



City of Bethel

P.O. BOX 1388

Bethel, Alaska 99559

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Regular City Council Meeting

Tuesday, August 25, 2015

6:30 P.M.

Council Chambers; Bethel, Alaska



**City Council Meeting Agenda
Regularly Scheduled Meeting
August 25, 2015 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

Rick Robb
Mayor
Term Expires 2015
543-1879
rrobb@cityofbethel.net

Leif Albertson
Vice-Mayor
Term Expires 2015
543-2819
labertson@cityofbethel.net

Mark Springer
Council Member
Term Expires 2015
545-1450
mspringer@cityofbethel.net

Heather Pike
Council Member
Term Expires 2015
545-4802
hpik@cityofbethel.net

Chuck Herman
Council Member
Term Expires 2016
545-5394
cherman@cityofbethel.net

Zach Fansler
Council Member
Term Expires 2016
545-3300
zfansler@cityofbethel.net

Byron Maczynski
Council Member
Term Expires 2016
545-0970
bmaczynski@cityofbethel.net

Ann Capela
City Manager
543-2047
acapela@cityofbethel.net

Lori Strickler
City Clerk
543-1384
lstrickler@cityofbethel.net

Patty Burley
City Attorney

Mary Sattler
Lobbyist

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PEOPLE TO BE HEARD – Five minutes per person**
- V. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA**
- VI. APPROVAL OF MEETING MINUTES**
 - a) *8-11-2015 Regular Meeting Minutes
- VII. REPORTS OF STANDING COMMITTEE**
 - a) Public Safety and Transportation Commission
 - b) Port Commission
 - c) Planning Commission
 - d) Parks and Recreation Committee
 - e) Finance Committee
 - f) Energy Committee
 - g) Non Standing Committee Reports
- VIII. SPECIAL ORDER OF BUSINESS**
 - a) Liquor License Applicant's Opportunity To Defend Their Application Before The Governing Body As Per 3 AAC 304.145
 1. Dimitri's Restaurant License # 5402 (Mayor Robb)
 - b) Proclamation September 2, 2015 As Victory Over Japan (V-J) Day (Council Member Maczynski)
- IX. UNFINISHED BUSINESS**
 - a) Public Hearing On Ordinance 15-26: Approving The Disposal Of City Property Identified As 1.43 Acres Located At Plat 93-92, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, Situated Within A Portion Of Section 5, Township 8 North, Range 71, West, Seward Meridian, In Accordance With 4.08.030, Disposal Of City Property (Council Member Fansler)
 - b) Public Hearing On Ordinance 15-27: Establishing Chapter 16.10 Tall Towers (Vice-Mayor Albertson)
- X. NEW BUSINESS**
 - a) *AM 15-28: Travel Request For City Attorney To Travel To Kotzebue To Attend the ABC Board Meeting On September 15, 2015 (Council Member Pike)

Agenda posted on August 20, 2015, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Stickler, City Clerk

(Items on the agenda noted with an asterisk (*) are considered the consent agenda.

All Resolutions noted with an asterisk (*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council.

Ordinances introduced with an asterisk (*) on the consent agenda will automatically be introduced and set for **Public Hearing September 8, 2015**)



**City Council Meeting Agenda
Regularly Scheduled Meeting
August 25, 2015 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

- b) AM 15-29: Change Order To DOWL's Contract For The I.C. Piped Water Supply Project (City Manager Capela)
- c) AM 15-30: Approve The Selection Of Three Electrician Firms Resulting From Use Of Bid Process In Order By High Score: TecPro Ltd, Oilfield Services Co, LLC, and Star Electric, Inc. (City Manager Capela)

XI. MAYOR'S REPORT

XII. MANAGER'S REPORTS

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

XV. EXECUTIVE SESSION

- a) 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/Potential Settlement of State of Alaska vs. NJ (a minor child) (Councilwoman Pike)
- b) 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/Potential Litigation Regarding The Investigation Of Administrative And Personnel Matters As Authorized By The City Council, February 11, 2014 (Mayor Robb)

XVI. ADJOURNMENT

Agenda posted on August 20, 2015, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Stickler, City Clerk

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Ordinances introduced with an asterisk (*) on the consent agenda will automatically be introduced and set for **Public Hearing September 8, 2015**)

Approval of the Meeting Minutes

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 11, 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

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

IV. PEOPLE TO BE HEARD

Czeary Maczynski–
Spoke in regards to the Alcohol issue and options.

Beverly Hoffman –
Spoke in support of Ordinance 15-22. Would like to keep the Parks and Rec. committee and suggests an amendment on the Parks and Rec. Committee and would like Kuimarvik to be added to the Parks and Rec. committee.

Dave Trantham –
Dec 7th 1941 Japan started WWII, 1943 Japan invaded Alaska. Invites everyone to visit the Wall of Honor, with 135 names to honor the people who defended during the war. Several of these men now live in Bethel. With permission, requests Council Member Pike's assistance to reveal a plaque that states, "Ciuliaput Neq'akluki Remembering Our Ancestors". Please remember VJ Day on the 14th, please remember the 135 men that fought for the Delta and protected this country.

Mary Nanugak –

Spoke in opposition of alcohol and drugs, stated alcohol and drugs are hurting our people in the region and beyond.

Raymond Pete –

Grandson of Willie Pete. My grandfather operated a store until his old days. My father decided to quit drinking and he became Bethel’s first Substance Abuse counselor. Suggested if Bethel had its own Alcohol store it could be controlled.

Barbara Mosier –

Spoke in support of keeping the Parks and Rec. Committee.

Ana Hoffman –

Spoke in favor of returning to local option.

Daniel Maczynski –

Spoke in regards to the increase of break-ins and vehicle theft. Stated fear of leaving his family alone, young kids being out late at night, people being mugged and held at gun or knife point. Suggested a neighborhood watch in certain areas.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by: Albertson

Seconded by: Herman

Action: Motion carries by a vote of 6-0

In favor: Robb Albertson Fansler Herman Pike Maczynski

Opposed: -0

Main Motion: Amend the Agenda to move New Business Items A to fall as the last item under Special Orders Business. .

Moved by: Albertson

Seconded by: Herman

Action: Motion carries by a vote of 6-0

In favor: Robb Albertson Fansler Herman Pike Maczynski

Opposed: -0

VI. APPROVAL OF THE MEETING MINUTES

Item A – 7-22-2015 Regular Meeting Minutes

Item B – 7-23-2015 Regular Meeting Minutes

Item C – 7-28-2015 Regular Meeting Minutes

Passed on the consent agenda.

VII. REPORTS ON STANDING COMMITTEES

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

Scheduled meeting was set for Monday 8/10, was unable to meet due to lack of quorum.

Port Commission

Port Director, Pete Williams –

No report.

Planning Commission

Council Representative, Heather Pike –

Planning meeting this Thursday night at 6:30 pm. Surveys for JWS (James Walter Smith) Subdivision. Two vacancies on the commission really need members for all committees and commissions. One meeting a month about an hour per month. Planning helps with construction and keeps our city moving forward. Commissions could really use your help.

Parks and Recreation Committee

Committee Chair Member, Barbara Mosier –

Meeting was held on Monday, August 3rd. Aquatic Center there has been 364 people involved in swimming lessons at the pool.

Finance Committee

Council Representative Leif Albertson –

No meeting since the last update.

Public Works Committee

Council Representative, Byron Maczynski –

No meeting held recently. Meeting scheduled to be held next Tuesday.

Energy Committee

Council Representative, Zach Fansler –

Meeting was scheduled for last night, no meeting due to a lack of a quorum.

Non-Standing Committee

Kuimavik Representative, Council Member Fansler –

No report.

VIII. SPECIAL ORDER OF BUSINESS

Item A – USA/United Pools Update On The YK Regional Aquatic Training And Health Center.

Raunika Ray –

Monthly summary statistics for the month of June 2015. Trying to get the numbers up, several people interested. Junior High and High School students are confirmed for swimming classes, scheduled to attend this fall semester and spring semester for classes. More details will be available at the next meeting.

Item B – Liquor License Applicant's Opportunity To Defend Their Application Before The Governing Body As Per 3 AAC 304.145

1) Dimitri's Restaurant License # 5402.

Main Motion: Postpone until the next regular city council meeting.

Moved by: Herman

Seconded by: Pike

Action: Motion carries by a vote of 6-0

In favor: Robb Albertson Fansler Herman Pike Maczynski

Opposed: -0

NEW BUSINESS

Item A – Introduction Of Ordinance 15-27: Establishing Chapter 16.10 Tall Towers.

Main Motion: Introduce Ordinance 15-27.

Moved by: Albertson

Seconded by: Fansler

Action: Motion does not by a vote of 6-0

In favor: Fansler Herman Pike Maczynski Robb Albertson

Opposed: 0

IX. UNFINISHED BUSINESS

Item A – Public Hearing On Ordinance 15-17: A Ballot Proposition Amending The Bethel Municipal Code To Adopt A Marijuana Retail Sales Tax In The Amount of 12% (Twelve Percent).

Mayor Robb opened the Public Hearing.

Raymond Pete – Questioned where the 12% sales tax is going to be collected and what will be done with the sales tax once collected.

Mary Nanugak – Stated the amount of sales tax proposed should be way higher. Stated researchers are claiming older person have a lot wrong with the body and causes are numerous. People smoking marijuana will sit there forever and wasting everyone’s time and money. Urges everyone to do research both in the effects of the drug and the effects to the family and everyone around them. Requests please do your homework.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 15-17.

Moved by:	Pike
Seconded by:	Maczynski
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:	—0

Primary

Amendment: Amend marijuana sales tax from 12% to 15%.

Moved by:	Albertson
Seconded by:	Fansler
Action:	Motion carries by a vote of 4-2
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Maczynski
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Pike

Main Motion: 10 minute break.

Moved by:	Robb
Seconded by:	Pike
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:	—0

Item B – Public Hearing On Ordinance 15-18: Establishing A Marijuana Advisory Committee.

Mayor Robb opened the Public Hearing.

Mary Nanugak – Suggested an advisory board for marijuana and look at the negative and positive effects.

Raymond Pete – Marijuana has been around. Stated a doctor had prescribed him depression narcotics for his injuries, but he would rather use marijuana.

Mayor Robb closed the Public Hearing.

Main Motion: Postpone Ordinance 15-18.

Moved by:	Albertson
Seconded by:	Fansler
Action:	Motion does not carry by a vote of 3-3
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Maczynski

Main Motion: Adopt Ordinance 15-18.

Moved by:	Pike
Seconded by:	Maczynski
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:	—0

Item C – Public Hearing On Ordinance 15-22: Repealing Ordinance 14-16, An Ordinance Establishing Kuimarvik – A Place To Swim, As The Advisory Committee To The City Council For The Yukon Kuskokwim Regional Aquatic Health And Safety Center.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 15-22.

Moved by:	Albertson
Seconded by:	Maczynski
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:	—0

Item D – Public Hearing On Ordinance 15-23: Amending Bethel Municipal Code Chapter 2.52, Boards, Committees and Commissions, Deleting Parks And Recreation Committee And Establishing Recreation And Fitness Center Committee.

Mayor Robb opened the Public Hearing.

David Trantham Jr. – Stated that the Ordinance is omitting a statement regarding “safety” this is an important issue that needs to be considered.

Mary Nanugak – Exercise is important for everyone; it helps to keep active and helps the healing process.

Raymond Pete – Suggested Ordinances 15-22 and 15-23 be merged together.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 15-23.

Moved by:	Albertson
Seconded by:	Herman
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:	—0

**Primary
Amendment:**

Amend the title of the Committee to strike “Parks, Recreation and Fitness Center Committee” and insert “Parks, Recreation, Aquatic Health and Safety Center Committee.”

Moved by:	Pike
Seconded by:	Maczynski
Action:	Motion carries by a vote of 4-2
In favor:	<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"/> Robb <input checked="" type="checkbox"/> Albertson

**Secondary
Amendment:**

Insert “It will be the Council’s goal to reserve one seat on the Parks, Recreation and Fitness Center Committee for a Kuimarvik Board member to act as liaison between the Kuimarvik Board and the City Committee, in the absence of a Kuimarvik Board member application, the Council may appoint a member of the community to complete a full membership of the Parks, Recreation, Aquatic Health and Safety Center Committee;” as the 10th Whereas Statement.

Moved by:	Herman
Seconded by:	Pike
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:	—0

Item E – Public Hearing On Ordinance 15-24: Submitting To The Qualified Voters At The October 6, 2015, Regular Election, A Ballot Proposition To Adopt Local Options, Alaska Statutes 04.11.490 (a)(3)(C), Prohibiting The Sale Of Alcoholic Beverages Except For At A Package Store, License Operated By The City Of Bethel.

Mayor Robb opened the Public Hearing.

David Trantham Jr. – Stated his opposition to Ordinance 15-24.

Mary Nanugak – Stated her opposition to alcohol sales in the community.

Willie Keppel – Stated, what this council does will affect everyone within the region.
Suggested the Council allow Bethel Spirits to obtain a liquor license.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 15-24.

Moved by:	Herman
Seconded by:	Maczynski
Action:	Motion does not by a vote of 1-5
In favor:	<input checked="" type="checkbox"/> Herman
Opposed:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Pike

Main Motion: Five minute break.

Moved by:	Maczynski
Seconded by:	Pike
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:	—0

Item F – Public Hearing On Ordinance 15-25: Approving The Disposal Of City Property Identified As 1.43 Acres Located At Plat 93-92, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, Section 5, Township 8 North, Range 71 West, Seward Meridian, In Accordance With 4.08.030, Disposal Of Property.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 15-25.

Moved by:	Fansler
Seconded by:	Maczynski
Action:	Motion carries by a vote of 5-1
In favor:	<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:	<input checked="" type="checkbox"/> Robb

Main Motion: Suspend the rules to hear from AVEC Representative, Steve Gilbert.

Moved by: Fansler
Seconded by: Albertson
Action: Motion carries by a vote of 6-0
In favor: Robb Albertson Fansler Herman Pike Maczynski
Opposed: —0

Main Motion: Postpone Ordinances 15-25 and 15-26.

Moved by: Maczynski
Seconded by: Albertson
Action: Question Divided.

Main Motion: Divide the question.

Moved by: Fansler
Seconded by: Herman
Action: Motion carries by a vote of 6-0
In favor: Robb Albertson Fansler Herman Pike Maczynski
Opposed: —0

Main Motion: Extend the meeting until 12:00 a.m.

Moved by: Fansler
Seconded by: Albertson
Action: Motion carries by a vote of 5-1
In favor: Robb Albertson Fansler Herman Pike
Opposed: Maczynski

Main Motion: Postpone Ordinances 15-25.

Moved by: Maczynski
Seconded by: Albertson
Action: Motion does not carry by a vote of 1-5
In favor: Robb
Opposed: Albertson Fansler Herman Pike Maczynski

Main Motion: Postpone Ordinances 15-26.

Moved by: Maczynski
Seconded by: Albertson
Action: Motion carries by a vote of 5-1
In favor: Robb Albertson Fansler Herman Maczynski
Opposed: Pike

Ordinance 15-25 amendment Insert Whereas "AVEC will develop, install and operate the met tower utilizing the provisions of Ordinance 15-27 and only if a contract or lease is approved.

Primary Amendment:

Moved by: Pike
Seconded by: Maczynski
Action: Motion carries by a vote of 4-2
In favor: Robb Herman Pike Maczynski
Opposed: Albertson Fansler

Main Motion: Reconsider the Vote on the Primary Amendment.

Moved by: Herman
Seconded by: Albertson
Action: Motion carries by a vote of 4-2
In favor: Albertson Fansler Herman Pike
Opposed: Robb Maczynski

Ordinance 15-25 amendment Insert Whereas "AVEC will develop, install and operate the met tower utilizing the provisions of Ordinance 15-27 and only if a contract or lease is approved."

Primary Amendment Reconsidered:

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

Item G – Public Hearing On Ordinance 15-26: Approving The Disposal Of City Property, Identified As 1.12 Acres Located At Plat 93-92, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, Situated Within A Portion Of Section 5, Township 8 North, Range 71 West, Seward Meridian, In Accordance With 4.08.030, Disposal Of Property.

Postponed until the August 25, 2015 Council Meeting.

X. NEW BUSINESS

Item B – Resolution 15-13: Supporting The 2015 Cama-i Dance Festival By Providing A Donation In The Amount Of Sales Taxes Collected.

Passed on the consent agenda.

Item C – AM 15-25: Approving Travel For Council Member Fansler To Attend Alcohol Beverage Control Board Meeting In Kotzebue, September 15, 2015.

Main Motion: Approve AM 15-25.

Moved by:	Albertson
Seconded by:	Pike
Action:	Motion carries by a vote of 5-1
In favor:	<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:	<input checked="" type="checkbox"/> Robb

Item D – AM 15-26: Approving The Purchase Of Potassium Permanganate, Sodium Fluoride, And Calcium Hypochlorite From UNIVAR USA, INC., In The Amount Of \$44,577.71.

