

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on April 28, 2015 at 6:30pm, in the council chambers, Bethel, Alaska.

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

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

<b>Comprising a quorum of the Council, the following members were present:</b>	
<input checked="" type="checkbox"/> Mayor Rick Robb	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Leif Albertson	<input checked="" type="checkbox"/> Council Member Mark Springer
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Heather Pike
<input checked="" type="checkbox"/> Council Member Byron Maczynski	
<b>Also in attendance were the following:</b>	
<input checked="" type="checkbox"/> City Attorney Patty Burley	<input checked="" type="checkbox"/> City Clerk Lori Strickler
<input checked="" type="checkbox"/> Acting City Manager Pete Williams	<input checked="" type="checkbox"/> Assistant To City Clerk Adriane Welch

Members Absent:  
*All present.*

**IV. PEOPLE TO BE HEARD**

*Raymond Watson* - Spoke in support of protesting of AC Store and Bethel Spirits liquor licenses issuance.

*Buck Bukowski* - Spoke in support of the Heroin proclamation. Spoke of death threat to Council Member Maczynski. Provided statistics from the 2014 Alaska State Troopers Drug Report.

*Raymond Pete* – Stated people will use their food stamp money to buy alcohol, and that hurts the children who will go hungry. Also stated Bethel has a 5 mile radius and suggested if the City does open a liquor store the City should put in place a safety boating patrol for year round watch of the 5 mile radius.

*Lorin Bradbury* - Spoke in support of protesting of AC Store and Bethel Spirits liquor licenses issuance.

*Mike Martz* - General Manager of KYUK. Spoke in support/opposition of Tall Towers Ordinance, claimed KYUK is grandfathered in. Stated KYUK is not now or anytime in the future planning to make modifications to any of towers. KYUK owns two towers, one tower is located out of town by the airport and the other tower is the TV tower near KYUK building.

*Ana Hoffman* - Spoke in opposition of Resolution 15-08. Stated BYF does not fit into BMC code due to the fact it is a detention center for youth by court order. Stated the main parking lot of BNC building near Bethel Youth Facility is measured from the public entrance to nearest stop sign is 102 feet. Claimed the measurement was not done accurately. Stated the measurement should be from the sidewalk of school grounds/church to the public entrance of the BNC building which is 446 feet from parking lot to the Bethel Youth Facility.

*Rene Crow* – Spoke in support of issuing alcohol licenses.

## V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

**Main Motion:** Approve the Consent and Regular Agenda.

---

Moved by: Fansler

Seconded by: Springer

Action: Motion carries by a vote of 7-0

In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson

Opposed: -0

**Main Motion:** Remove Resolutions 15-08 & 15-09 from Consent Agenda.

---

Moved by: Fansler

**Main Motion:** Remove Introduction of Ordinance 15-12 from Consent Agenda.

---

Moved by: Fansler

Remove Introduction of Ordinance 15-11 from the Consent

**Main Motion:** Agenda.

---

Moved by: Robb

## VI. APPROVAL OF THE MEETING MINUTES

**Item A** – Regular City Council Meeting April 14, 2015.

*Passed on the consent agenda.*

## VII. REPORTS ON STANDING COMMITTEES

**Public Safety and Transportation Commission** – *Council Representative, Chuck Herman* –  
No meeting, nothing to report.

**Port Commission** – *Port Director, Pete Williams* –  
Meeting last Monday, discussed the budget. Hopefully new Port office soon.

**Planning Commission** – *Council Representative, Heather Pike* –  
Had a meeting on 4/9 at 6:30 for the Clerk to present annual commission training.  
Next meeting on 5/14, still looking for extra members, no need for experience.  
Contact the City Clerk to join, just one meeting a month.

**Parks and Recreation Committee** – *Council Representative, Richard Robb* –  
Next meeting next Monday, 5/4 at 6 pm. Previous meeting minutes were already  
reported. Believes every committee need members.

**Finance Committee** – *Council Representative, Leif Albertson* –  
One position still open. Had a meeting last night, discussed sales tax. Waiting to hear  
from the Finance Director to see how audits will be chosen at next meeting.

**Public Works Committee** – *Council Representative, Byron Maczynski* –  
Unable to attend the meeting. Next meeting will be next week on 5/6.

**Energy Committee** – *Council Representative, Zach Fansler* –  
Next meeting on 5/11, will have a presentation from AVEC. If you would like to join  
the committee, or would like to site in come on down.

