

## EAST BETHEL SPECIAL CITY COUNCIL MEETING

January 4, 2012

The East Bethel City Council met on January 4, 2012 at 6:30 PM for a Special City Council meeting at City Hall.

MEMBERS PRESENT:      Bill Boyer                      Bob DeRoche                      Richard Lawrence  
   Heidi Moegerle                      Steve Voss

ALSO PRESENT:              Jack Davis, City Administrator

Call to Order      **The January 4, 2012 Special City Council meeting was called to order by Mayor Lawrence at 6:33 PM.**

Adopt Agenda      **Boyer made a motion to adopt the January 4, 2012 Special City Council Meeting Agenda. Voss seconded; all in favor, motion carries.**

Planning              Davis explained the first person scheduled for interview is Eldon Holmes, there is a letter  
Commission              before you, Eldon couldn't attend.  
Interviews

Davis said we will move on to the second applicant Mr. Greg Hunter.

Lawrence said you have many years of experience in the city. Hunter said yes, he brings a little bit of background and he can bring that to the table, bring that to the committee. He said he did apply for both the EDA and the Planning. Hunter said he doesn't know your ordinances are wrote, if you can serve on either or both. He said so he would entertain if it is possible to be on both, but whichever one that the Council would see that would fit better, would be nice. Moegerle asked if he has a preference? Hunter said no. Voss asked why he wants to come back? Hunter said he wants to be involved. He said we should have fifty people applying, but at least you have a few to choose from and that is nice, a fun thing. Hunter said because he is so used to walking in the door, with the little bit of background he has had. He said and he believes we are going to be seeing some nice growth here in the future and it would be nice to be part of that.

Lawrence asked what have you done in planning in the past that you feel would be applicable to this situation? Hunter said he was on Planning and Zoning for two years, then on Council for four years, was the liaison for one of those years. He said then when his Council term ended he was on Planning and Zoning again for roughly a year and a half and then once he got elected mayor obviously he stepped away from that. Boyer asked weren't you liaison to Planning and Zoning when you were mayor? Hunter said yes. Lawrence asked what would the area of your specialty be in Planning and Zoning? Hunter said knowing the direction we have come from in the last twelve years, bringing that information. He said there are the unsaid things and how we have progressed or where we have come from that he can bring to the table, that information.

DeRoche asked what kind of educational background do you have? Hunter said basically he graduated from Blaine High School for educational background. He said he has been the construction industry, owned his own business for ten years. Hunter said ran two other businesses for eleven years in combination. He said he has been in the construction industry all his life. Hunter said his dad had a sewer and water business. He has been around that part

of the construction industry. Hands on experience.

DeRoche asked what do you think it is going to take to make the sewer and water project work. Hunter said the pipe is going in the ground. So he thinks what you are you asking how is it going to fund itself? DeRoche said sure. Hunter said basically it was set up to be funded by the users of the system. He said and as more users come on to the system, that will get paid by those users. Lawrence asked in your experience as mayor and such, do you have any outside contacts that would be interested in coming to East Bethel? Hunter said as we all know, the economy is what it is. He said he thinks you have a proposal that has come forward; he doesn't know all the particulars about it. So people are looking to expand, some people are looking to if they have two locations and make them one. Hunter said he still believes we are in a great situation here. He said when that big ticket comes, which may be soon; there will be other things that come along. Lawrence said some of the issues that have come up is talk about the kind of structures that are put up, and that would be done through Planning and Zoning. He said the style of the building that would make this name of East Bethel stand out a little different than any other city. Lawrence asked do you have any preferences on how you would go about creating that identity for new businesses? Hunter said that is all part of the overall plan. He said we as a city have started that tool, that process, architectural controls already. Hunter said it just depends on if you have a dental or a big box or whatever comes in and you look at those proposals to see what would be the best fit for the area.

Davis explained that Joe Pelawa could not make the meeting tonight.

Davis said the next candidate is Glenn Terry.

Voss asked Mr. Glenn Terry to talk about himself. Terry said he has been serving on the Planning Commission since 1997 with the exception of one year. He said every since Mr. Voss left the commission, he has been chairman, except since we started alternating this and it became a one year term. Terry said since he has been doing it every other year. He said it wasn't something he was looking at doing, but Voss left he recommended him, and it wasn't as complicated as he thought, you have to just run an orderly meeting and give everyone a chance to speak without getting off topic too much.

Lawrence asked where do you see us going from this day out? Where do you see Planning and Zoning in the next couple years? Terry said hopefully because of the initiative of the sewer and water project, hopefully there will be businesses coming in to take advantage of what we are offering. He said so he sees Planning right in the middle of trying to discern what is the best fit for East Bethel, in terms of businesses and in terms of the overall vision of the city to allow for that growth without turning into a Blaine. But turning into something that is more appropriate for East Bethel. Terry said he feels that his background which is in architectural design, before he became a fine artist helps him to weed out (so to speak) things that are and things that aren't. He said and having gone through a lot of esthetics where we have had businesses that are a real burden on the city and we go to court and we have had to spend a lot of resources, gone through a lot of staff time and money, he thinks it is important to be careful about that. Terry said not just feel we have to let everything in because we have to pay for sewer and water. He said we have to stick to a high enough standard so we don't get the city in further trouble due to a lack in planning.