Main Motion: Approve AM 15-26.

Moved by:	Pike
Seconded by:	Maczynski
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:	—0

Item E – AM 15-27: Approving The Purchase Of Calcium Chloride And Sodium Chloride In The Amount Of \$95,435.45-\$99,163.61.

Main Motion: Approve AM 15-27.

Moved by:	Herman
Seconded by:	Pike
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:	—0

Item F – IM 15-01: City's Intent to Apply for USAD-RD Funding To Replace Existing Sewage Lagoon Truck Dump Site.

Item G – Community Concerns Regarding A Recent Spike In Vehicle Theft And Property Vandalism.

Main Motion: Suspend the rules to hear from the Chief of Police, Andre Achee.

Moved by:	Maczynski
Seconded by:	Pike
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: | -θ

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

Council Member Byron Maczynski –
No comment.

Council Member Chuck Herman-
Provided his condolences to the Fairbanks family for their loss.

Council Member Zach Fansler –
Provided his condolences to the Fairbanks family for their loss.
Thanked the council members for their hard work tonight. Wanted to stress the fact that being on council is a lot of work.

Mayor Richard Robb –
Provided his condolences to the Fairbanks family for their loss.
Thankful for the commercial fishing season.

Council Member Heather Pike –
No comment.

Vice-Mayor Albertson –
Bethel Fair will be at the end of the month.

Council Member Byron Maczynski departed at 11:58 p.m.

XV. ADJOURNMENT

Main Motion: Adjourn

Moved by:	Pike
Seconded by:	Herman
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:	-θ

Council adjourned at 12:00 a.m.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Reports of Standing Committees

Special Order of Business

Introduced by: Vice-Mayor Albertson
Date: July 14, 2015
Public Hearing: July 28, 2015
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Resolution # 15-12

A RESOLUTION BY THE CITY OF BETHEL PROTESTING THE ISSUANCE OF A STATE OF ALASKA ALCOHOLIC RESTAURANT EATING PLACE LICENCE FOR DIMITIRI'S RESTAURANT; LOCATED AT 281 4TH AVE.; OWNED BY MARO KARGAS; LICENSE ID# - 5402

- WHEREAS,** the results of the Special Election held January 19, 2010 indicate that 291 voters favor and 493 oppose the issuance of Restaurant Eating Place liquor licenses in the community;
- WHEREAS,** Chapter 5.08.011 of the Bethel Municipal Code states, "No person may sell or offer to sell any alcoholic beverage in or within two hundred (200) ft of a church building or within two hundred (200) ft of any school grounds", Dimitri's parking lot entrance is located 144 feet of the outer boundaries of Ayaprun Elitnaurvik Elementary School property;
- WHEREAS,** because Dimitri's restaurant is located within 144 feet of a school, granting it an alcohol license would violate the provisions of BMC 5.08.11 (B);
- WHEREAS,** AS 04.11.100(f)(1)(B) prohibits Dimitris from even renewing their application, if initially approved, because of their proximity to the school;
- WHEREAS,** at the March 24, 2015 Bethel City Council meeting, 43 people provided public testimony on potential sales of alcoholic beverages in the community, and 37 people spoke in opposition;
- 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;
- 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;
- WHEREAS,** public policy dictates the Bethel City council represent the will, desires and opinions of the voters and citizens of Bethel;

Introduced by: Vice-Mayor Albertson
Date: July 14, 2015
Public Hearing: July 28, 2015
Action: Passed
Vote: 7-0

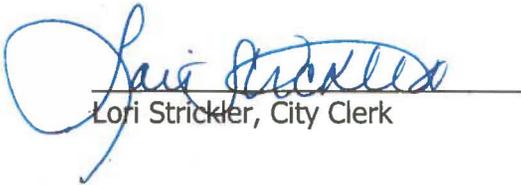
- WHEREAS,** the citizens of Bethel as demonstrated in the 2010 advisory vote, overwhelmingly oppose granting the liquor license application;
- WHEREAS,** in 2014 the Bethel Fire Department Emergency Medical Services Unit reported a majority of the calls for service were for individuals under the influence of alcohol;
- WHEREAS,** Police Department figures for 2014 show the number of calls for "Intoxicated Pedestrians" to be 3,198 out of a total of 9,844 calls for the year, representing 32.49% of the total calls received by the department;
- WHEREAS,** the Police Dispatch Center reported a majority of their calls for service were alcohol related;

NOW, THEREFORE, BE IT RESOLVED 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.

ENACTED THIS 14 DAY OF JULY, 2015 BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.


Richard Robb, Mayor

ATTEST:


Lori Strickler, City Clerk



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue Ste. 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

June 15, 2015

City of Bethel
Attn: Lori Strickler, City Clerk
VIA Email: lstrickler@cityofbethel.net

Maro Kargas – Restaurant Eating Place #5402 DBA Dimitri's Restaurant

- New Application Transfer of Ownership Transfer of Location
 Restaurant Designation Permit DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,


Jane Sawyer
Business Registration Examiner
Jane.sawyer@alaska.gov
907-269-0359

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: June 15, 2015

Application Type: NEW

TRANSFER
 Ownership
 Location
 Name Change

Governing Body: City of Bethel
 Community Councils: none

License #: 5402
 D.B.A.: Dimitri's Restaurant
 Licensee/Applicant: Maro Kargas
 Physical Location: 281 Fourth Avenue, Bethel, AK 99559
 Mailing Address: PO Box 1528, Bethel, AK 99559
 Telephone #: 907-543-3434
 EIN: 92-0176914

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
N/A				

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
N/A				

Additional comments: Restaurant Designation Permit attached

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Sincerely,



Jane Sawyer

Business Registration Examiner

Jane.sawyer@alaska.gov

907-269-0359

Alcoholic Beverage Control Board
 2400 Viking Drive
 Anchorage, AK 99501

New Liquor License

(907) 269-0350
 Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
<i>Office Use:</i> License Year: <u>15/16</u>	License Type: Restaurant/Eating place	Statute Reference Sec. 04.11.100	License Fee: \$600.00 Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$
<i>Office Use:</i> License #: <u>5402</u>			Fingerprint: \$ (\$49.75 per person)
Local Governing Body: (City, Borough or Unorganized) City of Bethel	Community Council Name(s) & Mailing Address: Bethel City Council PO Box 1388 Bethel, AK 99559		TOTAL \$749.75 700.00
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Maro Kargas	Doing Business As (Business Name): Dimitri's Restaurant		Business Telephone Number: (907) 543-3434 Fax Number:
Mailing Address: PO Box 1528	Street Address or Location of Premises: 281 Fourth Ave. Bethel, AK 99559		Email Address:
City, State, Zip: Bethel, AK 99559			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: 450'	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Distance to closest church: 1000'	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

New Liquor License

SECTION C – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.
MK

SECTION D – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): NA		Telephone Number:	Fax Number:
Corporate Mailing Address:	City:	State:	Zip Code:
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:

Is the Entity in "Good Standing" with the Alaska Division of Corporations? Yes No
 If no, attach written explanation. Your entity *must* be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License

SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Maro Kargas Address: PO Box 1528 Bethel, AK 99559 Home Phone: 543-3434 Work Phone:	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 07-03-1943	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s) <u>Maro Kargas</u> Signature	Signature of Licensee(s) Signature
Signature <u>Dorothy Angstman</u>	Signature
Name & Title (Please Print) <u>Dorothy Angstman Secretary</u>	Name & Title (Please Print)
Subscribed and sworn to before me this <u>15th</u> day of <u>April</u> , <u>2015</u> .	Subscribed and sworn to before me this day of _____, _____.
Notary Public in and for the State of <u>Alaska</u>	Notary Public in and for the State of _____
My commission expires: <u>03/01/18</u>	My commission expires:

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 5402 Type: Restaurant or Eating Place

This application is for designation of premises where: (Please check the appropriate items below)

- 1. Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2. Persons 16 - 20 years of age may dine unaccompanied.
- 3. Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4. Persons between 16 - 20 years of age may be employed. *(See note below)

Licensee's Name: Maro Kargas d/b/a Dimitri's Restaurant

Name of Business: Dimitri's Restaurant

Business Address: 281 Fourth Avenue City: Bethel

1. Hours of operation 11:30 AM to 9:00 PM Telephone Number: 907-543-3434

2. Have police been called to your premises for any reason? [] Yes No
(If you answered yes, please explain below).

3. * Duties of employment: Food preparation, serving, ^{Food}busing tables

4. Are video games available to the public on your premises? [] Yes No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
[] Yes No

6. How is food served? Table Service [] Buffet Service [] Counter Service [] Other _____

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? Yes [] No

*** A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

Maro Kargas
Licensee Signature

Local Governing Body Approval

Subscribed and sworn to before me this 15th day of June

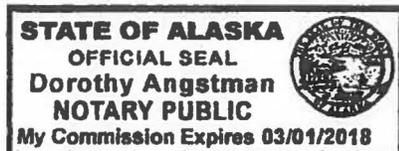
Date

Dorothy Angstman
Notary Public in and for Alaska

My Commission expires: 03/01/18

Director, ABC Board

Rev. 03172014



Date

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, counters, bars, coolers, stages, etc.

DBA: Dimitri's Restaurant

PREMISES LOCATION: 281 4th Ave Bethel, AK 99559

Indicate scale by x after appropriate statement or show length and width of premises. _____ 1 SQ. = 4 FT.

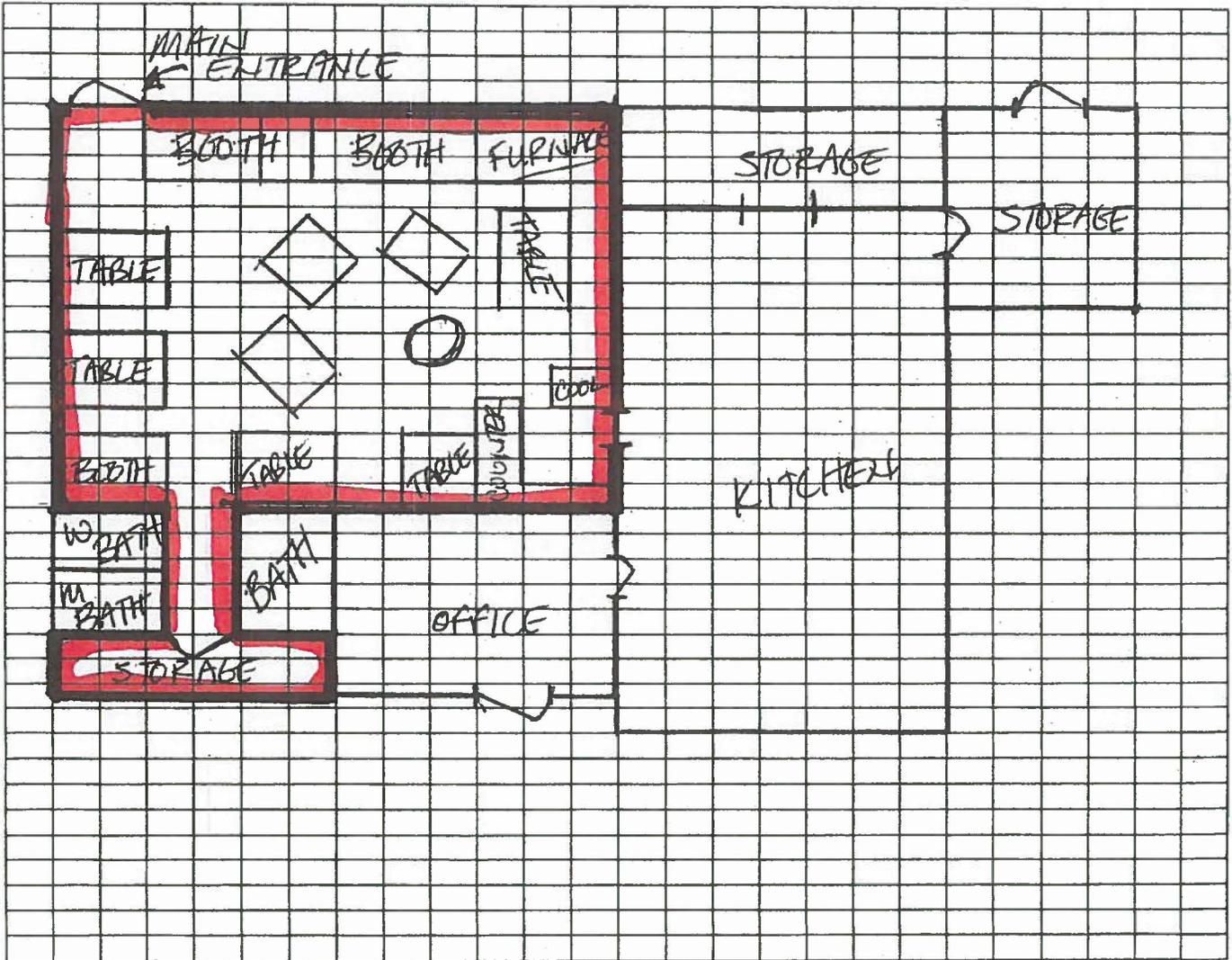
SCALE A: _____ 1 SQ. = 1 FT.

SCALE B: X 1 SQ. = 2 FT.

Length and width of premises in feet:

DIMENSIONS = 46' W X 50' L

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



Chicken (epiforun)
 HB no mayo. ~~CB~~ F ~~F~~
 see on side

Dimitris RESTAURANT

CALZONES

CHOOSE FROM OUR SPECIALS OR MAKE YOUR OWN

One item calzone	\$18.50
Meat calzone (pepperoni, sausage, canadian bacon and mozzarella cheese)	\$21.00
Greek calzone (Olive oil base, green peppers, mozzarella & feta cheese)	\$22.00
Vegetarian calzone (Black olives, mushrooms, onions, green peppers and mozzarella cheese)	\$22.00
Combo calzone (Black olives, mushrooms, green peppers, pepperoni, canadian bacon, sausage and mozzarella cheese)	\$23.50
Dimitris calzone (same as Combo Calzone, plus tomatoes and pineapples)	\$24.50
Gyro calzone (gyro meat, mozzarella cheese, feta and onions)	\$24.50

PIZZAS

CHOOSE FROM OUR SPECIALS OR MAKE YOUR OWN FROM THE FOLLOWING ITEMS:

Mozzarella Cheese, pepperoni, sausage, canadian bacon, mushrooms, black olives, onions, green peppers, tomatoes, pineapple, jalapeno peppers, or double crust.