**Non-Standing Committee** – *Council Representative, Mark Springer* –  
Nothing to report.

## VIII. SPECIAL ORDER OF BUSINESS

**Item A** – Proclamation Sexual Assault Awareness Month For April

**Item B** – Proclamation Heroin Awareness Week April 27 Through May 2, 2015

## IX. UNFINISHED BUSINESS

**Item A** – Public Hearing Of Ordinance 15-06: Providing For The Submission To The  
Qualified Voters Advisory.

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-06.

---

Moved by: Maczynski  
Seconded by: Fansler  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

**Primary Amendment:** Amend to strike "Special City Election on July 28, 2015", and insert "Regular Election to October 6, 2015."

---

Moved by: Herman  
Seconded by: Springer  
Action: Motion carries by a vote of 4-3  
In favor:  Fansler  Herman  Springer  Albertson  
Opposed:  Robb  Maczynski  Pike

**Secondary Amendment:** Strike "support" and insert "protest" in the five advisory questions.

---

Moved by: Springer  
Seconded by: Pike  
Action: Motion does not carry by a vote of 1-6  
In favor:  Springer  
Opposed:  Fansler  Herman  Robb  Maczynski  Pike  Albertson

**Item B - Public Hearing Of Ordinance 15-07: Acquisition Of Laundromat Building And Property.**

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-07.

---

Moved by: Springer  
Seconded by: Maczynski  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

**Item C - Public Hearing Of Ordinance 15-08: Ballot Proposition Establishing A 12% Tax On Alcohol Sales In Bethel.**

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-08.

---

Moved by:	Fansler
Seconded by:	Maczynski
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Pike

**Primary Amendment:** Amend to strike "Special" and "July 28" and insert "Regular October 6."

---

Moved by:	Fansler
Seconded by:	Springer
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Robb

**Secondary Amendment:** Amend Effective Date strike "December" and insert "January 1, 2016."

---

Moved by:	Fansler
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	-0

**Item D – Public Hearing Of Ordinance 15-09: Disposition Of City Property Through Request For Proposal – Old Laundromat Building.**

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-09.

---

Moved by: Fansler  
Seconded by: Herman  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

**Item E – Public Hearing Of Ordinance 15-10: Establishing Chapter 16.10 Of The Bethel Municipal Code, Tall Towers.**

*Mayor Robb opened the Public Hearing.*

*A representative from GCI spoke in favor of ordinance.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-10.

---

Moved by: Albertson  
Seconded by: Herman  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

**Subsidiary**

**Motion:** To postpone until next regular meeting.

---

Moved by: Fansler  
Seconded by: Pike  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

*Mayor request a 10 minute recess at 8:11 p.m. Back on record at 8:21 p.m.*

**X. NEW BUSINESS**

**Item A – Introduction Of Ordinance 15-11: Approving The Disposal Of Warehouse Building City Property In Accordance With 4.08.030, Disposal Of Property.**

**Main Motion:** Introduce Ordinance 15-11.

---

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	-0

*Mayor Robb declared conflict of interest. Council Member Pike declared conflict of interest. Council determined there were no conflicts by the two.*

**Secondary Motion:** Suspend rules to have speaker Brian Lefferts, Director of Environmental Health & Engineering, YKHC.

---

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	-0

**Item B – Introduction Of Ordinance 15-12: Amending The City Of Bethel Terminal Tariff #004, Naming Rates, Rules And Regulations For Terminal Services At The Port Of Bethel, Alaska.**

**Main Motion:** Introduce Ordinance 15-12.

---

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	-0

**Item C - Resolution 15-08: Protesting The Issuance Of A Package Store License To Bethel Spirits, LLC – License # 5384, Located At 905 Chief Eddie Hoffman Highway, Suite B, Bethel, Alaska.**

**Main Motion:** Approve Resolution 15-08.

Moved by:	Albertson
Seconded by:	Herman
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike

To add, "Whereas, the City protests stands based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel Municipal Code or State Statutes violations."

**Primary Amendment:**

Moved by:	Herman
Seconded by:	Springer
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike

To strike the 5<sup>th</sup> Whereas statement: "Whereas, the main parking lot entrance of the proposed package store is 102 feet from the State's Juvenile Justice Facility;"

**Primary Amendment:**

Moved by:	Pike
Seconded by:	Maczynski
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Albertson

**Subsidiary Motion:**

Suspend rules to hear from Ana Hoffman, BNC.

Moved by:	Pike
Seconded by:	Maczynski
Action:	Motion carries by a vote of 5-2
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer

**Item D** – Resolution 15-09: Protesting The Issuance Of A State Of Alaska Alcoholic Package Store License For Alaska Commercial Company AC Value Center; 514 Ridgcrest Street; Owned By North West Company International Inc.; License ID # 5388.

