

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on April 22, 2014 at 6:30pm, in the council chambers, Bethel, Alaska.

Mayor Klejka called the meeting to order at 6:30 pm.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:

Council Member Joseph Klejka, Council Member Rick Robb, Council Member Sharon Sigmon, Council Member Leif Albertson, Council Member Heather Pike, Council Member Eric Whitney (arrived after roll call), Council Member Mark Springer.

Also in attendance were the following:

City Clerk Lori Strickler, City Manager Lee Foley, City Attorney Patty Burley

IV. PEOPLE TO BE HEARD

Bill Ferguson –

Spoke in opposition to Ordinance 14-12, Amending Bethel municipal Code Section 13.16 Utility Rates, as it is presented. Concerned there is no incentive for those residence on piped service to conserve water; it should be based on the amount of water used.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: To approve the Consent and Regular Agenda.

Moved by:	Sigmon
Seconded by:	Robb
Action:	Motion carried by a vote of 5-1
In favor:	Klejka, Robb, Sigmon, Albertson and Pike
Opposed:	Whitney

Removal From Consent Agenda: Introduction of Ordinance 14-12 and 14-13 from the consent agenda.

Moved by: | Robb

VI. APPROVAL OF THE MEETING MINUTES

Item A- 4-08-2014 Regular City Council Meeting.
Passed on the consent.

VII. REPORTS OF STANDING COMMITTEES

Council Member Springer arrived at 6:42p.

Item A- Port Commission –
Mark Springer, Council Representative-
Received an update on the
Corp of Engineers, consultation from tribes on the Knik dock construction.
Brown’s Slough is complete in the excavation.
Seawall repair has gone out to bid.
The new ramps at the port have a high degree of a slant compared to the
previous ramps which were 12%.

Item B- Planning Commission –
Heather Pike, Council Representative-
A quorum of the Commission was not established, no meeting was held.

Item C-Public Safety and Transportation Commission-
Sharon Sigmon, Council Representative-
A meeting has not been held since the last City Council Meeting.

Item D-Energy Committee –
Richard Robb, Committee Representative-
A meeting has not been held since the last City Council Meeting.

Item E-Public Works Committee-
Joseph Klejka, Council Representative-
Wall at the sewer lagoon repairs.

Item F- Finance Committee-
Leif Albertson, Council Representative –
A meeting has not been held since the last City Council Meeting.

Item G-Parks and Recreations Committee-

Ronda Sargent, Parks and Recreation Director-
 The Committee will be looking at the trails around the community for
 putting down geo-block.

VIII. UNFINISHED BUSINESS

**Item A – Public Hearing Of Ordinance 14-11: Amending Bethel Municipal
 Code Title 9, Public Peace, Morals And Welfare.**

*Mayor Klejka opened the public hearing.
 No one present to be heard on this issue.
 Mayor Klejka closed the public hearing.*

Main Motion:	Adopt Ordinance 14-11.
Moved by:	Sigmon
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None
Primary Amendment:	Within Section 9.06.010 insert "of" between discharge and Firearms.
Moved by:	Springer
Seconded by:	Sigmon
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Klejka, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None
Primary Amendment:	Under Section 9.06.010 A to strike "within" and insert "in" and to insert "within" between areas and the.
Moved by:	Springer
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Klejka, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None
Primary Amendment:	Under Section 9.06.010 A to strike "areas designated by the city manager or."
Moved by:	Springer
Seconded by:	Whitney
Action:	Motion carried by a vote of 4-2
In favor:	Klejka, Robb, Whitney and Sigmon
Opposed:	Albertson and Pike

IX. NEW BUSINESS

Item A- Introduction Of Ordinance 14-12: Amending Bethel Municipal Code Chapter 13.16 Utility Rates.

Main Motion: Introduce Ordinance 14-12.

Moved by: Sigmon
Seconded by: Whitney
Action: Motion carried by a vote of 6-1
In favor: Klejka, Springer, Robb, Whitney, Sigmon and Albertson
Opposed: Pike

Subsidiary

Motion: Suspend the rules to hear from the Finance Director.