	Small(12")	Medium(14")	Large(16")
Cheese Pizza	\$16.00	\$18.00	\$20.00
Each additional item	\$2.00	\$2.50	\$3.00
White Pizza (Olive oil base, mozzarella, feta cheese, tomatoes)	\$20.00	\$22.00	\$24.00
House Special (pepperoni, sausage, mushrooms and green peppers)	\$20.00	\$22.00	\$24.00
Greek Combo (pepperoni, feta cheese, onions, green peppers, tomatoes)	\$22.00	\$24.00	\$26.00
Vegetarian Combo (mushrooms, black olives, onions, green peppers, tomatoes)	\$22.00	\$24.00	\$26.00
Combo (pepperoni, canadian bacon, sausage, mushrooms, black olives, green peppers)	\$24.00	\$26.00	\$28.00
Dimitris Special same as Combo Pizza, plus tomatoes and pineapples	\$25.50	\$28.00	\$30.00

Dimitris RESTAURANT

DESSERTS

Baclava	\$4.00	Cheesecake	\$4.00
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DRINKS

Pepsi, diet pepsi, coke, diet coke, 7Up, diet 7Up, Sprite, diet aprita, root beer, orange soda, Dr pepper, Mt Dew	\$2.00
Orange juice, apple juice, Ice Tea, Hot Tea, Coffee	\$3.00

OPEN FOR LUNCH & DINNER

(MON - FRI)	11:30AM - 2PM
	4:30PM - 9PM
(SAT)	4:30PM - 9PM
CLOSED ON SUNDAYS	

CALL FOR FREE DELIVERY

(907) 543 - 3434

DIMITRIS RESTAURANT
 281 4th Avenue, Bethel AK 99559

Dimitris

RESTAURANT

LUNCH MENU

APPETIZERS

Calamari Rings	\$9.95
Cheese Sticks	\$9.50
Fried Zucchini	\$9.00
Onion Rings	\$5.50
Fresh Breadsticks (2pcs)	\$4.50
Pitta Bread	\$2.50
Pitta Bread w/ mozzarella	\$3.75
Garlic Bread	\$3.00
Garlic Cheese Bread	\$4.25
French Fries	\$4.00
Curly Fries	\$5.50

SOUP OF THE DAY

Cup	\$4.50
Bowl	\$6.50

PITAS

White Pita	\$9.00
Turkey Pita	\$9.50
Roast Beef Pita	\$9.50
Pita Pizza	\$9.00

DEEP FRIED

Clams with fries	\$13.50
Oysters with fries	\$13.00
Cod (fish) with fries	\$13.50
Shrimp w/ fries	\$15.00
Chicken nuggets (10 pieces)	\$13.00

SALADS

Dinner Salad	\$7.00
Neal Scott	\$11.00
1/2 Greek Salad	\$12.50
Greek Salad	\$16.00
Chef's salad	\$17.00
<small>(ham, turkey, American & Mozzarella cheese)</small>	
Shrimp Louie salad	\$18.50
<small>(shrimp, salami, olives, tomato)</small>	

BURGERS

Hamburger	\$6.50
Cheseseburger	\$7.50
Bacon Burger (Canadian Bacon)	\$8.00
Bacon Burger (Strips of Bacon)	\$8.95
Mushroom Cheese Burger	\$9.00
Mushroom Cheese Burger (Canadian Bacon)	\$9.50
Mushroom Cheese Burger (Strips of bacon)	\$9.95
•Double your burger for \$2.95	
•Add fries for \$4.00	

SANDWICHES

Grilled Cheese w/ fries	\$9.50
Grilled Ham Cheese & w/ fries	\$10.50
BLT (Wheat bread)	\$8.50
BLT (Wheat bread) w/ fries	\$12.50
Gyro sandwich	\$13.50
Gyro plate	\$15.50
Steak Sandwich w/ fries	\$17.00
Chicken Sandwich	\$8.00
Fish Sandwich	\$8.50

SUB SANDWICHES

Vegetarian	\$10.25
Turkey (with cheese)	\$13.50
Turkey & Ham (with cheese)	\$14.00
Ham & Cheese	\$13.50
Italian Sausage	\$13.50
Meatball Sub	\$13.50
Gyro Sub	\$15.00
Roast Beef Sub	\$13.50
Super Sub	\$13.50
<small>(salami, pepperoni, Canadian Bacon, mortadella)</small>	
Dimitris Sub	\$14.50
<small>(same as super sub plus turkey & ham)</small>	
Greek Sub (Pita bread, lettuce & tomato)	\$13.50

PASTA

Lasagna	\$17.00
---------	---------

Dimitris

RESTAURANT

DINNER MENU

APPETIZERS

Calamari Rings	\$9.95
Cheese Slicks	\$9.50
Fried Zucchini	\$9.00
Baked Sausage	\$9.95
Onion Rings	\$5.50
Pita Bread	\$2.50
Pita Bread w/ mozzarella	\$3.75
Pita with tzantzikli	\$7.00
Garlic Bread	\$3.00
Garlic Cheese Bread	\$4.25
French Fries	\$4.00
Curly Fries	\$5.50

PASTA

<small>All pasta dinners served with a dinner salad & garlic bread</small>	
Spaghetti with Homemade Meat Sauce	\$18.00
Spaghetti with Homemade Meat Balls	\$19.50
Spaghetti with Italian Sausage	\$19.50
1/2 portion of spaghetti (no salad)	\$13.00
Cheese (or Meat) Ravioli with Meat Sauce	\$19.50
Cheese (or Meat) Ravioli with Meat Balls	\$19.50
Cheese (or Meat) Ravioli with Italian Sausage	\$19.50
Lasagna	\$18.50

ITALIAN SAUTEED

<small>All Italian Sauteed dinners served with a dinner salad, garlic bread and a choice of steak fries, baked potato or spaghetti</small>	
Chicken Marsala (with fresh mushrooms, onions and Marsala wine)	\$26.00
Veal Marsala (with fresh mushrooms, onions and Marsala wine)	\$26.00
Chicken Sauteed (with fresh mushrooms, onions and Marsala wine)	\$26.00

CHARBROILED

<small>All charbroiled dinners served with a dinner salad, garlic bread and a choice of steak fries, baked potato or spaghetti</small>	
New York Steak (12Oz)	\$23.00
T-Bone Steak	\$24.00
Pork Chops (3 pieces)	\$23.00
Charbroiled Chicken	\$25.00
Steak & Prawns (12oz steak with four fried prawns)	\$28.00

SEAFOOD

<small>All seafood dinners served with a dinner salad & garlic bread</small>	
Deep fried clams	\$18.75
Deep fried oysters	\$17.75
Deep fried Cod	\$18.50
Deep fried Calamari	\$19.50
Deep fried Shrimp	\$21.50
Deep fried Scallops	\$22.50
Seafood Platter	\$24.00
<small>Scallops, shrimps, cod, oysters, clams</small>	

BAKED

<small>All baked dinners served with a dinner salad, garlic bread and a choice of steak fries, baked potato or spaghetti</small>	
Chicken Oregono	\$25.00
Chicken Parmesiana	\$26.00
Veal Parmesiana	\$26.00
Shrimp Parmesiana	\$22.00



City of Bethel Proclamation

Proclaiming September 2, 2015 as Victory over Japan (V-J) Day

WHEREAS, V-J Day or Victory Day over Japan is celebrated as the day on which Japan surrendered in World War II, in effect ending the WW II; and

WHEREAS, on September 2, 1945 a formal surrender ceremony was performed in Tokyo Bay, Japan aboard the battleship USS Missouri; and

WHEREAS, during WW II under the leadership of Major "Muktuk" Marston 21 paid staff and 6,368 Volunteers from Alaska watched the northern shores of Alaska for enemy movement; and

WHEREAS, these brave and heroic volunteers were instrumental in the battle of Attu, a foreign war battle fought on domestic soil;

NOW, THEREFORE, I, Richard Robb, Mayor of the City of Bethel, do hereby proclaim September 2, 2015 as V-J Day in the City of Bethel, Alaska

IN OFFICIAL RECOGNITION WHEREOF, I hereby affix my signature on this 25th day of August 2015.

Richard Robb, Mayor

Attest:

Lori Strickler, City Clerk

Unfinished Business

Introduced by: Council Member Fansler
Date: July 28, 2015
Public Hearing: August 11, 2015
August 25, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-26

AN ORDINANCE BY THE BETHEL CITY COUNCIL APPROVING THE DISPOSAL OF CITY PROPERTY, IDENTIFIED AS 1.12 ACRES LOCATED AT PLAT 93-32, LAGOON PARCEL BETHEL NATIVE CORPORATION ANCSA 14 (c) SURVEY, SITUATED WITHIN A PORTION OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN, IN ACCORDANCE WITH 4.08.030, DISPOSAL OF PROPERTY

WHEREAS, in accordance with BMC 4.08.030 the City Council may dispose any interest in real property to an entity providing a necessary public service at a rate that is below fair market value;

WHEREAS, AVEC desires to lease 1.12 acres of undeveloped City land in order to install and operate a wind tower;

WHEREAS, the Lease would be for fifty (50) years and would necessitate the building of a road and an easement to be completed separately from this ordinance;

WHEREAS, the wind tower will result in the generation of wind power energy which will result in reduced costs for energy for all of the citizens of Bethel;

WHEREAS, reduced energy costs will benefit everyone in Bethel, residential and commercial;

NOW, THEREFORE BE IT ORDAINED, the City Council hereby authorizes the disposal of property, 1.12 acres of undeveloped land, located at Plat 93-32, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, situated within a portion of Section 5, Township 8 North, Range 71 West, Seward Meridian, located in the Bethel Recording District, Fourth Judicial District at Bethel, Alaska.

SECTION 1. Classification. This ordinance is of a general nature and shall not become a part of the Bethel Municipal Code.

Introduced by: Council Member Fansler
Date: July 28, 2015
Public Hearing: August 11, 2015
August 25, 2015
Action:
Vote:

SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.030 Disposal of Real Property.

SECTION 3. Effective Date. This Ordinance shall become effective upon the passage by the Bethel City Council.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS 11th DAY OF AUGUST 2015, BY A VOTE OF __ IN FAVOR AND __ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

Ordinance #15-27

**AN ORDINANCE BY THE BETHEL CITY COUNCIL ESTABLISHING CHAPTER
16.10 TALL TOWERS**

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

SECTION 1. Classification. This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

SECTION 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

SECTION 3. Establishing BMC Chapter 16.10 Tall Towers. Chapter 16.10 is added to the Bethel Municipal Code as follows:

An Ordinance Amending Chapter 16, Land Use Code to Add for the Regulation of Tall Structures

Sections

- 16.10.010 Purpose
- 16.10.020 Definitions
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59

60 **Chapter 16**

61 **Section 16.10 Tall Structures**

62

63 **16.10.010 Purpose**

64 It is the purpose of this chapter to establish reasonable regulations for the placement,
65 construction and modification of "Tall Structures" or "Tall Towers" (as defined in Section
66 16.10.020), including wireless communication facilities ("WCFs") consistent with Section
67 704 of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (Feb. 8,
68 1996) (codified at 47 U.S.C. § 332), Section 6409(a) of the Middle Class Tax Relief and
69 Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156 (Feb. 22, 2012) (codified at
70 47 U.S.C. § 1455(a)) and all other applicable law and regulations and to:

- 71 A. Promote the health, safety and general welfare of the public and the City;
- 72 B. Provide for adequate fall-zones to protect from falling ice and debris, and
- 73 potential tower failure;
- 74 C. Enable the orderly build-out of wireless communication infrastructure, wind
- 75 energy conservation systems ("WECS") and other Tall Structures;
- 76 D. Encourage potential applicants for new Tall Structures to involve citizens early in
- 77 the process so concerns can be mitigated prior to application for permits;
- 78 E. Minimize the overall impacts of Tall Structures by establishing standards for
- 79 siting, design and screening and by requiring consistency;

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- 80 F. Encourage the collocation of WCFs on existing structures thereby minimizing new
- 81 visual impacts and reducing the need for new Tall Structures;
- 82 G. Encourage the placement of Tall Structures in a manner that minimizes the
- 83 negative effects on the visual and scenic resources of all surrounding properties;
- 84 H. Accommodate the growing need and demand for wireless communications
- 85 services; and
- 86 I. Promote alternative, affordable energy sources in the City.

87

88 **16.10.020 Definitions**

- 89 1. "Adverse Impact" means a condition that creates, imposes, aggravates, or leads
- 90 to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for
- 91 development or on other properties and facilities.
- 92 2. "Ancillary Structure" means any form of development associated with a
- 93 telecommunication facility or Tall Structure, including but not limited to:
- 94 foundations, concrete slabs on grade, guy anchors, generators, and transmission
- 95 cable supports; however, specifically excluding equipment cabinets.
- 96 3. "Antenna" means a device used to transmit and/or receive electromagnetic
- 97 waves in connection with any wireless communications service. Types of antenna
- 98 include, but are not limited to, Omni-directional antennas, directional antennas,
- 99 multi or single bay, yagi or parabolic antennas.
- 100 4. "Antenna Array" means a single or group of antennas or antenna elements and
- 101 associated mounting hardware, transmission lines, or other appurtenances which
- 102 share a common attachment device such as a mounting frame or mounting
- 103 support structure for the purpose of transmitting or receiving electromagnetic
- 104 waves.
- 105 5. "Appurtenant or Associated Facilities" means an accessory facility or structure
- 106 serving or being used in conjunction with a Tall Structure and located on the
- 107 same property or lot as the Tall Structure including, but not limited to, utility or
- 108 transmission equipment storage shelters or cabinets.
- 109 6. "Base Station" means the same as defined by the FCC in 47 C.F.R. §
- 110 1.40001(b)(1), as may be amended, which defines that term as "[a] structure or
- 111 equipment at a fixed location that enables Commission-licensed or authorized
- 112 wireless communications between user equipment and a communications
- 113 network. The term does not encompass a tower . . . or any equipment
- 114 associated with a tower." Examples include, but are not limited to, any buildings,
- 115 utility poles and light standards that support transmission equipment at the time
- 116 an applicant files permit application for a collocation or modification to that

117 structure. As an illustration and not a limitation, the FCC's definition refers to any
118 structure that actually supports wireless equipment even though it was not
119 originally intended for that purpose. Examples include, but are not limited to,
120 wireless facilities mounted on buildings, utility poles and transmission towers,
121 light standards or traffic signals. A structure without wireless equipment replaced
122 with a new one designed to bear the additional weight from wireless equipment
123 constitutes a base station.

124 7. "Breakpoint Technology" means the engineering design of a monopole wherein a
125 specified point on the monopole is designed to be at least five percent (5%)
126 more susceptible to failure than any other point along the monopole so that in
127 the event of structural failure, the failure will occur at the breakpoint rather than
128 at the base plate, anchor bolts, or any other point on the monopole.

129 8. "Broadcast Facilities" means a tower, antennas, or antenna arrays for
130 FM/TV/HDTV broadcasting transmission facilities, and tower(s) utilized as
131 antennas for an AM broadcast station that are licensed by the Federal
132 Communications Commission.

133 9. "Collocation" means the same as defined by the FCC in 47 C.F.R. §
134 1.40001(b)(2), as may be amended, which defines that term as "[t]he mounting
135 or installation of transmission equipment on an eligible support structure for the
136 purpose of transmitting and/or receiving radio frequency signals for
137 communications purposes." As an illustration and not a limitation, the FCC's
138 definition effectively means "to add" and does not necessarily refer to more than
139 one wireless facility installed at a single site.

140 10. "Commercial" means having profit as a chief aim.

141 11. "Commercially Impracticable" means the inability to perform an act on terms that
142 are reasonable in commerce. The inability to achieve a satisfactory financial
143 return on investment or profit, standing alone, shall not be considered
144 "commercial impracticability" and shall not render an act or the terms of an
145 agreement commercially impracticable.

146 12. "Conditional Use" means a use of a structure or land, which may be allowed by
147 the planning commission after a public hearing and review and subject to certain
148 prescribed or imposed conditions.

149 13. "Conditional Use Permit (CUP)" means a written document which may specify
150 controls, restrictions and safeguards on the conditional permitted activity to
151 ensure compatibility with permitted uses.

152 14. "EIA/TIA 222" means the most current structural standards for steel antenna
153 towers and antenna support structures published by the Telecommunication

- 154 Industry Association and accredited by the American National Standards
155 Institute.
- 156 15. "Eligible Facilities Request" means the same as defined by the FCC in 47 C.F.R. §
157 1.40001(b)(3), as may be amended, which defines that term as "[a]ny request
158 for modification of an existing tower or base station that does not substantially
159 change the physical dimensions of such tower or base station, involving: (i)
160 [c]ollocation of new transmission equipment; (ii) [r]emoval of transmission
161 equipment; or (iii) [r]eplacement of transmission equipment."
- 162 16. "Eligible Support Structure" means the same as defined by the FCC in 47 C.F.R. §
163 1.40001(b)(4), as may be amended, which defines that term as "[a]ny tower or
164 base station as defined in this section, provided that it is existing at the time the
165 relevant application is filed with the State or local government under this
166 section."
- 167 17. "Equipment Cabinet" means an encasement used to house and protect the
168 electronic equipment, including but not limited to air conditioning units and
169 emergency generators. Equipment cabinets may be ground-mounted, wall-
170 mounted, frame-mounted or tower-mounted.
- 171 18. "Equipment Shelter" means a structure or vault designed solely or primarily to
172 house and protect equipment.
- 173 19. "Equipment Compound" means the area occupied by a tower including areas
174 inside or under the following: an antenna-support structure's framework,
175 equipment cabinets, ancillary structures such as equipment necessary to operate
176 the antenna on the tower including: cabinets, shelters, pedestals, and other
177 similar structures, and access ways.
- 178 20. "Existing Tower" or "Existing Base Station" have the same meanings as those
179 terms are defined in 47 C.F.R. § 1.40001(b)(5), as may be amended, which
180 states that "constructed tower or base station is existing for purposes of this
181 section if it has been reviewed and approved under the applicable zoning or
182 siting process, or under another State or local regulatory review process,
183 provided that a tower that has not been reviewed and approved because it was
184 not in a zoned area when it was built, but was lawfully constructed, is existing
185 for purposes of this definition."
- 186 21. "FAA" means the Federal Aviation Administration or its duly designated and
187 authorized successor agency.
- 188 22. "Fall Radius" means the circular area measured from the base of the tower
189 outward in a circular pattern (radius) for a distance of 100 percent of the
190 proposed or existing tower's height including appurtenances.

