

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on July 14, 2015 at 6:30 p.m., in the council chambers, Bethel, Alaska.

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

**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 (arrived after roll call)	
<b>Also in attendance were the following:</b>	
<input checked="" type="checkbox"/> City Manager Ann Capela	<input checked="" type="checkbox"/> City Clerk Lori Strickler
<b>Members Absent:</b>	
All members present	

**IV. PEOPLE TO BE HEARD**

*David Trantham Jr. –*

Spoke in favor of the Alcohol Beverage Control Board’s decision to not uphold the Council’s protest of the Bethel Spirits Package Store License application.  
Spoke in favor of legal alcohol sales in Bethel.

*Council Member Maczynski arrived at 6:34 p.m.*

*Heather Pike, Member of the Alaska Territorial Guard Park Board Member –*

Read from a plaque that is dedicated to Muktuk Marston, an Alaska Territorial Guard member which will be placed at the Alaska Territorial Guard Park.

*Mary Lanuwak –*

Spoke about concerns related to drug and alcohol abuse. Stated that science indicates that when older people smoke marijuana, they are not affected by the drug; she announced, that statistic is not true.

## V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

*Council Member Springer disconnected from the meeting at 6:48 p.m.*

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

Moved by:	Fansler
Seconded by:	Albertson
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Maczynski
Opposed:	∅

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**Main Motion:** Remove Resolution 15-12 and Ordinance 15-16 from the Consent Agenda.

Moved by: Fansler

*Council Member Springer connected to the meeting at 6:50 p.m.*

## VI. APPROVAL OF THE MEETING MINUTES

**Item A** – 6-23-2015 Regular Meeting Minutes

**Item B** – 6-25-2015 Special Meeting Minutes

*Passed on the consent agenda.*

## VII. REPORTS ON STANDING COMMITTEES

### **Public Safety and Transportation Commission**

*Council Representative, Chuck Herman –*

A meeting has not been held since the last City Council Meeting.

### **Port Commission**

*Port Director, Pete Williams –*

A meeting will be held on Monday to discuss the Young and Active parcels on the east addition. The City has been trespassing on the property at about 4/10 of an acre. Working on getting an appraisal done to correct the trespass issue.

### **Planning Commission**

No one available to provide a report.

### **Parks and Recreation Committee**

*Council Representative, Richard Robb –*

A quorum has not been established since the last City Council meeting.

**Finance Committee**

*Council Representative Leif Albertson –*

A meeting has not been held since the last City Council Meeting.

**Public Works Committee**

*Public Work Director, Zef Lakhani –*

A meeting will be held tomorrow.

**Energy Committee**

*Council Representative, Zach Fansler –*

A meeting was not held due to a lack of a quorum.

The committee has vacancies.

**VIII. SPECIAL ORDER OF BUSINESS**

**Item A –** United Pool Update On The YK Regional Aquatic Training And Health Center.

*Raunika Ray provided the June report to the Council.*

**IX. NEW BUSINESS**

**Item A –** Resolution 15-12: Protesting Dimitri’s Liquor License Application.

**Main Motion:** Adopt Resolution 15-12.

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

**Main Motion:** Suspend the rules to hear from a member of the public.

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

*Paul P. Jenkins, community member provided opposition to the issuance of liquor licenses in Bethel.*

Insert

Third whereas statement "because Dimitri's restaurant is located within 144 feet of a school ground, granting it an alcohol license would violate the provisions of Bethel municipal Code 5.08.11 (B).

Fourth Whereas, "AS 04.11.100 (f) (1) (B) prohibits Dimitri's from even renewing their application, if initially approved, because of their proximity to the school;

Sixth Whereas, "at the April 6, 2015 town hall meeting, 50 people provided public testimony on potential sales of alcoholic beverages in the community and 40 of those people spoke in opposition;

Seventh Whereas, "in 2010 the City held an advisory vote asking the citizens of Bethel whether they supported a liquor license application for a restaurant or eating establishment;

Eighth Whereas, "public policy dictates the Bethel City Council represent the will, desires and opinions of the voters and citizens of Bethel;

Ninth Whereas, "the citizens of Bethel as demonstrated in the 2010 advisory vote, overwhelmingly oppose granting the liquor license application;

Replace the Now Therefore, Be it Resolved Statement to read "The Bethel City Council opposes the issuance of an eating place license for Dimitri's because of its proximity to a school and because of the public policy against alcohol sales in Bethel.