Lawrence asked how long have you been in architecture design? Terry said he graduated in 1985 and 1987 he realized he had the ability to create art. He said so he pursued that, but he

has still done architectural design in the early years of that, he has just done quite a bit less since the art has been full-time with sculpture and mural painting. So mid 80's until early 2000. Voss said Lawrence mentioned earlier, with Hunter, about design standards and architectural management in terms of development. He said and he will just say ten years ago you were pushing that on Planning Commission and no one really wanted to listen to you. Voss said we have had discussion on this, so how do you look at this on how this could drive development? Terry said doesn't see that as driving development. He said he sees it as trying to keep it from going in the direction of trying to maintain a standard. Terry said actually how it could drive development is, if you maintain a higher standard, it will attract more of the same. Whereas if you have a city that just looks like a bunch of car lots and outside storage and things, certain businesses won't see their image fitting in there. Terry said but if you maintain a standard that looks interesting, perhaps innovative, different than the usual, that might attract people that to do that.

DeRoche asked how do you see development in an urban environment getting along with the rural environment? He said East Bethel is still to him pretty rural. DeRoche said development/businesses are going to come up here, how do you see the two mixing. Terry said one thing we don't have and he misses is a downtown area; a place where you go meet people. He said we are all spread out in a beautiful setting, but we don't have a place where we come together as a community that much. Terry said he thinks this is a good thing to have, which is the city center idea. He said he sees it being focused in area rather than all over the place, focusing it in a city center would be more apt to bring people together. DeRoche said that makes sense.

Moegerle said recently there was an occasion in which an applicant for a Home Occupation permit obtained that permit even though the use it was put to was not a permitted use in the zoning codes of East Bethel. She asked his opinion on that. Is that a practice we should continue? Moegerle asked is that a way to start testing if we should start expanding the zoning limits? Terry asked was this a variance of the ordinance? Moegerle said no, it wasn't a variance; the home occupation permit was for a home auto repair business and used motor vehicle sales. She said it was an expansion of what is permitted in our business districts. Moegerle asked is that a pattern we should continue; that home occupations should be expansively applied or should it be more limited to what is in our zoning ordinances?

Terry said he doesn't think a blanket expansion of things outside of the ordinances is a good idea. He said but he thinks each thing should be handled on a case-by-case basis. Terry said analyzed on what the history of the applicant is, have they shown themselves to be a reputable business elsewhere? Just to review the circumstances and to give people the benefit of the doubt of they haven't shown themselves to be a nuisance or a problem. Moegerle said but this was a use that was not permitted in our business districts. She said so that is her question, what is the use of our business zoning ordinances compared to our home occupations? Terry said he thinks the zoning ordinances, just for an example, we were exploring the idea of should we let back in used car lots where they currently aren't allowed. He said and from his experience of our city trying to get rid of those, he did not understand why we would want to change back to that. Terry said as far as how that would apply to home occupations, it is an entirely different circumstance, because the business has to fit into the residential character. He said it has to not be a negative impact on that and our ordinances address that with other issues such as the noise; certain criteria they have to meet in respect to whether they have a business there or not. Terry said he doesn't think there is anything wrong, especially with our economy, with trying to encourage home occupations that may not be what we thought of before so they weren't addressed. The idea of it being

new and different isn't a bad thing, just because it isn't addressed in our ordinance. Terry said but we have to be sure it isn't going to create a situation with the neighbors where they are unhappy and calling the city to intervene because somebody is abusing that privilege.

DeRoche asked you don't see that as setting precedent? Terry asked what is the precedent? DeRoche said he will use the auto repair sales. He said so he decides hey, you know what, now I want to do the same thing. DeRoche said and he goes to do it and the city says, "No we can't let you do that." He said so now what do you do? Because now you are threatened with a lawsuit because you allowed it here and you didn't allow it here; even though both people might meet the same standards. Terry said Planning Commission reviews the applications and the history of the neighbor relationships, and makes a recommendation to Council based on the information we are given. He said we don't have the city attorney sitting next to us giving us information on whether this is a good idea or not. That is where you guys come in and are able to put the full weight of the law behind your decisions if, in fact, that shouldn't occur. Terry said he doesn't have a strong opinion on whether that is a good idea or not. He doesn't think setting a precedent is a good idea. Terry said but from the standpoint of Planning Commission, if we are looking at an applicant and it looks like they are going to do something positive in the community, he doesn't see a problem with passing that on to the city where they have other considerations to look at. DeRoche said he asks a lot of questions, normally because he plays the devil's advocate. He said you have to look at both sides of everything. Terry said and he doesn't come to Planning Commission with a biased opinion to an applicant.