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- 191 23. "FCC" means the Federal Communications Administration or its duly designated
192 and authorized successor agency.
- 193 24. "Feasible" means consistent with sound engineering practice and not causing
194 environmental, social, or economic costs that outweigh the public benefit to be
195 derived from compliance with the standard which is modified by the term
196 "feasible and prudent."
- 197 25. "Feed Lines" means cables used as the interconnecting media between the
198 transmission/receiving base station and the antenna.
- 199 26. "Fence" means a fence other than one made of chain link, chicken wire, or
200 similar materials.
- 201 27. "Flush-Mounted" means any antenna or antenna array attached directly to the
202 face of the support structure or building in a manner that permits mechanical
203 beam tilting if necessary but such that no portion of the antenna extends above
204 the height of the support structure or building.
- 205 28. "Geographic Search Area" means an area designated by a wireless provider or
206 operator for a new base station or WCF, produced in accordance with generally
207 accepted principles of wireless engineering.
- 208 29. "Guy Wire" means any wire or cable that provides structural support between a
209 tower and the ground.
- 210 30. "Height (tall structure)" means the vertical distance measured from finished
211 grade to the highest point of the tall structure, not including appurtenances or
212 equipment affixed thereto.
- 213 31. "Landscape" means:
- 214 a. An expanse of natural scenery; or
- 215 b. To add lawns, trees, plants and other natural and decorative features to land.
- 216 32. "Monopole" means a style of freestanding WCF consisting of a single shaft
217 usually composed of two or more hollow sections that are in turn attached to a
218 foundation. This type of WCF is designed to support itself without the use of guy
219 wires or other stabilization devices. These facilities are mounted to a foundation
220 that rests on or in the ground or on a building's roof.
- 221 33. "Non-Concealed" means a Tall Structure that has not been treated, camouflaged,
222 or disguised to blend with its surroundings and is readily identifiable.
- 223 34. "Propagation Study" means a computer generated study estimating the signal
224 emanating, and prediction of coverage, from antennas or repeaters sited on a
225 specific tower or structure.

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- 226 35. "Radio Frequency Emissions" or "RF" means any electromagnetic or other
227 communication signal emitted from an antenna that is regulated by the FCC.
- 228 36. "Screening" means a method of visually shielding or obscuring one abutting or
229 nearby structure or use from another by fencing, walls, berms or densely planted
230 vegetation.
- 231 37. "Setback" means the required distance between the tall structure and the
232 property line or right-of-way line to allow for a fall radius.
- 233 38. "Site" means the same as defined by the FCC in 47 C.F.R. § 1.40001(b)(6), as
234 may be amended, which provides that "[f]or towers other than towers in the
235 public rights-of-way, the current boundaries of the leased or owned property
236 surrounding the tower and any access or utility easements currently related to
237 the site, and, for other eligible support structures, further restricted to that area
238 in proximity to the structure and to other transmission equipment already
239 deployed on the ground."
- 240 39. "Structure" means anything which is constructed or erected and located on or
241 under the ground, or attached to something fixed to the ground, including the
242 following:
- 243 a. A building, regardless of size, purpose, or permanence;
- 244 b. A tower, sign, antenna, pole or similar structure;
- 245 c. A basement, foundation, or mobile home pad;
- 246 d. A fence;
- 247 e. A sign;
- 248 f. A street, road, sidewalk, driveway, parking area, or storage area.
- 249 40. "Section 6409(a)" means Section 6409(a) of the Middle Class Tax Relief and Job
250 Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156 (Feb. 22, 2012) (codified
251 at 47 U.S.C. § 1455(a)), and the Federal Communications Commission's
252 regulations codified at 47 U.S.C. §§ 1.40001 *et seq.*
- 253 41. "Substantial Change" means the same as defined by the FCC in 47 C.F.R. §
254 1.40001(b)(7), as may be amended, which defines that term differently based on
255 the particular facility type and location. For convenience purposes, the restated
256 definition in this chapter organizes the FCC's criteria and thresholds for a
257 substantial change according to the facility type and location.
- 258 a. For towers outside the public rights-of-way, a substantial change occurs
259 when any of the following are true:

- 260 i. the proposed collocation or modification increases the overall
261 height more than ten percent (10%) or the height of one additional
262 antenna array not to exceed 20 feet (whichever is greater); or
- 263 ii. the proposed collocation or modification increases the width more
264 than 20 feet from the edge of the wireless tower or the width of
265 the wireless tower at the level of the appurtenance (whichever is
266 greater); or
- 267 iii. the proposed collocation or modification involves the installation of
268 more than the standard number of equipment cabinets for the
269 technology involved, not to exceed four; or
- 270 iv. the proposed collocation or modification involves excavation
271 outside the current boundaries of the leased or owned property
272 surrounding the wireless tower, including any access or utility
273 easements currently related to the site; or
- 274 v. the proposed collocation or modification would defeat the existing
275 concealment elements of the support structure as determined by
276 the Planning Director; or
- 277 vi. the proposed collocation or modification violates a prior
278 governmental condition of approval, provided however that the
279 collocation need not comply with any prior governmental condition
280 of approval related to height, width, equipment cabinets or
281 excavation that is inconsistent with the thresholds for a substantial
282 change described in this section.
- 283 b. For towers in the public rights-of-way and for all base stations wherever
284 located, a substantial change occurs when any of the following are true:
- 285 i. the proposed collocation or modification increases the overall
286 height more than ten percent (10%) or ten (10) feet (whichever is
287 greater); or
- 288 ii. the proposed collocation or modification increases the width more
289 than six (6) feet from the edge of the wireless tower or base
290 station; or
- 291 iii. the proposed collocation or modification involves the installation of
292 any new equipment cabinets on the ground when there are no
293 existing ground-mounted equipment cabinets; or
- 294 iv. the proposed collocation or modification involves the installation of
295 any new ground-mounted equipment cabinets that are ten percent

- 296 (10%) larger in height or volume than any existing ground-
297 mounted equipment cabinets; or
- 298 v. the proposed collocation or modification involves excavation
299 outside the area in proximity to the structure and other
300 transmission equipment already deployed on the ground; or
- 301 vi. the proposed collocation or modification would defeat the existing
302 concealment elements of the support structure as determined by
303 the Planning Director; or
- 304 vii. the proposed collocation or modification violates a prior
305 governmental condition of approval, provided however that the
306 collocation need not comply with any prior governmental condition
307 of approval related to height, width, equipment cabinets or
308 excavation that is inconsistent with the thresholds for a substantial
309 change described in this section.

310 **Note:** The thresholds for height increases are cumulative limits. For sites
311 with horizontally separated deployments, the cumulative limit is measured
312 from the originally-permitted support structure without regard to any
313 increases in size due to wireless equipment not included in the original
314 design. For sites with vertically separated deployments, the cumulative limit is
315 measured from the permitted site dimensions as they existed on February 22,
316 2012—the date that Congress passed Section 6409(a).

317 42. "Tall Structure or Tall Tower" means a structure that is over one hundred (100')
318 feet above grade. The term includes, but is not limited to, tethered balloons, flag
319 poles, sculptures, buildings, water tanks, derricks, cranes, signs, chimneys, area
320 illumination poles, towers, broadcast facilities, and supports for communication.

321 43. "Telecommunication" means the technology which enables information to be
322 exchanged through the transmission of voice, video, or data signals by means of
323 electrical or electromagnetic systems.

324 44. "Tower", as applied to wireless facilities, means the same as defined by the FCC
325 in 47 C.F.R. § 1.40001(b)(9), as may be amended, which defines that term as
326 "[a]ny structure built for the sole or primary purpose of supporting any [FCC]-
327 licensed or authorized antennas and their associated facilities, including
328 structures that are constructed for wireless communications services including,
329 but not limited to, private, broadcast, and public safety services, as well as
330 unlicensed wireless services and fixed wireless services such as microwave
331 backhaul, and the associated site." Examples include, but are not limited to,
332 monopoles, mono-trees and lattice towers.

- 333 45. "Tower Base" means the foundation, usually concrete or steel, on which the
334 tower and other support equipment is situated. For measurement calculations,
335 the tower base is that point on the foundation reached by dropping a
336 perpendicular from the geometric center of the tower.
- 337 46. "Tower Height" means the vertical distance measured from the natural lay of the
338 land or ground to the upper most point of a freestanding or guyed
339 telecommunication tower or other type of tall tower and includes any antenna,
340 beacon, light or other structure(s) attached to the tall tower.
- 341 47. "Transmission Equipment" means the same as defined by the FCC in 47 C.F.R. §
342 1.40001(b)(8), as may be amended, which defines that term as "[e]quipment
343 that facilitates transmission for any [FCC]-licensed or authorized wireless
344 communication service, including, but not limited to, radio transceivers,
345 antennas, coaxial or fiber-optic cable, and regular and backup power supply. The
346 term includes equipment associated with wireless communications services
347 including, but not limited to, private, broadcast, and public safety services, as
348 well as unlicensed wireless services and fixed wireless services such as
349 microwave backhaul."
- 350 48. "Wind Energy Conversion System (WECS)" means any device such as a wind
351 charger, windmill, turbine, energy ball, wind tower, or another similar device,
352 which is typically mounted to a tower or pole, and its associated mechanical and
353 electrical equipment, which is designed to convert wind energy to a form of
354 usable energy.
- 355 49. "Wireless" means any FCC-licensed or authorized wireless communication service
356 transmitted over frequencies in the electromagnetic spectrum. This term is
357 broader than personal wireless services as defined in 47 U.S.C. § 332(c)(7)(C)(i),
358 and includes but is not limited to Wi-Fi, broadcast, satellite and other similar
359 over-the-air services.
- 360 50. "Wireless Communication Facility (WCF)" means any manned or unmanned
361 location for the transmission and/or reception of radio frequency signals or other
362 wireless communications, and usually consisting of an antenna or group of
363 antennas, transmission cables, and equipment cabinets, and may include an
364 antenna support structure. The following developments shall be considered a
365 WCF: developments containing new, mitigated, or existing antenna support
366 structures, public antenna support structures, replacement antenna support
367 structures, collocation on existing antenna support structures, attached wireless
368 communications facilities, concealed wireless communication facilities, and non-
369 concealed wireless communication facilities.

370 **16.10.030 Application**

- 371 A. This chapter shall apply to:
- 372 1. All private and public lands within the City of Bethel;
- 373 2. All Tall Structures taller than one hundred (100') feet including, but not
- 374 limited to:
- 375 a) Broadcast Facilities,
- 376 b) Towers, and
- 377 c) Wind Energy Conversion Systems.
- 378 3. Development activities including installation, construction, or modification of
- 379 all Tall Structures including, but not limited to:
- 380 (i) Existing Structures,
- 381 (ii) Proposed Structures and
- 382 (iii) Collocated facilities on existing structures.
- 383 B. The number of Tall Structures authorized by the Planning Commission shall be
- 384 the minimum reasonably required to provide services.
- 385 C. Permits are required prior to construction, modification, replacement or removal
- 386 of all Tall Structures.
- 387 D. To the greatest extent feasible, location of Tall Structures shall be in compatible
- 388 areas where the adverse impact of the use is minimized.
- 389 E. Permits under this chapter will not be approved unless the applicant has
- 390 provided evidence demonstrating that the proposal conforms to the applicable
- 391 provisions of this chapter as well as all applicable zoning requirements.
- 392 F. Notwithstanding Section 16.10.030(A), a written permit application for a
- 393 modification or collocation to an existing tower or an existing base station
- 394 submitted for approval under Section 6409(a) shall be governed exclusively
- 395 under Section 16.10.330 of this Chapter.

396

397 **16.10.40 Exceptions**

- 398 A. A government-owned or temporary tall tower installed upon the declaration of a
- 399 state of emergency by federal, state or local government, or a written
- 400 determination of public necessity by the City manager; except that such facility
- 401 must comply with all federal and state requirements. The tall tower shall be
- 402 exempt from the provisions of this chapter for up to four (4) months after the
- 403 duration of the state of emergency. An additional extension, no longer than
- 404 three (3) months, may be granted by the City Council upon written request and
- 405 determination that the tall tower facilities continue to be necessary for post-
- 406 emergency operations; and
- 407 B. Temporary tall structures, including but not limited to, drilling derricks and
- 408 construction cranes which are utilized on active construction projects or are on

- 409 site less than one hundred eighty (180) calendar days total within a consecutive
410 six (6) month period and are not intended to routinely reoccur on the same site;
411 C. The following items are also exempt from the provisions of this chapter:
412 1. Church spires, religious icons, and flag poles displaying official government or
413 religious flags;
414 2. Lighting support structures less than one hundred (100') feet in height that
415 are constructed for the Alaska Department of Transportation, are located
416 within a right of way, and are used exclusively for illuminating main arterials
417 and highways;
418 3. Routine maintenance and repair of tall structures and their components

419

420 **16.10.050 Location Preferences**

- 421 A. Tall Structure locations must be approved in accordance with the following
422 location preferences, one being the highest priority and six being the lowest
423 priority:
424 1. Collocated antenna on existing Tall Structure;
425 2. Concealed attached structures;
426 3. Non-concealed attached structures;
427 4. New concealed freestanding Structures;
428 5. New non-concealed freestanding Structures;
429 6. Any lighted Tall Structure or any Tall Structure requiring air navigation
430 lighting.
431 B. If the proposed location is not the highest priority listed above, then a detailed
432 explanation justifying why a site of a higher priority was not selected must be
433 submitted with the Tall Tower application. Any application seeking approval to
434 locate a Tall Tower in a lower-ranked location may be denied unless the
435 applicant demonstrates to the satisfaction planning commission the following:
436 1. That despite diligent efforts to adhere to the established hierarchy, doing so
437 is technically infeasible or commercially impractical; and
438 2. The reason or reasons why the application should be approved for the
439 proposed location.

440

441 **16.10.060 Collocation**

- 442 A. In all applications for construction of a new Tall Tower, the applicant must prove
443 by substantial evidence that a bona fide need exists for the facility and that no
444 reasonable combination of locations, techniques or technologies will obviate the
445 need. The applicant must further prove that it has made all reasonable efforts to

- 446 procure space on existing facilities and that the cost of collocation exceeds the
447 cost of a new facility by at least fifty (50%) percent.
- 448 B. Prior to the issuance of a permit for a new Tall Tower, the applicant shall
449 demonstrate commitment to joint use as follows:
- 450 1. The applicant requesting the permit shall submit evidence to the City
451 demonstrating that a genuine effort has been made to solicit additional users
452 for the proposed new tower. Evidence of this shall include, at a minimum,
453 copies of notices sent by certified mail, return receipt requested, to other
454 potential users in the City, advising of the intent to construct a new tower,
455 identifying the location, inviting the joint use and sharing of costs, and
456 requesting a written response within thirty (30) calendar days. The
457 applicant's letter(s) as well as response(s) must be presented to the Planning
458 Commission as a means of demonstrating the need for a new tower.
 - 459 2. The applicant shall sign an instrument, maintained by the City, agreeing to
460 encourage and promote the joint use of the Tall Tower within the City and, to
461 that extent, committing that there shall be no unreasonable act or omission
462 that would have the effect of excluding, obstructing or delaying joint use of
463 any tower where fair and just market reasonable compensation is offered for
464 such use.

465
466 **16.10.070 Permit Required**

467 No person shall be permitted to place, build, construct, modify, prepare, replace or
468 remove any Tall Structure or appurtenant equipment without having first obtained the
469 appropriate permit from the City. All applicants for a permit and any modification of
470 such must comply with the requirements set forth in this chapter.

471
472 **16.10.080 Types of Permits**

- 473 A. *Special Use Permit* – Required for all new Tall Structures regardless of height or
474 zoning location. Receipt of a Special Use Permit does not alleviate any zoning
475 requirement for a Conditional Use Permit.
- 476 B. *Network Improvement Permit* – Required before any legally constructed Tall
477 Structure's height may be increased pursuant to BMC 16.10.190.
- 478 C. *Modification Permit* – Required before any legally constructed Tall Structure may
479 be modified, unless the applicant applies for a Section 6409(a) Modification
480 Permit.
- 481 D. *Reconstruction and Replacement Permit* – Required before any legally
482 constructed Tall Structure can be reconstructed or replaced.