**Main Motion:** Adopt Resolution 15-09.

Moved by:	Herman
Seconded by:	Albertson
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike
Opposed:	<input checked="" type="checkbox"/> Robb

**Primary Amendment:** Insert "Whereas, the City protests stands on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel Municipal Code or State Statute Violations."

Moved by:	Herman
Seconded by:	Albertson
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski
Opposed:	<input checked="" type="checkbox"/> Pike

**Primary Amendment:** To insert to 5<sup>th</sup> Whereas, "directly across to the Pentecostal Church"

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Albertson
Opposed:	-0

**Item E** – Resolution 15-10: Affirming Eligibility For Power Cost Equalization "Community Facility" Status For Its Yukon-Kuskokwim Regional Aquatic Health And Safety Center  
*Passed on Consent Agenda.*

**Item F** – Administrative Leave Request For City Attorney, May 6 Through May 8, 2015  
*Passed on Consent Agenda.*

**Item G** – Personal Leave Request For City Attorney, May 31 Through June 12, 2015  
*Passed on Consent Agenda.*

**Item H** – Personal Leave Request For City Attorney, June 24 Through July 8, 2015  
*Passed on Consent Agenda.*

**XI. MAYOR'S REPORT**  
**XII. MANAGER'S REPORT**  
**XIII. CLERK'S REPORT**  
**XIV. COUNCIL MEMBER COMMENTS**

Council Member Zach Fansler –

Very happy with Council Member Maczynski standing up to the threat. There is a tip line. Heroin is an ever growing issue in our community. On a happier note, spring is here. Please stay off the river, do not want any tragedies. Looking forward to Clean-Up Green-Up, don't need a special time of year, we can do that all year.

Council Member Chuck Herman –

Bethel is the host of the Special Olympics this Saturday; get in contact with the people at the high school if you want to be a part of that.

Council Member Mark Springer –

Conquered with Council Member Albertson's comment on community input on the liquor licenses. A lot of us have heard from people on both sides of the issue. We all have different opinions. A more striking issue, a death threat to one council member is directed to all council members. The language contained in the threatening letter is unbelievable. The reason why people don't do anything about bootleggers is because they are intimidated by them. Considered introducing an ordinance to prevent Police from the use of stingrays. The FBI has the police departments sign disclosure agreements for cell phone wire taps called stingrays, therefore states, his position has changed.

Mayor Richard Robb –

Found it personally appalling to threaten a council member. A week and a half ago, our ROTC team went to Hawaii and won a few metals. Spring is here and my one son is going out and hunting.

Council Member Byron Maczynski –

Was requested to read the threatening note, just to bring it out as public as possible. Unable to provide letter, stated didn't remember what the letter stated exactly, but read something to the lines of:

*"You better get off the heroin issue, before you end up killing yourself. If you go to the police, we will know about it. Ha ha ha. The next time I see you walking out of your shop you won't make it back inside."*

Don't think they had the intent of the response, it brought us more together. Hopefully, we can move forward from here. There will be more discussion on this at the next meeting and more to be heard.

Council Member Heather Pike –

Spring is starting, planting seeds. Need help planting flowers and picking up trash. For any heroin dealer, you are the minority. Would remember that when threaten someone on council.

Vice-Mayor Albertson –

Tough issues surrounding alcohol tonight. Extend respect to council members, thank you for all of that. Pinky's Park has money set aside for maintaining. This year may have money for grass this year, doesn't cost a lot of money to maintain. Lastly, recent events we call the BPD has been doing a good job in responding and helping everyone. Need to shine a light on that. Express appreciation on that.

## XV. EXECUTIVE SESSION

**Item A** - 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. Omni Enterprises, Financial Delinquencies And Current Litigation.

**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. Bethel Packing And Delivery, Overdue Tax Delinquency.

**Item C** - 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. Collective Bargaining Agreement.

Move into Executive Session to discuss 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. Omni Enterprises, Financial Delinquencies And Current Litigation.

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. Bethel Packing And Delivery, Overdue Tax Delinquency.

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. Collective Bargaining Agreement.

Those participating in the Executive Session will be the Council Members, City Attorney Burley, City Manager Capela, Acting City Manager Williams and City Clerk Strickler.

---

**Main Motion:**

Moved by: Springer

Seconded by: Pike

Action: Motion carries by a vote of 7-0

In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson

Opposed: -0

**XVI. ADJOURNMENT**

**Main Motion:** Adjourn

---

Moved by: Springer  
Seconded by: Maczynski  
Action: Motion carries by a vote of 7-0  
In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson  
Opposed: -0

*Council adjourned at 11:15 p.m.*

  
 6.9.15  
\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

  
\_\_\_\_\_  
Adriane Welch, Assistant City Clerk