A ballot vote was taken and the top three were Eldon Holmes, Joe Pelawa and Glenn Terry.

#### Road Commission Interviews

Davis said the first interview for Road Commission is Dennis Murphy.

Lawrence asked what makes you want to do the Road Commission? Murphy said he is just finishing up one term and interested in continuing if you will have him. Moegerle asked what is your background? Murphy said he has no background that relates to the Road Commission. He said he has a commercial construction background and worked in that for a number of years, had a business of his own for a while. Murphy said he really got involved in the Road Commission as a way to be involved in the community. DeRoche said you have pretty good knowledge when we are in the meetings. Murphy said as you know the Road Commission, we are not a think tank. He said Davis previously and now Ayshford bring topics to the board. There is a lot in the road area around maintenance schedules, decisions have to be made on how to juggle things a lot really.

Murphy said he thinks his input as a city member, without a lot of roads technical information in his head, allows him to be able to speak for a lot of people. Lawrence asked how long he has been serving. Murphy said three years. Moegerle asked in the list of priorities, where is paving Klondike Road? Murphy said we must discuss Klondike every third meeting. It is a road gone bad, that needs a ton of money thrown at it to be a decent road. He said eventually something is going to have to happen there. We would sure like to see some development and have it happen that way. Murphy said with the amount of traffic between east and west there, eventually some money is going to have to be thrown at it.

Davis introduced Lori Pierson. DeRoche asked what drew your interest to the Road Commission? Pierson said she has been in construction/grading since 1988. She said we built a lot of the roads in East Bethel here. Pierson said she was on Planning Commission for eight years. She said she came in October to the community meeting and there were

openings and she talked to staff members and she had Tuesday evenings free. Moegerle said your letter was very impressive with regards to your experience. She said she felt like that was very helpful. Moegerle said it seems like a very natural fit for you. DeRoche asked what state do you think the roads are in now? Pierson said the one she drives most often, Sandy Drive needs some updating. She said there are some that are probably overdue. Pierson said but with the economy the way it is, you prioritize. Voss asked what roads did you build? Pierson said she would have to look at the list. She said we did a lot of work for the city.

**Moegerle made a motion to appoint Dennis Murphy and Lori Pierson as Road Commission members with terms from January 5, 2012 to January 31, 2015 for both. Voss seconded; all in favor, motion carries.**

EDA  
Commission  
Interviews

Davis said in doing some research this morning we found out that when the EDA By-Laws were amended the composition of the EDA was not included in the description (two Council Members and five citizen members). He said and also the Ad-Hoc committee members (Tom Larson, Sherry Allenspach, and Mike Connor) were not recognized as full members. Davis said the EDA had a meeting prior to this meeting to discuss the Ady Voltedge contract. He said and even though they couldn't take an official vote on it, (because we only had three official members present) there was a recommendation to amend the by-laws to correct these oversights and then do the EDA Interviews for the vacant position. Davis said it is staff's recommendation that Council may want to table this matter until that is completed. He said we would propose to have this before you on January 18<sup>th</sup> and then we could further proceed on the interviews for the EDA vacancy.

**DeRoche made a motion to table the EDA Commission Interviews until the by-law issues are addressed. Moegerle seconded.** Voss said so he understands the positions of the EDA members are not in the by-laws. Davis said the by-laws only address the officers. They didn't define the composition of the EDA which is to be composed of two Council Members and five citizens. He said and also the ad-hoc members from the previous EDA composition were never appointed (to regular membership) so they are still ad-hoc members. Voss said we had that in the by-laws before, that is how we established the EDA. So when this was redone last fall the memberships were removed/deleted? Davis said it was an oversight that the ad-hoc members were not appointed as regular members. Voss asked can you do that with the by-laws or do you have to appoint? Davis said Council would have to appoint. He said also, Tom Larson's term is expiring.

Moegerle said which adds an extra wrinkle about the schools, because Tom Larson was the representative from the schools. She said the by-laws do not address whether one of the members will be a school representative. Moegerle said so there is the issue of whether we want to create another Ad-Hoc position for the schools or whether there should be a position on the regular EDA of a school representative. That hasn't been addressed. Voss said staff will send information out to us for discussion. **All in favor, motion carries.** Lawrence said we apologize to those that came for an interview. He said we need to get this cleaned up before we move forward.

Appoint  
Planning  
Commission  
Members

**Moegerle made a motion to appoint Eldon Holmes, Joe Pelawa and Glenn Terry to the Planning Commission for terms from January 5, 2012 until January 31, 2015 for all three. DeRoche seconded; all in favor, motion carries.**

Voss asked didn't any terms on the Park Commission expire? Davis said yes, we had two

expirations, but no one applied by the deadline. He said but we did get an applicant today and that interview will be on the next regular City Council agenda.

Adjourn **Moegerle made a motion to adjourn at 7:13 PM. DeRoche seconded; all in favor, motion carries.**

Attest:

Wendy Warren  
Deputy City Clerk