Moved by: Pike
Seconded by: Hansel
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Subsidiary

Motion: Ten minute break.

Moved by: Robb
Seconded by: Pike
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Item B- Introduction Of Ordinance 14-13: Property Disposal Through Lease Agreement Between The City Of Bethel And The Yukon Kuskokwim Health Corporation For The Use Of Lots 1 And 2 Located Within Lot 4C, Block 1, City Center Subdivision, Phillips Ayagnirvik Treatment Center.

Mayor Klejka declared a conflict of interest.

Vice-Mayor Robb declared a conflict of interest.

Council Member Sigmon declared a conflict of interest.

Main Motion: Nominate Council Member Springer Mayor Pro Tem.

Moved by: Pike
Seconded by: Whitney
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Mayor Pro Tem Springer determined Vice-Mayor Robb does have a conflict of interest.

Mayor Pro Tem Springer determined Mayor Klejka does have a conflict of interest.

Mayor Pro Tem Springer determined Council Member Sigmon does have a conflict of interest.

Council Member Sigmon, Vice-Mayor Robb and Mayor Klejka stepped down from the Council Bench and did not take part in discussion, debate or action of this item.

Main Motion: Introduce Ordinance 14-13.

Moved by: Whitney
Seconded by: Pike
Action: Motion carried by a vote of 4-0
In favor: Springer, Whitney, Albertson and Pike
Opposed: None

Item C- AM 14-32: Appointing Eddie Stanly To The Energy Committee For A Term Of Three Years.

Passed on the consent agenda.

Item D- AM 14-33: Directing The City Clerk To Create A City Council Facebook Page.

Main Motion: To approve AM 14-33.

Moved by: Pike
Seconded by: Whitney
Action: Motion failed by a vote of 3-4
In favor: Robb, Whitney and Pike
Opposed: Klejka, Springer, Sigmon and Albertson

Item E- AM 14-34: Personal Time Off Request For City Clerk July 11 -19 and July 30-August 5, 2014.

Main Motion: Approve AM 14-34.

Moved by: Springer
Seconded by: Sigmon
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Item F- AM 14-35: Direction Administration To Begin Reaching Out To Entities And Property Owners In And Around The Proposed Roadway Around H Marker Lake.

Main Motion: Approve AM 14-35.

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Item G- AM 14-36: Direct Administration To Release An RFP For The Removal Of Metal From The City Dump.

Main Motion: Approve AM 14-36.

Moved by:	Pike
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Main Motion: Amend to insert "for future summer months".

Moved by:	Robb
Seconded by:	Pike
Action:	Motion carried by a vote of 6-1
In favor:	Klejka, Springer, Robb, Sigmon, Albertson and Pike
Opposed:	Whitney

Item H- Personal Time Off Request For City Attorney, May 9-23, 2014.
Passed on the consent agenda.

Item I- Personal Time Off Request For City Manager, April 25 At 12:00p-
May 9, 2014.
Passed on the consent agenda.

XII. MAYOR'S REPORT

XIII. MANAGERS REPORT

XIV. CITY CLERK'S REPORT

XV. COUNCIL MEMBER COMMENTS

Council Member Springer-

The roads are dusty, the best dust control tool is your rear view mirror. Slow down when you drive by the people walking alongside the road to prevent the cloud of dust.

Council Member Sigmon-

There are a lot of dogs that have been hit by cars; dogs should be on a leash. Cars need to slow down although there have been a lot of dogs being hit by cars over the past few weeks, they could have easily been a child.

Council Member Albertson-

Suggested the people need to slow down on the roadways, it is a danger to the community. Would support a more aggressive approach from the Police Department to prevent speeding vehicles in residential areas.

Council Member Pike-

Congratulations to Officer Andrew Read and Rachel Reed on the delivery of their new baby.

Congratulations to Melissa and Julius Reagan on the delivery of their new baby.

