I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on May 13, 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 Mark Springer (arrived at 6:38p), Council Member Eric Whitney (participated telephonically arrived at 6:41p)

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams

IV. PEOPLE TO BE HEARD

Nancy Elliot – Spoke in favor of Resolution 14-09.

Joan Dewey- Spoke in favor of Resolution 14-09.

Vincent Moses- Presented water samples to the Council from his home, indicating the quality of water is poor. Suggested if the Council is going to increase the cost of service for water, they should insure the quality of water is improved.

Eddie Barber-Spoke in favor of Resolution 14-09.

Eric Middlebrook- Spoke in opposition to Ordinance 14-12. Suggested the Ordinance separate out the utility billing to ten dollars a month. Provided a number of concerns related to the charting of the rates.

Daysha Eaton- KYUK News Director provided a formal appeal to the City Council regarding a Public Request for Information denial made by the City Clerk's Office.

Nick Kwiek- Spoke in favor of Resolution 14-09. Suggested the City finalize the dog park development as proposed last year.

Ronda Sargent- Parks and Recreation Director, Clean up Green up started yesterday; changes to the process this year. Additional concerns over park activities can be directed to the Parks and Recreation Department. 4H Across the State has a Teen Leadership opportunity .

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion:	To approve the Consent and Regular Agenda.
Moved by:	Springer
Seconded by:	Robb
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Primary Amendment:	Amend the agenda to remove the executive session item A from the agenda.
Moved by:	Robb
Seconded by:	Springer
Action:	Motion failed by a vote of 2-5
In favor:	Springer and Robb
Opposed:	Klejka, Whitney, Sigmon, Albertson and Pike

Secondary Amendment:	Amend the primary amendment to strike "annual evaluation"
Moved by:	Pike
Seconded by:	Sigmon
Action:	Motion carried by a vote of 6-1
In favor:	Klejka, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	Springer

Primary Amendment:	Remove the evaluation from the e session
Moved by:	Pike
Seconded by:	Sigmon
Action:	Motion carried by a vote of 6-1
In favor:	Klejka, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	Springer

Remove from the Consent agenda	Resolution 14-09.
Moved by:	Robb

Primary Amendment:	Remove New Business Items F,G,H and I from New Business.
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

VI. APPROVAL OF THE MEETING MINUTES

Item A - 4-22-2014 Regular City Council Meeting.
Pass on the consent agenda.

Item B - 5-1-2014 Special City Council Meeting
Pass on the consent agenda.

Item C - 5-5-2014 Special City Council Meeting
Pass on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Item A - Port Commission –
Pete Williams, Port Director-
The boat harbor ramps are open and functional. The project for the Small Boat Harbor had four bidders; the bid should be awarded within the next two weeks.

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

Item C - Public Safety and Transportation Commission-
Sharon Sigmon, Council Representative-
A quorum of the body was not established, no meeting was held. The next scheduled meeting will be the first Tuesday of September.

Item D - Energy Committee –
Richard Robb, Committee Representative-
A quorum of the Committee was not established, no meeting was held.

Item E - Public Works Committee-
Joseph Klejka, Council Representative-
Second well has so far been unsuccessful at the City Subdivision water plant.
The sewer lagoon sheet piling is falling in.

Item F - Finance Committee-
Hansel Mathlaw, Finance Director –
Consideration of the sales tax revision.
Swimming pool operating budget.
Water and Sewer Rate increase, the Committee supported the rate increase however suggested to have additional public hearings on the Ordinance.

Item G - Parks and Recreations Committee-
Ronda Sargent, Parks and Recreation Director-
The Committee voted to not have regular meetings during the summer months. The Committee approved the Recommendation to establish a $1,000 grant under recognizing Bing Santamour.

VIII. UNFINISHED BUSINESS

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

Mayor Klejka opened the public hearing.

Mike Shantz- Understand the need of a water and sewer rate increase however believes the consumer should be paying for what they use as opposed to flat rates as provided in the Ordinance. Believes the City should look into cost savings prior to looking into increasing the rates.

Eric Middlebrook Brought up concerns on the data information and the inconsistencies with the number.
Suggested an amendment - Sewer rates need to be based off of water deliveries. Doesn't agree that the commercial rates for water and sewer were decreased, believes the commercial users who would benefit from the institutional corridor should be responsible for a higher depreciate rate. Supports a fare end equitable rate change, but believes this ordinance needs some substantial modifications.

Dave Trantham- Suggested the Council implement a metering system for the water and sewer which would provide costs associated with actual usage.

Theresa Broeckel- Provided a sample of piped water from her home which appeared dark in color with sediment at the bottom of the container.

Vincent Moses- Lives in AVCP House and stated the water quality in his home should be better before the Council considers increasing the water and sewer rates. Believes everyone should pay the same rate for water.