- 483 E. *Removal Permit* – Required prior to the demolition, relocation or removal of any
484 Tall Structure.
485 F. Section 6409(a) Modification Permit – Required before any Tall Structure may be
486 modified when the applicant asserts in writing that Section 6409(a) applies to its
487 proposed project.
488

489 **16.10.090 Pre-Application Requirements**

- 490 A. Prior to submission of an application, the applicant shall meet with the planning
491 director for the purpose of discussing the site and development proposal, and to
492 address any issues that will help to expedite the review and permitting process,
493 including the scope of the visual assessment the applicant will be required to
494 provide as part of the permit process. The pre-application process may also
495 include a site visit, as determined by the planning director. No statement by
496 either the applicant or the planning director shall be regarded as binding or
497 authoritative for purposes of this section.
498 B. *Visual Impact Assessment*: The scope of the required assessment will be
499 reviewed at the pre-application meeting, but the planning commission may
500 require submission of a more detailed visual analysis after submittal of the actual
501 permit application. The visual impact assessment must include:
502 1. A “zone of visibility map” sufficient in detail to allow for a determination of
503 where the Tall Structure may be seen;
504 2. Current maps at appropriate scale, showing: the location of the proposed
505 use, the locations of other Tall Structure facilities operated by the applicant
506 and those within two (2) miles of the proposed Tall Structure;
507 3. An analysis demonstrating that the Tall Structure will be sited so as to have
508 the least adverse visual impact on the environment and its character, on
509 existing vegetation, and on the properties in the area, while still meeting the
510 applicant’s objectives;
511 4. A “before” pictorial representation of the proposed Tall Structure site together
512 with photo-simulated post-construction renderings of the completed proposed
513 support structures, equipment cabinets, and ancillary structures which must,
514 at a minimum, include renderings from multiple vantage points of any
515 adjacent roadways and occupied or proposed non-residential or residential
516 structures, and other locations as determined by the planning director. The
517 “before” representations and photo-simulations shall be from the same
518 locations. The applicant shall also provide simulated photographic evidence
519 of the proposed Tall Structure’s appearance from any and all residential zones
520 (as identified in the City of Bethel’s latest Comprehensive Plan) that are
521 within one thousand five hundred (1500’) feet of the proposed site, from
522 vantage points approved by the planning director. The photo-simulated

- 523 renderings must represent, at a minimum, the proposed Tall Structure's
524 overall height, configuration, physical location, mass and scale, materials and
525 color, illumination and architectural design. The applicant shall also submit
526 proposed exterior paint and stain samples for any items to be painted or
527 stained, and exterior building material and roof samples.
- 528 5. Elevation drawings of the facilities depicting existing and proposed Tall
529 Structures, other structures, landscaping, proposed color(s), method of
530 camouflage and illumination.
- 531 6. A description of the visual impact of the tower base and accessory buildings
532 from abutting properties and streets;
- 533 7. The applicant shall demonstrate, in writing and by drawing, how it will
534 effectively screen from view the base of its proposed Tall Structure tower and
535 all appurtenant facilities and structures; and
- 536 8. If the tower is to be lit, a description of the specific type of lighting applicant
537 proposes using and a description of how the applicant will comply with a
538 directive in BMC 16.10.200, requiring the lighting be oriented, shielded or
539 otherwise designed so as to not project directly on to surrounding property.
- 540 9. When the proposed Tall Structure facility is to include a new tower, a plot
541 plan at a scale of not less than one (1") inch is equal to one hundred (100')
542 feet must be submitted. This plot plan must indicate all building uses within
543 three hundred (300') feet of the proposed new facility. Aerial photos and/or
544 renderings may augment the plot plan.
- 545 C. The applicant shall provide evidence that the proposed facility is designed to
546 meet the minimum height requirement necessary for effective functioning of the
547 tower's intended use.
- 548 D. A site plan, drawn to scale under the seal of a qualified Alaska registered
549 surveyor, clearly indicating all site boundaries, location of existing and proposed
550 Tall Structures, antennas, other structures and other development on site,
551 means of access, screening and fencing, topography, landscaping, drainage
552 management, adjacent public easements and rights-of-way.
- 553 E. The applicant shall provide evidence that the proposed Tall Structure will not
554 interfere with the approaches to any existing airport or airfield, including water
555 bodies supporting aircraft use.
- 556 F. The applicant shall provide the results of a propagation study for the proposed
557 Tall Structure which must have been conducted within the previous twelve (12)
558 months.
- 559 G. *Community Meeting* Prior to applying for a Special Use Permit for a new Tall
560 Structure, the potential applicant shall hold at least one (1) community meeting.
561 1. The meeting must be held at a centrally located public location capable of
562 seating a minimum of forty (40) people;

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- 563 2. Notice of the meeting must be published in a newspaper of local circulation a
564 minimum of two (2) times prior to the meeting;
565 3. Notice of the meeting must be announced on the local radio a minimum of
566 five (5) times during the week prior to the meeting;
567 4. Notice of the meeting must be posted on at least three (3) bulletin boards
568 within the City limits which are generally accessible to the public;
569 5. Notice of the meeting must also be mailed by the applicant to all property
570 owners within twelve hundred (1200') feet of the parcel(s) under
571 consideration for the proposed Tall Structure;
572 6. The meeting must be held at least fifteen (15) calendar days after all
573 notifications are completed;
574 7. The meeting may not start prior to 5:30 p.m. or later than 7:00 p.m.;
575 8. Notification of the meeting must, at a minimum, include the following:
576 a) A legal description and map of the general parcel, or parcels, within the
577 coverage area under consideration for the Tall Structure and upon which
578 the Tall Structure is intended to be placed;
579 b) A description of the proposed development including height, design,
580 lighting, potential access to the site and proposed service;
581 c) The date, time, and location of the informational meeting; and
582 d) The contact name, telephone number, and address of applicant;
583 9. A written report summarizing the results of the community meeting must be
584 prepared and submitted to the planning director prior to submitting an
585 application for a new Tall Structure permit. At a minimum, the written report
586 must include the following information:
587 a) The date(s) and location(s) of all meetings where citizens were invited to
588 discuss the potential applicant's proposal;
589 b) The content, dates mailed, and number(s) of mailings, including letters,
590 meeting notices, newsletters and other publications;
591 c) Sign-in sheet(s) used at the meeting, that includes places for names,
592 addresses, phone numbers and other contact information such as e-mail
593 addresses for the meeting participants;
594 d) A list of residents, property owners, and interested parties who have
595 requested, in writing, that they be kept informed of the proposed
596 development through notices, newsletters, or other written materials;
597 e) The number of people who attended meeting(s);
598 f) Copies of written comments received at the meeting;
599 g) A certificate of mailing identifying all who were notified of the meeting;
600 and
601 h) A written summary that addresses the following:
602 (i) The substance of the public's written concerns, issues, and problems;

603 (ii) How the applicant has addressed, or intends to address, concerns,
604 issues and problems expressed during the process; and concerns,
605 issues, and problems the applicant has not addressed or does not
606 intend to address and why.
607

608 **16.10.100 Permit Application Process**

609 A. Applicants shall submit to the Planning Department:

- 610 1. Applications on a form specified by the Planning Department, and
611 2. Site Plans for all Tall Structures.
- 612 B. At the time that a person submits an application for a permit for any type of Tall
613 Structure, such person shall pay a nonrefundable application fee to the City, as set
614 forth in the City's Fee and Rate Schedule.
- 615 C. In addition to the application fee, the planning director may require a technical
616 review by a third party expert, the actual costs of which shall be borne by the
617 applicant.
- 618 D. Based on the results of the technical review, the planning director may require
619 changes or additional documentation before the application will be considered
620 complete. The technical expert review may address some or all of the following, at
621 the discretion of the director:
- 622 1. The accuracy and completeness of the items submitted with the application;
623 2. The applicability of analysis, techniques and methodologies proposed by the
624 applicant;
625 3. The validity of conclusions reached by the applicant;
626 4. Whether the proposed Tall Structure complies with applicable approval criteria
627 set forth in this chapter, the Bethel Municipal Code and the Bethel
628 Comprehensive Plan as applicable; and
629 5. Other matters deemed to be relevant to determining whether a proposed Tall
630 Structure complies with the provisions of this chapter.
631

632 **16.10.110 General Standards and Design Requirements**

633 A. *Concealed and non-concealed antenna.*

- 634 1. Antennas must be mounted on Tall Structures so as to present the smallest
635 possible silhouette, profile, or cross-section, unless applicant provides
636 sufficient evidence that doing so would prohibit the applicant from properly
637 deploying the network. New antenna mounts must be flush-mounted onto
638 existing Tall Structures, unless it is demonstrated through RF propagation
639 analysis that flush-mounted antennas will not meet the network objectives of
640 the desired coverage area.

- 641 2. Attached, concealed feed lines and antennas must be designed to
642 architecturally match the facade, roof, wall, or structure on which they are
643 affixed so that they blend with the existing design, color, and texture of the
644 structure.
- 645 B. *Security of Tall Structures.* All Tall Structures must be located, fenced and
646 secured in a manner that prevents unauthorized access.
- 647 1. All antennas, towers and other supporting structures must be constructed or
648 shielded to reasonably prevent unauthorized access.
- 649 2. Transmitters and telecommunications control points must be installed in a
650 manner to be readily accessible only to persons authorized to operate or
651 service them.
- 652 3. A fence or wall not less than eight feet (8') in height with a secured gate
653 must be maintained around the base of the tower, the equipment shelter and
654 any guy wires, either completely or individually as determined by the planning
655 director. The security fence must be locked when the facility is unattended.
- 656 C. *Height Restrictions.*
- 657 1. Support structures must be designed to bet the minimum height needed to
658 meet the service objectives of the applicant and anticipated collocators.
- 659 2. No new Tall Structures shall exceed two hundred fifty (250') feet in height.
660 However, in the event of dense vegetation or other substantial obstacles to
661 the intended purpose of the Tall Structure, facility height can be extended to
662 no more than three hundred fifty (350') feet by special permission of the
663 Planning Commission.
- 664 3. Tall Structures that simulate objects that typically occur in landscapes similar
665 to the proposed location (except electrical transmissions or
666 telecommunication towers) may exceed two-hundred fifty (250') feet in
667 height if, based on the judgment of the Planning Commission, it would
668 appear in context to the landscape, is aesthetically acceptable, and would be
669 a preferable alternative to an undisguised facility.
- 670 4. Tall Structures located atop or within existing buildings or structures may
671 result in an overall increase in height of the structure of no more than ten
672 (10%) percent of the structure's height without the facility or the maximum
673 height allowed in the zoning district in which the structure is located,
674 whichever is less.
- 675 D. *Signage.*
- 676 1. Tall Structures must contain a sign no larger than four square feet with text
677 in a sufficient font size to provide adequate notification to persons in the
678 immediate area of the presence of an antenna that has transmission
679 capabilities. The sign shall contain:
- 680 a) The name(s) of the owner(s) and operator(s) of the facility;

- 681 b) An emergency phone number(s), and FCC registration number, if
682 applicable;
683 c) Information for the purpose of identifying the tower such as the
684 antenna structure registration number required by the FCC;
685 d) The party responsible for the operation and maintenance of the
686 facility; and
687 e) A twenty-four (24) hour emergency contact number.
- 688 2. The sign must be on the equipment shelter or cabinet and be visible from the
689 access point of the site. The sign must not be lighted unless authorized by
690 the City or unless applicable provisions of law require such lighting.
691 3. No other signage is permitted on any Tall Structure unless required by law.
692 4. No advertising is permitted on any facility with the exception of identification
693 signage.
694 5. If more than 220 volts are necessary for the operation of the facility, warning
695 signs must be located at the base of the facility and must display in large,
696 bold, high contract letters the following: "HIGH VOLTAGE – DANGER";
697 6. Signs other than warning signs and those specifically required by this Chapter
698 are not allowed on Tall Structures.

699 E. *Lighting.*

- 700 1. Tall Structures may not be lighted or marked unless required by the FCC or
701 FAA.
702 2. Notice is required to be provided to the FAA, on a form prescribed by the
703 FAA, if the facility falls under notification requirements mentioned in 14 CFR
704 Part77. The applicant is responsible for determining whether notification is
705 required. Any Tall Structure that is required to have lighting by the FAA will
706 be lighted with the minimum intensity and number of flashes per minute (i.e.,
707 the longest duration between flashes) allowable by the FAA.
708 3. When lighting is required:
709 a) The lights must be oriented, shielded or otherwise designed so as not
710 to project directly on to surrounding property, consistent with FAA
711 requirements.
712 b) Tall Structures must use nonstrobe type red lights for night air safety
713 illumination unless otherwise required by law.
714 c) The negative impact across lot lines caused by Tall Structure lights and
715 illumination on the site must be minimized.
716 d) Scenic and night sky views, traffic safety, enjoyment of residential and
717 other lawful uses must be protected.
718 4. Additional conditions may be required for lighting: type, wattage, brightness,
719 shrouds, direction, location, height and other buffers.

720 F. *Design criteria.*

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1. All freestanding Tall Structures between eighty (80') and one hundred twenty (120') feet in height must be engineered and constructed to accommodate no fewer than four (4) antenna arrays. All Tall Structures between one hundred twenty one (121') feet and one hundred fifty (150') feet must be engineered and constructed to accommodate no fewer than five (5) antenna arrays. All Tall Structures one hundred fifty one (151') feet and taller must be engineered and constructed to accommodate no fewer than six (6) antenna arrays.
 2. All utilities for a Tall Structure site must be installed underground whenever possible and in compliance with all ordinances, rules and regulations of the City, including, but not limited to, the most current versions of the National Electrical Code, the National Electrical Safety Code, and Structural Standard for Antenna Supporting Structures and Antennas (EIA/TIA 222) where appropriate.
 3. All appurtenant or associated facilities of a Tall Structure must maximize use of building materials, colors and textures designed to blend with the structure to which it may be affixed, or to harmonize with the natural surroundings or built environment, which must include the utilization of concealed or concealment technology for facilities appurtenant to concealed Tall Structures. If located in or abutting a Residential, Commercial or Mixed-Use district, the appurtenant or associated facility must be placed inside an enclosed structure, fenced and screened with sight-obscuring foliage, which will be as tall as the appurtenant or associated facility.
- G. *Setbacks*. Freestanding towers and appurtenant structures shall be subject to the setbacks described below:
1. If the tower is not constructed using breakpoint design technology, the minimum setback distance from the nearest property line must be equal to the height of the proposed tower.
 2. If the tower has been constructed using breakpoint design technology, the minimum setback distance must be equal to one hundred ten (110%) percent of the distance from the top of the structure to the breakpoint level of the structure, or the minimum yard setback requirements, whichever is greater. For example, on a 100-foot tall freestanding tower with a breakpoint at 80 feet, the minimum setback distance would be 22 feet (110 percent of 20 feet, the distance from the top of the tower to the breakpoint) plus the minimum side or rear yard setback requirements for that zoning district. Certification by a professional engineer registered in the State of Alaska, of the breakpoint design and the design's fall radius must be provided with the application.

- 759 3. Any appurtenant structure must be located so as to comply with the
760 applicable minimum setback requirements for the property on which it is
761 situated.
- 762 4. Guy, guy anchors, and accessory facilities must meet zoning district setback
763 requirements.
- 764 5. Setbacks will be determined from the dimensions of the entire lot, even
765 though the Tall Structure may be located on lease areas within the lot.
- 766 6. A variance from the setback requirement may be granted by the planning
767 commission upon receipt of signed and duly notarized waivers by all adjoining
768 property owners agreeing to such modification or waiver.
- 769 H. *Parking*. For all Tall Structures regulated under this chapter, vehicle parking
770 must be provided on the subject property, outside of public use easements and
771 rights-of-way to enable emergency vehicle access. No more than two (2) spaces
772 per provider are required.
- 773 I. *Equipment Shelters*. No equipment shelter for a Tall Structure may exceed
774 seven hundred fifty (750') square feet in area or twelve (12') feet in height. All
775 such shelters must be screened with vegetation or other aesthetically pleasing
776 materials. Furthermore, all such shelters must be secured with approved fencing
777 and a locked gate.
- 778 J. *Landscaping*. The Planning Commission has the authority to impose reasonable
779 landscaping requirements surrounding the Tall Structure and all accessory
780 equipment. When landscaping is required, existing mature tree growth and
781 natural land on the site must be preserved to the greatest extent feasible.
- 782 K. *Facility Color*. The Tall Structure, facility and fence must be earth tone or natural
783 colors that blend with the surrounding area, except when specific colors or color
784 patterns are required by state or federal regulations.
- 785 L. *Visibility*.
- 786 1. Tall Structures must be configured and located in a manner that minimizes
787 adverse effects including visual impacts on the landscape and adjacent
788 properties and must be maintained in accordance with the requirements of
789 this chapter.
- 790 2. Tall Structures must be designed to either resemble the surrounding
791 landscape and other natural features where located in proximity to natural
792 surroundings, or be compatible with the surrounding, built environment,
793 through matching or complementing existing structures and specific design
794 considerations such as architectural designs, height, scale, color, and texture.
- 795 3. Surrounding topography and development must be used to reduce negative
796 impacts. Height above nearby ridge lines, hills, trees and buildings must be
797 the minimum needed to reasonably conduct the use.
- 798 4. Aerial lines crossing parks, trails and water bodies must be minimized.

- 799 M. *Structural assessment.* The owner of a freestanding Tall Structure shall have a
800 structural assessment of the tower conducted by a professional engineer,
801 licensed in the State of Alaska if:
802 1. The Tall Structure is within the distance from the top of the structure to the
803 breakpoint level of the structure from a dwelling, parking lot, playground, or
804 right-of way, or
805 2. If the Tall Structure was not constructed using breakpoint design technology
806 and the tower is at a distance equal to the tower's height from a dwelling,
807 parking lot, playground, or right-of way.