**Primary Amendment:**

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

Strike the last whereas statement "the City protest stand based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel municipal Code or state statute violation"

**Secondary Amendment:**

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

**Primary Amendment:** Strike everything in the resolution with the exception of the Bethel Municipal Code and Alaska Statutes regulations.

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Moved by: Maczynski  
Seconded by: Springer  
Action: Motion does not carry by a vote of 3-4  
In favor:  Robb  Springer  Maczynski  
Opposed:  Albertson  Fansler  Herman  Pike

*Council took at ten minute break at 8:06 p.m.*

**Item B – Introduction of Ordinance 15-16: An Ordinance Approving The Language Of The October 2015 General Election Ballot Proposition Decreasing City Sales Tax From 6% To 5.75% Sales Tax.**

**Main Motion:** Introduce Ordinance 15-16.

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

**Item C – AM 15-22: Authorize Administration To Enter Into A Contract With DOWL (Engineering Consultants) To Prepare The PER and ER For The Sewage Lagoon Truck Dump Site In The Amount Of \$57,000.00.**

**Main Motion:** Approve AM 15-22.

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

**Subsidiary Motion:** Suspend the rules to hear from the Public Works Director Zef Lakhani.

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

*Council Member Maczynski departed the meeting at 9:23 p.m.*

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

Council Member Zach Fansler –

Stated aggravation with the way the Alcohol Beverage Control Board handled the protest submitted by the Bethel City Council, regarding the Bethel Spirits LLC liquor license application.

This has been a good summer, there are a lot of people out on the river; be save and where your floatation devices and use the safety gear on the river. Hope the fish are becoming more plentiful.

If anyone is interested in discussing City issues, are welcome to contact him.

Council Member Chuck Herman –

Stated frustration with the lack of understanding the Alcohol Beverage Control Board had on what their job was in the consideration of a municipal protest.

The City of Bethel was told, if the governing body submitted a protest the Alcohol Beverage Control Board would uphold the City's protest.

Council Member Mark Springer –

Provided favorable comments on the new fire engine.

Encouraged community members to contact him regarding marijuana regulations; suggested it is time for the City to begin reviewing municipal regulation options for our community.

Thanked the Council for discussing a very contentious issue very civilly and very civic minded.

Mayor Richard Robb –

Thanked the Bethel Fire Department, Council Member Albertson included for their assistance in distinguishing a fire at his home.

Provided frustration with the determination of the Alcohol Beverage Control Board to not uphold the City's protest of the Bethel Spirits, LLC liquor license application.

It is summer time now, wished everyone a happy fishing season.

Council Member Heather Pike –

Encouraged members of the community to stop by the Alaska Territorial Guard park to help in the development of the beautiful community park.

Spoke with disappointment in the determination the Alcohol Beverage Control Board had regarding the Bethel Spirits LLC liquor license application.

Vice-Mayor Albertson –

Stated concerns with the way the Alcohol Beverage Control Board handled the City's protest of the Bethel Spirits LLC.

Thanked all of the EMT and Fire Department volunteers for all of their hard work.

#### XIV. ADJOURNMENT

**Main Motion:** Adjourn

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Moved by: Pike

Seconded by: Springer

Action: Motion carries by a vote of 6-0

In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike

Opposed: —0

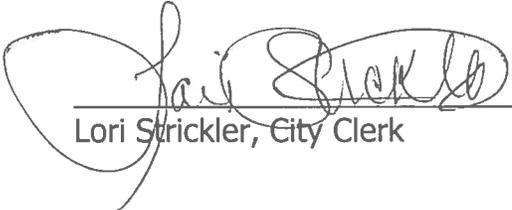
*Council adjourned at 9:49 p.m.*



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Richard Robb, Mayor

ATTEST:



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Lori Strickler, City Clerk