Main Motion:	Move into a committee of the whole until 8:30p.
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:	Move out of committee of the whole.
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

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

Primary Amendment Motion:	Under Section 13.16.010 Definitions Subsection A and B, strike "as identified in the Hauled Water Zone Map available at the City office" and insert: " A. "Hauled Water Zone One (1)" E ¼ Sec 6,E ¼ Sec 7, E ¼ Sec 18, T8N,R71W,SM Sec 4-5, Sec 8-10, Sec 15-17, T8N, R71 W, SM. " B. "Hauled Water Zone Two (2)" W ¾ Sec 6, W ¾ Sec 7, W ¾ Sec 18, T8N,R71W, SM, Sec 1, Sec 11-12, Sec 13-14, Sec 23-24, R72W, SM."
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

Secondary Amendment:	Amend the amendment to include a map with the legal descriptions.
Moved by:	Albertson
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

Primary Amendment:	Amend to modify the dates for the tables to have the rate increase begin with FY 2015 with the listed rates for FY 2014.
Moved by:	Robb
Seconded by:	Pike
Action:	Motion carried by a vote of 5-1
In favor:	Klejka, Springer, Robb, Whitney and Pike
Opposed:	Sigmon and Albertson

Primary Amendment:	To strike under section 13.16.020 Water Service, E, 3, to un-strike the "three ($0.3) per gallon (seventy five cents ($0.75) per minute approximately three ($0.03) per gallon and remove the proposed language for increases provided in the chart that increases over the period of FY 2014-FY 2018.
Moved by:	Robb
Seconded by:	Springer
Action:	Motion failed by a vote of 3-4
In favor:	Springer, Robb and Pike
Opposed:	Klejka, Whitney, Sigmon and Albertson

Subsidiary Motion:	Motion to postpone until the next Council Meeting.
Moved by:	Whitney
Seconded by:	Springer
Action:	Motion failed by a vote of 3-3
In favor:	Klejka, Sigmon and Whitney
Opposed:	Springer, Robb, Albertson and Pike

Subsidiary Motion:	Motion to postpone until the next Council Meeting.
Moved by:	Whitney
Seconded by:	Springer
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Item B - Public Hearing 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

It was determined at the April 22, 2014 Regular City Council Meeting, Council Member Sigmon, Vice-Mayor Robb and Mayor Klejka have a direct conflict of interest in this issue and shall not participate in discussion and debate.

Mayor Pro Temp Springer Opened the Public Haring on Ordinance 14-13.
No one wished to be heard.
Mayor Pro Temp Springer Closed the Public Hearing On Ordinance 14-13.

Main Motion:	Nominate Council Member Springer as Mayor Pro Tem.
Moved by:	Pike
Seconded by:	Albertson
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Main Motion:	Adopt Ordinance 14-13.
Moved by:	Pike
Seconded by:	Albertson
Action:	Motion carried unanimously by a vote of 4-0
In favor:	Springer, Whitney, Albertson and Pike
Opposed:	None

Mayor Klejka, Vice-Mayor Robb, and Council Member Sigmon returned to the Council desk.

IX. NEW BUSINESS

Item A - Resolution 14-09: Supporting Active Enforcement Of City Of Bethel Laws Regulating Leashing And Restraint Of Dogs.

Main Motion:	Adopt Resolution 14-09.
Moved by:	Sigmon
Seconded by:	Pike
Action:	Motion carried by a vote of 5-2
In favor:	Klejka, Springer, Robb, Sigmon and Pike
Opposed:	Whitney and Albertson

Item B - AM 14-37: Directing The City Clerk To Contact Kurt Playstead, CH2MHILL Representative, To Request His Availability At A Council Meeting To Provide A Summary And To Answer Questions Related To The 2013 Water And Sewer Rate Study.

Main Motion:	To approve AM 14-37.
Moved by:	Springer
Seconded by:	Sigmon
Action:	Motion carried by a vote of 4-3
In favor:	Klejka, Springer, Whitney and Sigmon
Opposed:	Robb, Albertson and Pike

Item C- AM 14-38: Directing Administration To Utilize The Funds In Line Item 26-50-694, Bike/Walking Paths For Maintenance And Repair Of Existing Boardwalks And Bike Paths.

Main Motion:	To approve AM 14-38.
Moved by:	Albertson
Seconded by:	Sigmon
Action:	Motion carried by a vote of 5-2
In favor:	Klejka, Springer, Whitney, Sigmon and Albertson
Opposed:	Robb and Pike

Subsidiary Motion:	Suspend the rules to hear from Ronda Sargent, Parks and Recreation Director.
Moved by:	Pike
Seconded by:	Springer
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Klejka, Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Subsidiary Motion:	Extend the meeting past 11p
Moved by:	Robb
Seconded by:	Pike
Action:	Motion failed by a vote of 3-4
In favor:	Albertson, Pike and Robb

Opposed:	Springer, Sigmon, Klejka, Whitney

Item D - Plan Of Action From Administration On Maintenance Of City Parks To Include The Softball Field Turf Repair.

Main Motion:	Direct Plan Of Action From Administration On Maintenance Of City Parks To Include The Softball Field Turf Repair.
Moved by:	Leif
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 E - Recommendation From The Parks And Recreation Committee To Establish An Annual Education/Training Scholarship Program Titled "The Bing Santamour Higher Education Scholarship".

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

XII. EXECUTIVE SESSION

Item A - AS 44.62.310 (c) 2 Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion; Annual Evaluation of Lee Foley, Review Of Employment Contract Between the City of Bethel and Lee Foley (Vice-Mayor Robb)

Main Motion:	To move into executive session AS 44.62.310 (c) 2 Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion; Annual Evaluation of Lee Foley, Review Of Employment Contract Between the City of Bethel and Lee Foley
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

Council moved into executive session at 10:56p.
Council went back on the record at 11:01p.

XIII. ADJOURNMENT

Main Motion:	Adjourn
Moved by:	Whitney
Seconded by:	Sigmon
Action:	4-2
In favor:	Klejka, Springer, Whitney, Sigmon and Albertson
Opposed:	Robb, Pike

Joseph A. Klejka, Mayor

ATTEST:

Lori Strickler, City Clerk