808 The owner shall submit the structural assessment report required by this subsection,
809 signed by the engineer who conducted the assessment, to the director by July 1st
810 every fifth year from the date of issuance of the Special Use permit.

- 811 N. *Ice and Wind.* A professional engineer, licensed in the State of Alaska, must
812 provide certification that the proposed Tall Structure, at a minimum, will
813 withstand one hundred (100) year return wind speed for the site and one-half
814 (1/2") inch of solid radial ice.
815

816 **16.10.120 Additional Operation Standards for Wind Energy Conversion Systems**

817 In addition to the operation standards for new Tall Structures required by section
818 16.10.110, the following standards apply to Wind Energy Conversion Systems (WECS):

- 819 1. WECS must be equipped with an automatic over speed control device designed
820 to protect the system from sustaining structural failure such as splintered or
821 thrown blades and the overturning or breaking of towers due to an uncontrolled
822 condition brought on by high winds; and
823 2. WECS must have a manually operable method that assures the WECS can be
824 brought to a safe condition in high winds. Acceptable methods include
825 mechanical or hydraulic brakes or tail vane deflection systems which turn the
826 rotor out of the wind.
827

828 **16.10.130 General Application Submittal Requirements**

- 829 A. An application for a Tall Structure must be signed by a person having knowledge
830 of the contents of the application.
831 B. The landowner, if different than the applicant, must also sign the application.
832 C. All information submitted in an application must be provided by a person
833 qualified and authorized to provide the information.
834 D. All applications for the construction or installation of a new Tall Structure must
835 be accompanied by the following documentation:
836 1. A narrative describing compliance with BMC 16.10.110;
837 2. A copy of the deed showing ownership of the property, including book and
838 page number where the deed is recorded with the Bethel Recorder's Office;

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- 839 3. A copy of a written instrument (lease, sublease, memorandum, deed, etc.)
840 demonstrating the applicant has secured the property owner's permission to
841 use the property for placement and use of a Tall Structure, but such written
842 instrument be redacted only as to financial compensation therein;
843 4. Evidence of legal access to the tower site and ability to maintain this access
844 regardless of other developments that may take place on the site;
845 5. Copy of any recorded easements necessary to reach the Tall Structure site.
846 Easements may not be less than twenty (20') feet in width with a road base
847 not less than ten (10') feet in width;
848 6. The location of existing streets, buildings, transmission lines, sewers, culverts,
849 drainpipes and easements to the extent that these may be ascertained from a
850 field inspection of the property;
851 7. The general geographic information about the site including topography,
852 proximity to surface waters, susceptibility to flooding, soil characteristics and
853 other characteristics which might impose restrictions on the development of
854 the site;
855 8. The applicant shall have prepared, by a registered land surveyor registered in
856 the State of Alaska, a boundary survey, which must meet all requirements for
857 recordation in the Bethel Recorder's Office;
858 9. A detailed development plan not less than 18"x24" drawn at a scale of
859 sufficient size to accurately and clearly show all required information with a
860 certifying signature, seal and date of a State of Alaska licensed engineer;
861 10. For wireless Communication Facilities (WCF), a signed statement from a
862 qualified person, together with a statement of that person's professional
863 qualifications, certifying that radio frequency emissions from the antenna
864 array(s), both individually and cumulatively considering any other WCF
865 located on or immediately adjacent to the proposed WCF, will comply with
866 FCC standards;
867 11. Certification from the State of Alaska licensed engineer regarding the
868 proposed Tall Structure's ability to accommodate antennas from wireless
869 communication providers;
870 12. The names and addresses of all adjoining property owners;
871 13. The name, address, email address, phone number and fax number of all
872 persons preparing the application and any required submittals;
873 14. The name, address, phone number and fax number of the property owner,
874 applicant, and facility owner, if applicable;
875 15. The name, title and contact numbers for persons in charge of the operation
876 and who will be responsible for compliance with the permit;
877 16. An organizational chart or description identifying the lines of responsibility
878 and general function of the organization that will own and operate the facility.

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- 879 17. A description of all major types of activities proposed to occur on the site
880 including at a minimum, the purpose, number, type and general performance
881 specifications of all Tall Structures and antennas, on site staffing, accessory
882 structures, equipment (such as generators) and plans for collocation of other
883 Tall Structures, and antennas on the site.
- 884 18. A general description of the security and safety measures proposed to protect
885 the public safety.
- 886 19. The zoning designation of the property on which the proposed Tall Structure
887 will be situated;
- 888 20. The size of the property stated both in square feet and lot line dimensions,
889 and a diagram showing the location of all lot lines;
- 890 21. The locations of any dwellings within a radius equal to the height of the
891 proposed tower from its base;
- 892 22. The location, size and height of all structures on the property which are the
893 subject of the application;
- 894 23. The location, size and height of all proposed and existing antennas and all
895 appurtenant structures;
- 896 24. The type, locations and dimensions of all proposed and existing landscaping
897 and fencing;
- 898 25. A detailed description of the proposed Tall Structures and all related fixtures;
899 structures, appurtenances and apparatus, including height above preexisting
900 grade, materials, color and lighting;
- 901 26. Design drawings for the proposed tall structure, drawn to scale, and certified
902 by a registered engineer licensed in the State of Alaska; and
- 903 27. Certification that the application is in compliance with all applicable laws
904 pertaining to the type of service offered;
- 905 E. In addition to the information required by BMC 16.10.050(B), an affidavit
906 demonstrating compliance with BMC 16.10.050. If a lower ranking alternative is
907 proposed, the applicant shall include a separate affidavit demonstrating why
908 higher ranked options are technically infeasible or commercially impracticable
909 given the proposed location of the Tall Structure. Such narrative must be
910 accompanied by an affidavit by an engineer licensed in the State of Alaska.
- 911 F. Applicant shall disclose in writing the existence of any agreement that would limit
912 or preclude the ability of the applicant to share any new Tall Structure that it
913 constructs;
- 914 G. Applicant shall furnish written certification by a professional engineer, licensed in
915 the State of Alaska, that the Tall Structure, foundation and appurtenant
916 attachments are designed to meet relevant site and subsurface conditions,
- 917 H. For WCF, applicant shall furnish written certification by a professional engineer,
918 licensed in the State of Alaska, that the Tall Structure and will be constructed to

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- 919 meet the most current published version of EIA/TIA 222 (as amended) and local
920 building code structural requirements for loads, including wind, snow and ice
921 loads for the specified number of collocations.
922 I. Applicant shall file a copy of a determination of no hazard to air navigation from
923 the FAA;
924 J. If breakpoint technology is intended to be utilized, a written statement specifying
925 the height at which the engineered structural weakness will be located; and
926 K. Proof of compliance with FAA regulations in 14 CFR Part 77, if applicable.
927 L. All applications must have an attestation clause requiring the applicant to attest
928 to the truth and completeness of the information provided in the application.

929

930 **16.10.140 Planning Director's Review.**

- 931 A. The planning director shall review the application for completeness and shall
932 notify the applicant within twenty (20) calendar days of receipt of the initial
933 submission whether the application is deemed complete.
934 B. Incomplete applications will be rejected, in writing, within thirty (30) calendar
935 days of receipt of the initial submission. If rejected, the director's decision must
936 identify the deficiencies in the application, which, if cured, would make the
937 application complete.
938 C. Once an application is deemed complete, the planning director shall schedule it
939 for a hearing before the Planning Commission and shall give notice to the
940 applicant and the public in accordance with subsection (D) below:
941 D. *Public Notice.* Public notice of Planning Commission consideration of a Special
942 Use Permit request for a new Tall Structure, at a minimum, shall be provided as
943 follows:
944 1. Permit consideration must be included as an item in the posted agenda.
945 2. Notice of the hearing and the agenda item must be published in a newspaper
946 of general circulation in the City a minimum of ten (10) calendar days prior to
947 the date of the meeting. The cost of publication will be paid by the applicant.
948 Publication will be accomplished by the planning director.
949 3. The planning director, or their designee, shall post copies of the agenda
950 showing the request for a Special Use Permit, in at least three (3) bulletin
951 boards accessible to the general public. Posting will be completed at least
952 five (5) calendar days prior to the scheduled hearing.
953 4. The applicant shall post signs on the proposed site at least fourteen (14)
954 calendar days prior to the hearing at locations determined by the planning
955 director. The sign must be between four (4) square feet and thirty two (32)
956 square feet in area, must have a red background, and must indicate in white
957 lettering, 216-point or larger, that a Special Use Permit for a Tall Structure

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958 has been sought for the site, the date of the hearing thereon, and that
959 further information is available from the City's planning director. The
960 applicant must maintain the sign and shall remove it within fourteen (14)
961 calendar days after final action on the application.
962 5. The planning director shall mail notice of the application and the public
963 hearing to the owners of record of all property located within one thousand
964 five hundred (1,500) feet of the site and all individuals who submitted
965 comments at the community meeting. The actual cost of mailing will be paid
966 by the applicant.

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16.10.150 Planning Commission Review

969 The planning commission is authorized to review, analyze, evaluate and make decisions
970 with respect to reviewing Special Use Permits for Tall Structures.

- 971 A. *Process Timeframe.*
- 972 1. A public hearing must be held by the planning commission within forty-five
973 (45) calendar days of receipt of a complete application;
- 974 2. The commission shall render a written decision within thirty (30) days from
975 the close of the public hearing.
- 976 B. The planning commission may impose conditions on a Tall Structure permit:
- 977 1. Required to ensure compliance with the design criteria specified in section
978 16.10.110; and
- 979 2. That are consistent with the purposes of this chapter, which may include
980 conditions related to the aesthetic effect of the Tall Structure and
981 compatibility with the surrounding area. Factors relevant to aesthetic effects
982 are:
- 983 a) The protection of the view in sensitive or particularly scenic areas;
- 984 b) The concentration of Tall Structures in the proposed area; and
- 985 c) Whether the height, design, placement or other characteristics of the
986 proposed facility could be modified to have a less intrusive visual
987 impact.
- 988 3. Conditions for approval. Conditions set by the Planning Commission for a
989 Special Use Permit may include, but are not limited to, the following:
- 990 a) Height limitations;
- 991 b) Increased height or structural capacity of a proposed Tall Structure to
992 accommodate future collocation;
- 993 c) Mitigation of drainage concerns;
- 994 d) Tower type (monopole, lattice, guyed);
- 995 e) Color;
- 996 f) Landscaping;

- 997 g) Parking;
998 h) Screening;
999 i) Security
1000 j) Signage;
1001 k) Visibility and/or camouflaging;
1002 l) Lighting;
1003 m) Signage;
1004 n) Setbacks greater than those required under the applicable zoning
1005 regulations; and
1006 o) Any other conditions deemed appropriate to protect the public health,
1007 safety and general welfare.
- 1008 C. The Planning Commission may deny an application for any of the following
1009 reasons:
- 1010 1. Conflict with safety and safety-related code or requirement;
 - 1011 2. Conflict with the purpose of a specific zoning, overlay, or land use
1012 designation;
 - 1013 3. Presence of another approved Tall Structure or Tall Structure application
1014 within the geographic search area, which is available to the applicant;
 - 1015 4. The proposed site is on, or eligible to be on, the National Register of Historic
1016 Places;
 - 1017 5. The applicant failure to demonstrate that no existing structure or tower can
1018 accommodate the applicant's proposed use without increasing the height of
1019 another existing tower or structure or otherwise creating a greater visual
1020 impact; or that use of other existing facilities is technically infeasible or
1021 commercially impracticable; and
 - 1022 6. Conflicts with the provisions of this article.
- 1023 D. The Planning Commission shall deny any application for a Tall Structure in the
1024 following locations:
- 1025 1. State or local wildlife refuges; and
 - 1026 2. In any area designated as a public park, unless screened so as to minimize
1027 visual and noise impacts, and as long as public use of the public park will not
1028 be disrupted.
- 1029 E. Any and all representations made by the applicant to the Planning Commission
1030 on the record during the application process, whether written or verbal, will be
1031 deemed a part of the application and may be relied upon in good faith by the
1032 Planning Commission.
- 1033 F. In granting or denying a Special Use Permit, the Planning Commission shall make
1034 written findings on whether the applicant has demonstrated that:
- 1035 1. The location chosen complies with the location preferences set out in
1036 subsection 16.10.050;

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- 1037 2. To the extent that is technically feasible and potentially available, the location
1038 of the Tall Structure is such that its negative effects on the visual and scenic
1039 resources of all surrounding properties have been minimized;
1040 3. The Tall Structure will not interfere with the approaches to any existing
1041 airport or airfield; and
1042 4. That granting the permit will not be harmful to the public health, safety,
1043 convenience, and welfare.
1044 G. The Planning Commission's decision shall be in writing must include written
1045 findings of fact contained in the administrative record, including without
1046 limitation any oral evidence presented at a public hearing for the Tall Structure.
1047 H. If the Planning Commission denies a request to place, construct or modify a Tall
1048 Structure, the applicant may, within fifteen (15) calendar days from the
1049 postmarked date of the decision, appeal the planning commission's decision in
1050 accordance with section 16.10.270.

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16.10.160 Extent and Parameters of Special Use Permits

- 1053 A. A holder of a Special Use Permit granted under this chapter shall obtain, at its
1054 own expense, all permits and licenses required by applicable law, rule, regulation
1055 or code, and must maintain the same, in full force and effect, for as long as
1056 required by the City and other governmental entity or agency having jurisdiction
1057 over the applicant.
1058 B. Within ten (10) calendar days from the issuance of a Special Use Permit, the
1059 holder shall file with the planning director a written indemnification of the City
1060 and proof of liability insurance or financial ability to respond to claims up to one
1061 million (\$1,000,000) dollars in the aggregate which may arise from operation of
1062 the facility during its life. The City will not bear any cost for the holder's required
1063 insurance. Proof of insurance must be maintained throughout the life of the Tall
1064 Structure.
1065 C. A Special Use Permit will become void six (6) months after its effective date if no
1066 substantial construction progress has been made. A new application must be
1067 submitted for a voided permit, including new payment of any required fees, and
1068 a new permit obtained. No permit may be renewed more than once, the
1069 maximum duration of permit and one renewal shall be twelve (12) months from
1070 the date of issuance of the original permit.
1071 D. Upon an application submitted at least thirty (30) days before the expiration of
1072 an existing Special Use Permit, the Planning Commission shall hold a hearing to
1073 consider whether the permit should be extended. Notice of said hearing will be
1074 provided in accordance with the procedures set out in section 16.10.140(D). At
1075 the hearing, the burden of proof for the justification for a permit extension shall

- 1076 rest with the applicant. Upon written findings that such burden has been met,
1077 the Planning Commission may grant an extension the maximum duration of
1078 which shall not exceed twelve (12) months. The Planning Commission may not
1079 delete from, amend or add to the conditions contained in the original permit.
1080 Upon written findings that the applicant's burden has not been met, or that the
1081 conditions contained in the permit should be changed, or both, the commission
1082 shall deny the application whereupon the permit shall be voided.
- 1083 E. The property owner and the permittee shall be responsible for maintaining all
1084 aspects of the operation, improvements, development, and site in compliance
1085 with the terms and conditions of the permit and all applicable local, state and
1086 federal requirements.
 - 1087 F. The holder of a Special Use Permit shall notify the City of any intended
1088 modification of a Tall Structure and shall apply to the planning director prior to
1089 modifying, relocating or rebuilding any Tall Structure.
 - 1090 G. Following prior written notice to the applicant and a hearing on the matter,
1091 Special Use Permits may be revoked, canceled or terminated for a violation of
1092 the conditions and provisions of the special use permit for Tall Structures or for a
1093 material violation of this chapter.

