

City of Bethel City Council Meeting Minutes

September 27, 2011 Regular Meeting Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on September 27, 2011 at 6:30p, at the City Council Chambers, Bethel, Alaska.

In the absence of Mayor Middlebrook and Vice-Mayor Williams, City Clerk Lori Strickler called the regular meeting of September 27th to order at 6:30p.

II. ROLL CALL

PRESENT:

- Council Member Mike Shantz
- Council Member Terry Perry
- Council Member Rick Robb
- Council Member Tundy Rodgers
- Council Member Heather Pike
- Vice-Mayor R. Thor Williams (arrived after roll call 8:19p)
- Mayor Eric Middlebrook (arrived after roll call 8:27p)

STAFF:

- City Clerk Lori Strickler
- City Manager Lee Foley

In the absence of the Mayor and Vice-mayor the council held an election of a Mayor Pro Tempore.

MOVED:	Rodgers	Motion to nominate Council Member Heather Pike as Mayor Pro Tempore.
SECONDED:	Robb	
VOTE ON MAIN MOTION	Motion fails, Pike and Shantz opposed	
MOVED:	Shantz	Motion to nominate Council Member Rodgers as Mayor Pro Tempore.
SECONDED:	Pike	
VOTE ON MAIN MOTION	Motion passes, Rodgers opposed	

III. PEOPLE TO BE HEARD

Robert Hoehn – On behalf of his wife, Coleen Hoehn 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. Brian Hollander- As a representative of the Dental Department at YKHC 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.

MOVED:	Robb	Motion to extend the time limit for people to be heard.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	

Dr. Dan Hartman- As a representative from YKHC, 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. Robert Allen 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.

Janelle Vanasse- 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.

IV. APPROVAL OF THE CONSENT AND REGULAR AGENDA

MOVED:	Pike	Motion to approve the consent and regular agenda.
SECONDED:	Perry	
MOVED:	Robb	Motion to remove Ordinance 11-21 from the consent agenda.
VOTE ON MAIN MOTION	All in favor	

V. APPROVAL OF THE MEETING MINTUES

Item A- 9-13-2011 Regular City Council Meeting Minutes.

Passed on the consent agenda.

VI. REPORTS OF STANDING COMMITTEES

Item A- Planning Commission
No present to provide the report.

Item B- Port Commission
No present to provide the report.

Item C-Public Works Committee
Council Member Rodgers-
Institutional Corridor Rate Study.
City Shop Floor Capital Funding Request.

VII. SPECIAL ORDER OF BUSINESS

Item A- Power Point Presentation And Discussion By Dr. Bill Osmunson
Opposing Fluoridating Of Public Water Sources.

MOVED:	Pike	Motion to suspend the rules to allow comments from the public.
SECONDED:	Robb	
VOTE ON MAIN MOTION	All in favor	

Vice Mayor Williams arrived at 8:19p.

MOVED:	Pike	Motion to suspend the ruled to end the debate and discussion of this item.
SECONDED:	Robb	
VOTE ON MAIN MOTION	4-2 Motion passes, Rodgers and Williams opposed	

MOVED:	Shantz	Motion to suspend the rules to take a ten minute break.
SECONDED:	Pike	
VOTE ON MAIN MOTION	5-1 Motion passes Williams opposed	

VIII. UNFINISHED BUSINESS

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

*Vice-Mayor Williams opened the public hearing.
 No one wished to be heard.
 Vice-Mayor Williams closed the public hearing.*

MOVED:	Pike	Motion to adopt Ordinance 11-15 was made at the September 13 th meeting.
SECONDED:	Williams	
MOVED:	Pike	Motion to amend, to include the amendments provided.
SECONDED:	Robb	
<i>Mayor Middlebrook arrived at 8:34p.</i>		
MOVED:	Robb	Motion to amend, under Section 3. to strike Repeal and insert Superseded.
SECONDED:	Pike	
VOTE ON MOTION	6-1 Motion passes, Williams opposed	
VOTE ON MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item B- Public Hearing Of Ordinance 11-16: Amending The Fee And Rate Schedule 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 11-16.
SECONDED:	Williams	
MOVED:	Pike	Motion to suspend the rules to hear from the Parks and Recreation Director, Janet Athanas.
SECONDED:	Robb	
VOTE ON MAIN MOTION	All in favor	
VOTE ON MAIN MOTION	All in favor	

Item C- Public Hearing Of Budget Ordinance 11-10 (b): Amending The FY 2012 City Of Bethel Budget.

