about the evenings meeting and resolving some issues, and stated to Council Member McGowan that he values his presence as a Council Member and his input and he is very glad that he is one of the crew.

**Council Member Trantham** stated that some time ago he put an ordinance up that was approved for senior sales tax exemption, he added that he made a commitment at the time that he would himself pay the sales tax on heating fuel and reported that he has paid the tax. Council Member Trantham also stated that on 12/7/41, the Japanese bombed Pear Harbor; next Thursday is Pearl Harbor Day which is a day that he will always remember and requested that the community remember Pearl Harbor. Council Member Trantham stated that he was taught to hate Japanese people and it took him a long time to get over that, but we can if we try to get over things that are not very nice. Council Member Trantham added that he is looking forward, big time to a more transparent City government; we owe it to the people of Bethel, we have not right to keep things from the people of Bethel with few a exceptions. From here on out, transparence folks, we have to work together and do the peoples business and if anybody has played games over the years it's time to cease and assist, it's time for team work, there's a lot of work to do. Council Member Trantham inquired as to whether or not any Council Members had any objections to him traveling to Anchorage to attend the Denali Commission Open House to state so now.

**Vice-Mayor Rodgers** stated that Chief Antone Anvil, Senator George Hohman, and Pauline Chaney, I'll see ya later, and for the families of those my deepest condolences and he knew all three of them and loved them very much. We had some good times, all good times; George encouraged him to run for City Council and thought him a few things that he will share privately sometime. They will be sorely missed and he hopes the whole part of Western Alaska remembers them for what they contributed to our City and the area. Hug an elder.

**Mayor Leinberger** expressed his sorrow for the passing of three individuals that were community leaders. Mayor Leinberger also stated that he is glad that they got some things passed us and is looking forward to moving on to better days and working together.

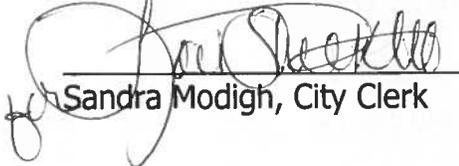
**XI. ADJOURNMENT**

<b>MOVED:</b>	Rodgers	To adjourn meeting at 10:50p
<b>SECONDED:</b>	Jorgensen	
<b>VOTE ON MAIN MOTION</b>	Carried unanimously.	

**With no further business before the Council, the meeting adjourned at 10:50p**

**APPROVED THIS 12<sup>TH</sup> DAY OF DECEMBER 2006.**

**ATTEST:**

  
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Sandra Modigh, City Clerk

  
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Dan Leinberger, Mayor