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16.10.170 Interference with Public Safety Equipment

1096 In order to facilitate the regulation, placement, and construction of antenna, and to
1097 ensure that all parties are complying to the fullest extent possible with the rules,
1098 regulations, and/or guidelines of the FCC, each WCF applicant or owner applicant shall
1099 agree in a written statement to the following:

- 1100 1. Compliance with "good engineering practices" as defined by the FCC in its rules
1101 and regulations;
- 1102 2. Compliance with FCC regulations regarding susceptibility to radio frequency
1103 interference, frequency coordination requirements, general technical standards
1104 for power, antenna, bandwidth limitations, frequency stability, transmitter
1105 measurements, operating requirements, and any and all other federal statutory
1106 and regulatory requirements relating to radio frequency interference (RFI);
- 1107 3. In the case of an application for collocated telecommunications facilities, the
1108 applicant, together with the owner of the subject site, shall use their best efforts
1109 to provide a composite analysis of all users of the site to determine that the
1110 applicant's proposed facilities will not cause radio frequency interference with the
1111 City's public safety communications equipment and will implement appropriate
1112 technical measures, as described in antenna element replacements, to attempt
1113 to prevent such interference; and

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- 1114 4. Whenever the City has encountered radio frequency interference with its public
1115 safety communications equipment, and it believes that such interference has
1116 been or is being caused by one or more antenna arrays, the following steps may
1117 be taken:
- 1118 a. The City will provide notification to all wireless service providers operating in
1119 the City of possible interference with the public safety communications
1120 equipment, and upon such notifications, the owners shall use their best
1121 efforts to cooperate and coordinate with the City among themselves to
1122 immediately investigate and mitigate the interference, if any, utilizing the
1123 procedures set forth in the joint wireless industry-public safety "Enhanced
1124 Best Practices Guide," released by the FCC in Appendix D of FCC 04-168
1125 (released August 6, 2004 or most recent edition), including the "Good
1126 Engineering Practices," as may be amended or revised by the FCC from time
1127 to time in any successor regulations.
- 1128 b. If any equipment owner fails to cooperate with the City in complying with the
1129 owner's obligations under this section or if the FCC makes a determination of
1130 radio frequency interference with the City's public safety communications
1131 equipment, the owner who failed to cooperate and/or the owner of the
1132 equipment which caused the interference shall be responsible, upon FCC
1133 determination of radio frequency interference, for reimbursing the City for all
1134 costs associated with ascertaining and resolving the interference, including
1135 but not limited to any engineering studies obtained by the City to determine
1136 the source of the interference. For the purposes of this subsection, failure to
1137 cooperate shall include failure to initiate any response or action as described
1138 in the "Enhanced Best Practices Guide" within seventy-two (72) hours of the
1139 City's notification.

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1141 **16.10.180 Transfers and Assignments**

- 1142 A. Permits obtained pursuant to this chapter may not be assigned or transferred
1143 without providing prior written notice to the City, on a form acceptable to the
1144 planning director.
- 1145 B. In the event a WCF provider or owner transfers ownership of a WCF to a
1146 different provider or owner, the previous and new service provider or owner shall
1147 notify the planning director no less than ten (10) calendar days from the date of
1148 transfer. The new provider or owner shall include the name, address and phone
1149 number of the person to be responsible for the WCF.

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1153 **16.10.190 Network Improvement Permit**

- 1154 A. A Network Improvement Permit allows legally constructed Tall Structures to be
1155 replaced or modified in a manner that increases the overall height of the existing
1156 Tall Structure in accordance with this section.
- 1157 B. A Network Improvement Permit does not require notification to surrounding
1158 property owners.
- 1159 C. The base of a replacement tower may be located no farther than fifty (50') feet
1160 from the base of the original tower. The original tower shall be removed within
1161 ninety (90) calendar days upon completion of construction of the replacement
1162 tower.
- 1163 D. More than one Network Improvement Permit may be obtained. However, the
1164 cumulative increase in overall height may not exceed the following:
- 1165 1. Up to twenty (20') feet for telecommunications towers that are located within
1166 a Residential District. If the existing tower exceeds two hundred (200') feet, it
1167 can be increased by up to ten percent (10%) of the height of the existing
1168 tower;
- 1169 2. Within a Residential District, height increase under this section is limited to a
1170 cumulative increase of ten (10%) percent of the existing facility unless the
1171 applicant demonstrates that the additional height, not to exceed twenty (20')
1172 feet, is necessary for installation of one (1) additional antenna array.
- 1173 E. Application for a Network Improvement Permit must include the following:
- 1174 1. Application form signed by the property owner and authorized agent for the
1175 Tall Structure;
- 1176 2. A description of the proposed modifications to the Tall Structure, including a
1177 description of the height, type, and lighting of the new or modified structure
1178 and the existing structure; and
- 1179 3. Design drawings for the proposed modified or replaced structure, drawn to
1180 scale, and certified by a registered engineer licensed in the State of Alaska.
- 1181 F. In granting a Network Improvement Permit, the planning director shall make the
1182 following findings:
- 1183 1. That the proposed development conforms to setback requirements of BMC
1184 16.10.110;
- 1185 2. That the Tall Structure being extended was lawfully constructed at the time
1186 of application for a Network Improvement Permit; and
- 1187 3. That the proposed modification does not violate permit conditions of any valid
1188 permits that have been issued to the existing facility.
- 1189 G. A Network Improvement Permit must be approved within sixty (60) calendar
1190 days from the time of application if it meets the requirements of this section.

1191 H. Replacement or modification of a Tall Tower that is in accordance with this
1192 section is not subject to application or pre-application requirements required for
1193 a new tower under this chapter.

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16.10.200 Reconstruction and Replacement

- 1196 A. This section only applies to Tall Structures that are legally permitted or are
1197 recognized by the City as having obtained pre-existing legal nonconforming
1198 status.
- 1199 B. The tower operator is responsible for all aspects of the operation, improvements,
1200 development, and maintenance of the site in compliance with the terms and
1201 conditions of the permit and all applicable local, state, and federal requirements.
- 1202 C. Tall structures may be replaced or reconstructed in order to improve the
1203 structural integrity of the tall structure or in the case of accidental damage or
1204 collapse.
- 1205 D. Reconstruction or replacement shall not:
- 1206 1. Increase lighting;
- 1207 2. Change the type of lighting;
- 1208 3. Change the tower type;
- 1209 4. Change the location of the Tall Structure; or
- 1210 5. Increase the height of a tall structure.
- 1211 E. In the case of accidental damage or collapse, if reconstruction or replacement
1212 has not commenced within six (6) months from the date of the damage, the
1213 structure is considered to be abandoned and is subject to section 16.10.210.
- 1214 F. Reconstruction or replacement must conform to all the requirements and
1215 conditions of a previously granted permit or pre-existing legal nonconforming
1216 determination.

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16.10.210 Non-Use and Abandonment

- 1219 A. Notwithstanding the emergency powers of the City, the planning director may
1220 require removal of a Tall Structure under the following circumstances, which are
1221 deemed detrimental to the health, safety, and welfare interests of the City:
- 1222 1. Tall Structures with a permit that has not been used as a Tall Structure for a
1223 period exceeding sixty (60) consecutive days or a total of eighty (180)
1224 calendar days in any three hundred sixty five (365) day period, except for

- 1225 periods caused by force majeure or acts of God, in which case, repair or
1226 removal shall commence within ninety (90) calendar days.
- 1227 2. Permitted Tall Structures that have fallen into such a state of disrepair that
1228 they create a public health or safety hazard, which shall be deemed a
1229 nuisance per se.
- 1230 3. Tall Structures that have been located, constructed or modified without first
1231 obtaining all permits required by law, or that have been located, constructed
1232 or modified in a manner inconsistent with the applicable permit requirements,
1233 which shall be deemed a nuisance per se.
- 1234 B. If the planning director makes such a determination as noted in subsection (A) of
1235 this section, the planning director shall notify the permittee in writing that said
1236 Tall Structure is to be removed. Notification shall be deemed completed when
1237 notice is mailed, certified mail, return receipt, to the last known address on file.
- 1238 C. Within ninety (90) days of the postmarked date of the planning director's notice,
1239 the permittee, or its successors or assigns, at its sole expense, shall dismantle
1240 and remove such Tall Structure (and all associated structures and facilities) from
1241 the site and restore the site as close to its original condition as is possible.
1242 Restoration being limited only by physical or commercial impracticability proven
1243 to the satisfaction of the planning director.
- 1244 D. If the Tall Structure owner cannot be found, the landowner will be notified and
1245 will become responsible for removal of the unused structures.
- 1246 E. If the Tall Structure is not removed within ninety (90) days after the permit
1247 holder and/or landowner have received notice, the City may remove or cause to
1248 be removed the Tall Structure at the sole expense of the owner, permit holder
1249 and landowner.
- 1250 F. Notwithstanding anything in this section to the contrary, the planning director
1251 may approve a temporary use permit/agreement for the Tall Structure, for no
1252 more than ninety (90) calendar days, during which time a suitable plan for
1253 removal, conversion or relocation of the affected Tall Structure shall be
1254 developed by permit holder or owner, subject to the approval of the planning
1255 director. If such a plan is not developed, approved and executed within the
1256 ninety (90) day time-period, then the City may take possession of and dispose of
1257 the affected Tall Structure in the manner provided in this section.

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16.10.220 Removal of Facilities

- 1260 A. The owner of a facility shall establish a ten thousand (\$10,000) dollar cash
1261 security fund or provide the City with an irrevocable letter of credit in the same
1262 amount to secure the cost of removing the Tall Structure and all appurtenances
1263 once abandoned.

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- 1264 B. In the event of a transfer of ownership, the seller shall be responsible for
1265 notifying the buyer of this requirement and for notifying the City of the transfer.
1266 C. In the event of a transfer of ownership, the City will not refund the security to
1267 the initial owner until the new owner of the Tall Structure posts the required ten
1268 thousand (\$10,000) dollar security or letter or irrevocable letter of credit.

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16.10.230 Transfer of a Conditional Use Permit

1271 The privileges and requirements of a permit issued under this chapter shall run with the
1272 land, but shall terminate without right of reactivation if the permit is revoked or
1273 abandoned as provide herein.

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1275 **16.10.240 Tall Structures in Existence or Under Construction on the Date of**
1276 **Adoption of this Chapter**

- 1277 A. All Tall Structures greater than one hundred (100") feet must be registered with
1278 the City within ninety (90) calendar days of the adoption of this chapter.
1279 B. All existing Tall Structures must be brought into compliance with the Signage and
1280 Security Fencing requirements of this chapter (section 16.10.110) within one
1281 hundred eighty (180) calendar days of the adoption of this chapter.
1282 C. Tall Structures which have commenced construction or are in existence as of the
1283 effective date of this ordinance, but which would otherwise be prohibited,
1284 regulated or restricted under this chapter, are allowed to continue subject to the
1285 provisions set out in this section.
1286 1. Structures which have commenced construction as of the date of adoption of
1287 this chapter are allowed to be constructed. The height of the structures one
1288 (1) year after the date of adoption of this chapter shall be considered the
1289 final height of the structure. Such structures may only be expanded in
1290 accordance with a permit under this chapter.
1291 2. Existing or proposed structures which have been granted a Special Use
1292 Permit under 16.10.100 and other related sections of this chapter, are
1293 considered to have pre-existing legal nonconforming status and are allowed
1294 to continue in accordance with the requirements of the permit but shall not
1295 be increased in height except as provided in this chapter.
1296 3. Structures which are existing as of the date of adoption of this chapter are
1297 eligible for pre-existing legal nonconforming status under this chapter.
1298 4. All telecommunications towers greater than eighty (80') feet shall comply with
1299 operations standards required by 16.10.110.

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- 1300 D. Alteration or modification of greater than thirty (30%) percent of existing Tall
1301 Structure, or an increase in height to an existing Tall Structure will void its
1302 "grandfather" status, and all elements of this chapter will apply.
- 1303 E. Nonconforming Tall Structures which have commenced construction or are in
1304 existence as of the date of this chapter are eligible for pre-existing legal
1305 nonconforming status upon submittal of the following:
- 1306 1. Name, title, and contact numbers of the landowner, applicant, and persons in
1307 charge of the operation;
 - 1308 2. Height of structure;
 - 1309 3. Legal description of the subject parcel;
 - 1310 4. A certified site plan;
 - 1311 5. Documentation of all signage within the equipment compound;
 - 1312 6. Documentation demonstrating that the structure was in existence or had
1313 commenced construction prior to the date of adoption of this chapter; and
 - 1314 7. Certified written assurance by the owner of the Tall Structure that they intend
1315 to take responsibility for the safe and proper removal of the Tall Structure
1316 when it ceases to be used for its intended purpose.
- 1317 F. Within fifteen (15) calendar days of submittal, the planning director shall issue a
1318 determination of incompleteness if the application fails to meet the requirements
1319 of this chapter. Rejection of the application for pre-existing legal nonconforming
1320 status shall be in writing and shall state the deficient items. Once the deficiencies
1321 are corrected, the application shall be accepted as complete.
- 1322 G. Pre-existing legal non-conforming status will be determined based on the
1323 following:
- 1324 1. Whether the applicant has demonstrated that the Tall Structure was
1325 constructed or construction had commenced legally under the applicable code
1326 provisions at the time, if any.

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1329 **16.10.250 Conflict with Other Ordinances**

1330 Where any provision of this ordinance differs or conflicts with other ordinances, unless
1331 the right to do so is preempted or prohibited by state or federal law, the more
1332 restrictive or protective of the City and the public shall apply.

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1334 **16.10.260 Violations, Enforcement and Penalties**

1335 A. Any person violating the provisions of this chapter may be guilty of a minor
1336 offense punishable by a fine of one thousand (\$1,000) dollars per day.

- 1337 B. Additionally, the City may utilize any other provisions of law available to it in
1338 order to enforce the provisions of this ordinance, including, but not limited to,
1339 injunction and abatement.
- 1340 C. Every day there is a violation of this ordinance shall be considered a unique and
1341 separate offense.
- 1342 D. In addition to other applicable penalties, failure to correct the violation of code,
1343 after reasonable notice, may result in revocation of the permit.
- 1344 E. Complaints received by the City of violations of state or federal law will be
1345 forwarded to the appropriate agency for enforcement.
- 1346 F. Authorized representatives of the City are allowed to inspect the site and related
1347 records at reasonable times for the purpose of monitoring compliance with all
1348 permit conditions.
- 1349 G. The permittee shall assist and cooperate with authorized inspections upon
1350 reasonable notice from the City.

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1352 **16.10.270 Appeals – In General**

- 1353 A. An applicant desiring relief, waiver or exemption from any aspect or requirement
1354 of this chapter may request same. Such relief may be temporary or permanent,
1355 partial or complete. However, the burden of proving the need for the requested
1356 relief, waiver or exemption is solely on the applicant to prove.
- 1357 B. No such relief or exemption will be granted unless the applicant demonstrates
1358 that, if granted, the relief, waiver or exemption will have no significant adverse
1359 effect on the health, safety and welfare of the City of Bethel, its residents and
1360 other service providers.
- 1361 C. Denials of relief requested must be appealed as follows:
- 1362 1. Decisions of the planning director may be appealed to the Planning
1363 Commission.
- 1364 2. Decisions of the Planning Commission may be appealed to the City
1365 Manager.
- 1366 3. Decisions of the City Manager may be appealed to a Hearing Officer.
- 1367 4. Decisions of the Hearing Officer(s) are final.

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1371 **16.10.280 Appeals to the Planning Director**

1372 A. A request for relief or reconsideration to the planning director is a more informal
1373 process and should be accomplished by a written letter. The applicant's request
1374 for relief must address the following:

- 1375 1. The type of relief sought;
- 1376 2. The basis for granting said relief;
- 1377 3. The length of the requested relief (temporary, permanent, partial or
1378 complete);
- 1379 4. Any other information the applicant feels is relevant for the planning director
1380 to review;
- 1381 5. The name and contact information for the person seeking relief.

1382 B. The request for relief to the planning director must be clearly labeled "Request
1383 for Relief".

1384 C. The planning director shall impartially review the request for relief and shall issue
1385 a written decision within twenty (20) calendar days after receipt of the request
1386 for relief. The request for relief must state: "This is the final decision of the City
1387 planner. This decision may be appealed to the Planning Commission. If you
1388 appeal, you must file a written notice of appeal with the City Clerk within
1389 fourteen (14) calendar days after this final decision is sent."

1390 D. There is no fee for filing a request for relief to the planning director.

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1392 **16.10.290 Appeals to the Planning Commission**

1393 A. An applicant may appeal a final decision of the planning director by filing a
1394 written request for appeal with the planning director within fourteen (14)
1395 calendar days after notice of the planning director's decision is sent.

1396 B. When filing the appeal, the appellant shall:

- 1397 1. Certify under oath that the appeal is made in good faith;
- 1398 2. Set forth the pertinent sections of the Bethel Municipal Code and/or state or
1399 federal law which the appellant believes were misapplied or misinterpreted by
1400 the City;
- 1401 3. Set forth the specific relief requested.

1402 C. The planning director shall forward the request for appeal to the Planning
1403 Commission who shall set the appeal for the next regularly scheduled Planning

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1404 Commission meeting provided such meeting is scheduled sufficiently in the
1405 future to allow for proper notification as required under the Bethel Municipal
1406 Code. If the request is received too close to a scheduled Planning Commission
1407 meeting that proper notice would not be possible, the Planning Commission shall
1408 set the matter for the following meeting.

1409 D. Written notice of the hearing shall be sent to the applicant and any other
1410 interested parties by the planning director.

1411 E. Prior to the hearing, the planning director shall make copies of the request for
1412 relief submitted by the applicant as well as the planning director's decision.

1413 F. Applicants may supplement the information provided to the Planning Commission
1414 by providing additional information previously presented to the planning director.
1415 Supplemental information must be provided to the planning director at least ten
1416 (10) days prior to the hearing.

1417 G. During an appeal to the Planning Commission, appellant may not rely on or
1418 introduce information that the appellant failed to furnish to the City in support of
1419 its initial request.