Mayor Middlebrook opened the public hearing.

No one wished to be heard.

Mayor Middlebrook closed the public hearing.

MOVED:	Shantz	Motion to adopt Budget Ordinance 11-10 (b).
SECONDED:	Rodgers	
MOVED:	Robb	Motion to amend, to strike 12-2 (D) Legal Fees for the Recreation Center.
SECONDED:	Perry	
VOTE ON MOTION	5-2 Motion passes, Robb and Perry in favor	
VOTE ON MAIN MOTION	All in favor	

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

This is the first of two public hearings, the next will be held on October 11, 2011.

Mayor Middlebrook opened the public hearing.

Jody Malus- Spoke in favor of Ordinance 11-17.

Dr. Dan Hartman – Spoke in opposition to Ordinance 11-17.

MOVED:	Robb	Motion to extend the limits for public comment to ten minutes.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	All in favor	

Jody Malus – (with the extension of time allowed) Spoke in favor of Ordinance 11-17, additionally defending the presentation provided by Dr. Bill Osmunson.

Jennifer Dobson- Spoke in opposition to Ordinance 11-17.

Mayor Middlebrook closed the public hearing.

MOVED:	Rodgers	Motion to adopt Ordinance 11-17.
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SECONDED:	Williams	
MOVED:	Rodgers	Motion to postpone Ordinance 11-17 until the October 11, 2011 Regular City Council Meeting.
SECONDED:	Perry	
VOTE ON MAIN MOTION	All in favor	
<i>Item postponed until the October 11th City Council Meeting to allow for the second scheduled public hearing.</i>		

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

Mayor Middlebrook opened the public hearing.

No one wished to be heard.

Mayor Middlebrook closed the public hearing.

MOVED:	Perry	Motion to adopt Ordinance 11-18.
SECONDED:	Robb	
MOVED:	Shantz	Motion to amend, under Section 2. Amendment, move "Pledge of allegiance" from after Roll Call to before Roll Call.
SECONDED:	Williams	
VOTE ON MOTION	6-1 Motion passes, Robb opposed	
VOTE ON MAIN MOTION	5-2 Motion passes, Rodgers and Middlebrook opposed	

MOVED:	Williams	Motion to suspend the rules, for the Pledge of Allegiance.
SECONDED:	Pike	
VOTE ON MAIN MOTION	All in favor	

MOVED:	Williams	Motion to suspend the rules to extend the meeting past 10:00p.m.
SECONDED:	Pike	

MOVED:	Shantz	Motion to amend, to extend the meeting until such time the council has completed all of the items listed on the agenda.
SECONDED:	Williams	
VOTE ON MOTION	5-2 Motion passes, Pike and Rodgers opposed	
VOTE ON MAIN MOTION	6-1 Motion passes, Rodgers opposed	

Item F- Public Hearing Of Ordinance 11-19: Amending BMC City Council Meeting Times.

Mayor Middlebrook opened the public hearing.

No one wished to be heard.

Mayor Middlebrook closed the public hearing.

MOVED:	Pike	Motion to adopt Ordinance 11-19.
SECONDED:	Robb	
MOVED:	Shantz	Motion to amend, to strike 11:00pm and insert <u>until such time the council is complete with the agenda items unless the majority of council determines by vote to adjourn the meeting.</u>
SECONDED:	Williams	
VOTE ON MOTION	3-4 Motion fails, Pike, Rodgers, Middlebrook and Perry opposed	
MOVED:	Shantz	Motion to amend to strike 11:00 and insert <u>11:59pm.</u>
SECONDED:	Williams	
VOTE ON MAIN MOTION	3-4 Motion fails, Pike, Rodgers, Middlebrook and Robb opposed	
VOTE ON MAIN MOTION	4-3 Motion passes, Shantz, Williams and Rodgers opposed	

I. NEW BUSINESS

Item A- Introduction Of Ordinance 11-20: Moving Bethel Aquatic Training and Health Funds From the Central Treasury To The Dedicated BATH Account.