Five flower boxes out at the Alaska Territorial Guard Memorial Park are still available for adoption.

Mayor Klejka-

Calista gave out their dividends; there were a lot of intoxicated people in the community this past week.

Council Member Whitney-

Beginning to see many birds in the area, spring is here; enjoy.

Vice-Mayor Robb-

Bethel Search and Rescue as suggested no motorist travel on the river.

The first geese have been spotted in Bethel, good luck to the bird hunters.

XVI. EXECUTIVE SESSION

Item A- Update From Attorneys On- AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Update From Attorney On The Investigation Of City Contracts And Agreements Regarding 1) Demolition Of The Old Police Station 2) Agreements With Bobby Sutton Up To And Including The Personnel Action Request Beginning March 2013 Through His Employment As Finance Director And His Post City Employment As A Consultant 3) Agreements And Leases For Use Of The City Airport Sandpit By Private Entities 4) Financial

Accounting Of Leave Use By Salaried Employees Not Covered By The Collective Bargaining Agreement For The Period Of 12 Months 5) Investigation Of Employee Complaints Regarding Inappropriate Intimidation Of Employees By Supervisors 6) Bethel Municipal Code Section 3.64.050, Employment Of Relatives.

Item B- Alaska Statutes 44.62.310 (c) (1): Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-City Of Bethel, Collective Bargaining Agreement And Discussion Of Negotiation Actions.

Move into Executive Session for:

Update From Attorneys On- AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Update From Attorney On The Investigation Of City Contracts And Agreements Regarding 1) Demolition Of The Old Police Station 2) Agreements With Bobby Sutton Up To And Including The Personnel Action Request Beginning March 2013 Through His Employment As Finance Director And His Post City Employment As A Consultant 3) Agreements And Leases For Use Of The City Airport Sandpit By Private Entities 4) Financial Accounting Of Leave Use By Salaried Employees Not Covered By The Collective Bargaining Agreement For The Period Of 12 Months 5) Investigation Of Employee Complaints Regarding Inappropriate Intimidation Of Employees By Supervisors 6) Bethel Municipal Code Section 3.64.050, Employment Of Relatives. Those included in the executive session will be City Attorney.

Alaska Statutes 44.62.310 (c) (1): Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-City Of Bethel, Collective Bargaining Agreement And Discussion Of Negotiation Actions. Those included in the executive session will be City Attorney and City Manager.

Main Motion:

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Council moved into executive session at 9:00p.

Council went back on the record at 10:30p.

Motion to put the City Manager on paid administrative leave effective immediately pending receipt of and council consideration of the current investigation. All city property in his possession and control including an FTO book shall be turned over to the City.

Main Motion:

Moved by: Springer
Seconded by: Pike
Action: Motion carried by a vote of 5-2
In favor: Springer, Robb, Sigmon, Albertson and Pike
Opposed: Klejka and Whitney

Main Motion: Take a ten minute break.

Moved by: Springer
Seconded by: Pike
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Main Motion: Appoint Port Director Pete Williams as Acting City Manager.

Moved by: Robb
Seconded by: Pike
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

Council moved back into Executive Session for Item B, under Executive Session at 10:44p.

Council went back on the record at 11:28p.

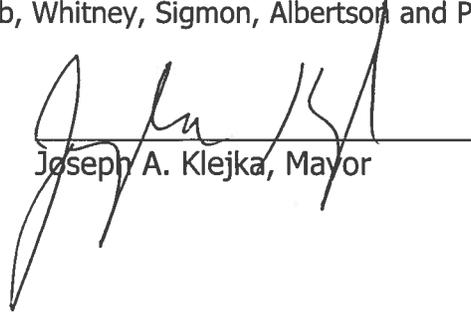
XVII. ADJOURNMENT

Main Motion: Adjourn

Moved by: Springer
Seconded by: Pike
Action: Motion carried unanimously by a vote of 7-0
In favor: Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed: None

ATTEST:


Lori Strickler, City Clerk


Joseph A. Klejka, Mayor