Passed on the consent agenda.

Item B- Introduction Of Ordinance 11-21: Amending Bethel Municipal Code 4.16.180, Sales and Use Tax Penalties.

MOVED:	Williams	Motion to introduce Ordinance 11-21.
SECONDED:	Pike	
<i>A brief at ease was taken.</i>		
MOVED:	Williams	Motion to suspend the rules to hear from the Finance Director, Bobby Sutton.
SECONDED:	Pike	
VOTE ON MOTION	All in favor	
MOVED:	Pike	Motion to amend, under Section C. strike \$100 and insert \$500 and under Section D. strike \$1,000 and insert \$2,500.
SECONDED:	Williams	
MOVED:	Shantz	Motion to amend the amendment, to provide discretion to the City Manager.
SECONDED:	Rodgers	
VOTE ON MOTION	All in favor	
VOTE ON MOTION	6-1 Motion passes, Robb opposed	
VOTE ON MAIN MOTION	All in favor	

Item C- AM 11-41: Appointing Of A New Council Member To Terry Perry's Vacated Council Seat.

MOVED:	Robb	Motion to approve AM 11-41.
SECONDED:	Shantz	
VOTE ON MAIN MOTION	3-4 Motion fails, Middlebrook, Perry and Robb in favor	

Item D- Recommendation From The Planning Commission To Forgo The Purchase Of QFC#1 Building And Land.

MOVED:	Pike	Motion to accept the recommendation from the Planning Commission.
SECONDED:	Rodgers	
VOTE ON MAIN MOTION	All in favor	

- II. MAYOR'S REPORT**
- III. MANAGERS REPORT**
- IV. CITY CLERK'S REPORT**
- V. COUNCIL MEMBER COMMENTS**

Council Member Robb-
 Hopes and prayers to the Springer family for their loss.
 This is the last time the council will be sitting together, thanked the council for all of their hard work.
 Thanked the people of Bethel for electing him to represent them.
 Wished all of the candidates for the election the best of luck.

Council Member Perry-
 Thought and prayers to the Springer Family.
 Apologized to the community for not fulfilling his term.
 Hoped for a quick recover for Ken Eggleston.

Vice-Mayor Williams-
 It has been an honor to serve this community for eight plus years.

Council Member Pike-
 Feels very privileged to serve with this council. Love the time spent here in Bethel and in the United States. Thankful for the opportunity to debate issues in the community. Thought and prayers to the Springer family and thanked everyone in the communities looking for their mission son.

Council Member Shantz-
 This may have been a first, three mayors for one meeting.
 Thanked the City Manager and City Clerk for the help.
 Thanked the Council for their hard work.

The council didn't discuss the recreation center at the meeting tonight. The community of Bethel is very divided on the recreation center. Hoped the council coming in would come to know the community is full of agenda items, not just one.

He has enjoyed his time on council.

Mayor Middlebrook-

Thanked the council for all of their hard work. And thanked them for electing him as mayor. This group has been one of the best he has ever worked with, they are all very respectful to each other.

Council Member Rodgers-

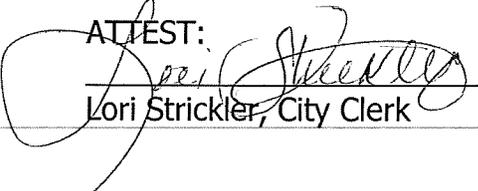
Hug an elder.

VI. ADJOURNMENT

MOVED:	Rodgers	Motion to adjourn.
SECONDED:	Williams	
VOTE ON MAIN MOTION	All in favor	

Council adjourned at 11:21pm.


Eric Middlebrook, Mayor

ATTEST:

Lori Strickler, City Clerk