1420 H. Before issuing a written decision, the Planning Commission, shall hear from the
1421 parties and shall review the facts and documents relating to the claim.

1422 I. Within thirty (30) days of the hearing, the Planning Decision shall issue a written
1423 decision. The decision must include the following statement: "This is the final
1424 decision of the Planning Commission. This decision may be appealed to the City
1425 Manager. If you appeal, you must file a written notice of appeal with the City
1426 Clerk within fourteen (14) calendar days after you receive this decision."

1427 J. The planning director shall furnish a copy of the Planning Commission's decision
1428 to the appellant by certified mail or other method that provides evidence of
1429 receipt.

1430 K. There is no fee for filing a request for relief to the planning director.

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1432 **16.10.300 Appeals to the City Manager**

1433 A. An applicant may appeal a final decision of the Planning Commission by filing a
1434 written request for appeal with the City Clerk within fourteen (14) calendar days
1435 after the Planning Commission's decision is sent.

1436 B. When filing the appeal, the appellant shall:

1437 1. Certify under oath that the appeal is made in good faith;

- 1438 2. Set forth the pertinent sections of the Bethel Municipal Code and/or state or
1439 federal law which the appellant believes were misapplied or misinterpreted by
1440 the City;
- 1441 3. Set forth the specific relief requested.
- 1442 4. An appeal to the City Manager must be accompanied by a filing fee as set out
1443 in the Bethel Fee and Rate Schedule.
- 1444 C. If the appeal request does not meet the requirements of subsections (A) and (B)
1445 of this section, it shall be denied.
- 1446 D. During an appeal under this chapter, the appellant may not rely on or introduce
1447 information that the appellant has failed to furnish to the City in support of its
1448 initial request.
- 1449 E. Before issuing a written decision, the City Manager, shall review the facts relating
1450 to the claim and obtain necessary assistance from legal and other relevant
1451 advisors.
- 1452 F. The City Manager's decision will be limited to a review of the file and all
1453 documents presented and accepted to date. No argument will be heard by the
1454 City Manager.
- 1455 G. The City Manager shall furnish a copy of their decision to the appellant by
1456 certified mail or other method that provides evidence of receipt. The decision
1457 must include:
- 1458 1. A description of the claim;
- 1459 2. A reference to the pertinent BMC provisions;
- 1460 3. A statement of the agreed-upon and disputed facts;
- 1461 4. Findings of fact about the claim;
- 1462 5. A statement of reasons supporting the decision; and
- 1463 6. A statement substantially as follows:
- 1464 "This is the final decision of the City Manager. This decision may be
1465 appealed to a Hearing Officer. If you appeal, you must file a written
1466 notice of appeal with the City Clerk within fourteen (14) calendar
1467 days after you receive this decision."
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1471 **16.10.310 Appeals to the Hearing Officer(s)**

- 1472 A. An applicant may appeal a final decision of the City Manager by filing a written
1473 request for appeal with the City Clerk within fourteen (14) calendar days after
1474 the City Manager's decision is sent.
- 1475 B. When filing the appeal, the appellant shall:
- 1476 5. Certify under oath that the appeal is made in good faith;
- 1477 6. Set forth the pertinent sections of the Bethel Municipal Code and/or state or
1478 federal law which the appellant believes were misapplied or misinterpreted by
1479 the City;
- 1480 7. Set forth the specific relief requested.
- 1481 8. An appeal to the Hearing Officer(s) must be accompanied by a filing fee as
1482 set out in the Bethel Fee and Rate Schedule.
- 1483 C. If the appeal request does not meet the requirements of subsections (A) and (B)
1484 of this section, it shall be denied.
- 1485 D. During an appeal under this chapter, the appellant may not rely on or introduce
1486 information that the appellant has failed to furnish to the City in support of its
1487 initial request.
- 1488 E. The hearing officer(s) shall arrange for a prompt hearing and notify the parties,
1489 in writing, of the time and place of the hearing. The hearing may be conducted
1490 in an informal manner.
- 1491 F. The hearing officer(s) may:
- 1492 1. Hold prehearing conferences to settle, simplify, or identify the issues in a
1493 proceeding, or to consider other matters that may aid in the expeditious
1494 disposition of the proceeding;
- 1495 2. Require parties to state their positions concerning the various issues in the
1496 proceeding;
- 1497 3. Require parties to produce for examination those relevant witnesses and
1498 documents under their control;
- 1499 4. Rule on motions and other procedural matters;
- 1500 5. Regulate the course of the hearing and conduct of the participants;
- 1501 6. Establish time limits for submission of motions or memoranda;
- 1502 7. Impose appropriate sanctions against a person who fails to obey an order
1503 of the hearing officer, including:

- 1504 a) Prohibiting the person from asserting or opposing designated
1505 claims or defenses or introducing designated matters into evidence;
1506 b) Excluding all testimony of an unresponsive or evasive witness; and
1507 c) Excluding a person from further participation in the hearing;
1508 8. Take official notice of a material fact not appearing in evidence, if the fact
1509 is among the traditional matters subject to judicial notice;
1510 9. Administer oaths or affirmations;
1511 10. Exclude witnesses when not testifying.
1512 G. The parties shall have the right:
1513 1. To present witnesses and evidence; and
1514 2. To cross-examine opposing witnesses and rebut evidence.
1515 H. The hearing will be open to the public.
1516 I. The hearing shall be recorded. A transcribed record of the hearing shall be made
1517 available at cost to the party that requests it.
1518 J. The hearing officer(s) shall review the City Manager's decision using a
1519 preponderance of evidence standard with the burden of proof on the claimant.

1520
1521 **16.10.320 Determination after Hearing**

- 1522 A. The hearing officer(s) decision will be written findings of fact and conclusions of
1523 law and will be made within thirty (30) calendar days of the end of the hearing.
1524 B. The decision shall include a statement substantially as follows:
1525 "This is the final decision of the hearing officer(s). This decision
1526 may be appealed to a court. If you appeal, you must commence
1527 your lawsuit in the Superior Court for the State of Alaska at Bethel
1528 within thirty (30) calendar days after your receipt of this decision."
1529 C. The hearing officer(s) shall deliver the written decision to the City Clerk who shall
1530 serve the written decision on the parties by fax and by mail.
1531 D. Appeal to Superior Court. An appeal may be made from the written decision of
1532 the hearing officer(s) pursuant to the Alaska Rules of Appellate Procedure to the
1533 superior court for the state of Alaska at Bethel only.

1534
1535

Introduced by: Vice Mayor Albertson
Date: August 11, 2015
Public Hearing: August 25, 2015
Action:
Vote:

1536 **16.10.330 Section 6409(a) Collocations and Modifications**

1537 **A. Purpose.**

1538 1. The purpose of this Section 16.10.330 is to reasonably regulate, to the
1539 extent permitted under Alaska and federal law, collocations and
1540 modifications to existing wireless towers and base stations that do not
1541 substantially change the physical dimensions of such existing wireless
1542 towers or base stations consistent with Section 6409(a) of the Middle
1543 Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126
1544 Stat. 156 (codified as 47 U.S.C. § 1455(a)), as may be amended, and 47
1545 C.F.R. §§ 1.40001 *et seq.*, as may be amended, to protect and promote
1546 the public health, welfare and safety within the City. This Section
1547 16.10.330 accomplishes those purposes by establishing a clear and
1548 orderly streamlined application and review process that distinguishes
1549 those collocations and modifications over which the City may exercise its
1550 traditional zoning authority from those collocations and modifications over
1551 which federal law has preempted the City's traditional zoning authority. In
1552 doing so, the regulations in this Section 16.10.330 balance the City's
1553 legitimate government interest in well-planned development projects with
1554 the benefits that flow from robust wireless services.

1555 2. This Section 16.10.330 does not intend to, and must not be interpreted or
1556 applied to:

1557 d) actually or effectively prohibit personal wireless services; or

1558 e) unreasonably discriminate among providers of functionally
1559 equivalent personal wireless services; or

1560 f) regulate the installation, operation, collocation, modification or
1561 removal of wireless facilities on the basis of the environmental
1562 effects of RF emissions to the extent that such emission comply
1563 with all applicable FCC regulations; or

1564 g) prohibit or effectively prohibit any collocation or modification that
1565 the City may not deny under Alaska or federal law; or

1566 h) allow the City to preempt any applicable Alaska or federal law

1567 **B. Permits Required.** All projects submitted for review under this Section
1568 16.10.330 will be subject to review and approval or denial by the Planning
1569 Director in accordance with this Section 16.10.330.

1570 1. **Permit Application.** No permit may be granted pursuant to this Section
1571 16.10.330 or deemed-granted by the operation of law unless the applicant

Introduced by: Vice Mayor Albertson
Date: August 11, 2015
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- 1572 first submits a written permit application in accordance with this Section
1573 16.10.330(B).
- 1574 2. **Submittal Appointments Required.** All permit applications must be
1575 submitted to the City at a pre-scheduled appointment. Applicants may
1576 submit one (1) permit application per appointment but may schedule
1577 successive appointments for multiple applications whenever determined
1578 feasible by the City. City staff will endeavor to provide applicants with an
1579 appointment within approximately five (5) business days after a request.
- 1580 3. **Authorization to Develop and Update Application Materials.** The
1581 City authorizes and directs the Planning Director to develop and make
1582 publicly available permit applications and other materials specific for
1583 wireless facilities and without further authorization from City to update
1584 and amend such publicly available permit applications and materials from
1585 time to time as the Planning Director deems necessary or appropriate.
- 1586 4. **Required Application Materials.** In addition to all other materials that
1587 the Planning Director may from time to time require pursuant to Section
1588 16.10.330(B)(c), all permit applications for permits granted under this
1589 Section 16.10.330 must include the following:
- 1590 a) **Application Fee.** The applicable application fee established by
1591 City resolution.
- 1592 b) **Required Licenses or Approvals.** Evidence that the applicant
1593 holds all current licenses and registrations from the FCC and any
1594 other applicable regulatory bodies where such license(s) or
1595 registration(s) are necessary to provide wireless services utilizing
1596 the proposed wireless facility. For any conditional approval(s)
1597 associated with the wireless facility, the applicant must submit
1598 copies of all conditions of approval.
- 1599 c) **Site Development Plans.** A fully dimensioned site plan and
1600 elevation drawings prepared and sealed by an engineer licensed in
1601 the State of Alaska showing any existing wireless facilities with all
1602 existing transmission equipment and other improvements, including
1603 all utilities, and the legal boundaries of the leased and owned area
1604 surrounding the proposed facility and any associated access or
1605 utility easements.
- 1606 d) **Equipment Specifications.** Specifications that show the height,
1607 width, depth and weight for all proposed equipment.

- 1608 e) **Photo Simulations.** Photo simulations that show the proposed
1609 facility in context of the site from reasonable line-of-sight locations
1610 from public streets or other adjacent viewpoints, together with a
1611 map that shows the photo location of each photograph and the
1612 view angle to the proposed site from that photo location.
- 1613 f) **Written Narrative Analysis.** A written statement that explains in
1614 plain factual detail whether and why Section 6409(a) and the
1615 related FCC regulations at 47 C.F.R. § 1.40001 et seq. require
1616 approval for the specific project. A complete written narrative
1617 analysis will state the applicable standard and all the facts that
1618 allow the City to conclude the standard has been met—bare
1619 conclusions not factually supported do not constitute a complete
1620 written analysis. As part of the this written statement the applicant
1621 must also include (i) whether and why the support structure
1622 qualifies as an existing tower or existing base station; and (ii)
1623 whether any why the proposed collocation or modification does not
1624 cause a substantial change in height, width, excavation, equipment
1625 cabinets, concealment or permit compliance.
- 1626 g) **RF Exposure Compliance Report.** A radio frequency (RF) report
1627 prepared and certified by an RF engineer acceptable to the City
1628 that certifies that the proposed facility, as well as any collocated
1629 facilities, will comply with applicable federal RF exposure standards
1630 and exposure limits. A profession electrical engineer licensed in the
1631 State of Alaska is deemed acceptable to City. The RF report must
1632 include the actual frequency and transmission power levels (in
1633 watts ERP) for all existing and proposed antennas at the site
1634 regardless of antenna ownership and exhibits that show the
1635 location, transmission azimuth, and height of all transmitting
1636 antennas and the boundaries of areas with RF exposures in excess
1637 of the uncontrolled/general population limit (as that term is defined
1638 by the FCC) and also the boundaries of areas with RF exposures in
1639 excess of the controlled/occupational limit (as that term is defined
1640 by the FCC). Each such boundary shall be clearly marked and
1641 identified for every transmitting antenna at the project site
1642 regardless of antenna ownership.

1643 **C. Permit Approvals or Denials.**

- 1644 1. **Findings for Approval.** The Planning Director may approve a permit
1645 submitted for review under this Section 16.10.330 when the Planning

1646 Director finds that the proposed collocation or modification qualifies as an
1647 eligible facilities request and does not cause a substantial change.

1648 2. **Grounds for Denial.** In addition to any other alternative recourse
1649 permitted under federal law, the Planning Director may deny a permit
1650 submitted for review under this Section 16.10.330 when that person finds
1651 that the proposed collocation or modification:

1652 a) violates any legally enforceable and generally applicable law,
1653 regulation, rule or permit condition reasonably related to public
1654 health and safety; or

1655 b) involves a structure constructed or modified without all regulatory
1656 approvals required at the time of the construction or modification;
1657 or

1658 c) involves the replacement of the entire support structure; or

1659 d) Does not qualify for mandatory approval under Section 6409(a) for
1660 any lawful reason.

1661 3. **Denials are Without Prejudice.** Any denial of a permit submitted for
1662 review under this Section 16.10.330 shall be without prejudice to the
1663 applicant or the proposed development. Subject to the application and
1664 submittal requirements in this chapter, the applicant may immediately
1665 resubmit a permit application for either a conditional use permit pursuant
1666 to BMC section 18.60 or permit for a modified project that complies with
1667 this Section 16.10.330.

1668 D. **Standard Permit Conditions.** In additional to any conditions of approval
1669 specific to the project, every permit granted pursuant to this Chapter must
1670 include the conditions of approval as follows:

1671 1. **Permit Term.** This permit will automatically expire or terminate when the
1672 permit for the underlying site being collocated or modified expires or
1673 terminates, if ever. The grant of this permit does not extend the permit
1674 term for the underlying site being collocated or modified.

1675 2. **Code Compliance.** The permittee shall at all times maintain compliance
1676 with all applicable federal, state and local laws, regulations and other
1677 rules.

1678 3. **Inspections; Emergencies.** The City or its designee may enter onto the
1679 facility area to inspect the facility upon reasonable notice to the permittee.
1680 The permittee shall cooperate with all inspections. The City reserves the
1681 right to enter or direct its designee to enter the facility and support,

- 1682 repair, disable or remove any elements of the facility in emergencies or
1683 when the facility threatens imminent harm to persons or property.
- 1684 4. **Contact Information for Responsible Parties.** The permittee shall at
1685 all times maintain accurate contact information for all parties responsible
1686 for the facility, which shall include a phone number, street mailing address
1687 and email address for at least one natural person. All such contact
1688 information for responsibility parties shall be provided to the Planning
1689 Director upon permittee's receipt of the Planning Director's written
1690 request, except in an emergency determined by the City when all such
1691 contact information for responsibility parties shall be immediately provided
1692 to the Planning Director upon that person's verbal request.
- 1693 5. **Indemnities.** The permittee and, if applicable, the non-government
1694 owner of the private property upon which the tower/and or base station is
1695 installed shall defend, indemnify and hold harmless the City, its agents,
1696 officers, officials and employees (i) from any and all damages, liabilities,
1697 injuries, losses, costs and expenses and from any and all claims,
1698 demands, law suits, writs of mandamus and other actions or proceedings
1699 brought against the City or its agents, officers, officials or employees to
1700 challenge, attack, seek to modify, set aside, void or annul the City's
1701 approval of the permit, and (ii) from any and all damages, liabilities,
1702 injuries, losses, costs and expenses and any and all claims, demands, law
1703 suits or causes of action and other actions or proceedings of any kind or
1704 form, whether for personal injury, death or property damage, arising out
1705 of or in connection with the activities or performance of the permittee or,
1706 if applicable, the private property owner or any of each one's agents,
1707 employees, licensees, contractors, subcontractors or independent
1708 contractors. Further, permittees shall be strictly liable for interference
1709 caused by their facilities with the City's communications systems. The
1710 permittee shall be responsible for costs of determining the source of the
1711 interference, all costs associated with eliminating the interference, and all
1712 costs arising from third party claims against the City attributable to the
1713 interference. In the event the City becomes aware of any such actions or
1714 claims the City shall promptly notify the permittee and the private
1715 property owner and shall reasonably cooperate in the defense. It is
1716 expressly agreed that the City shall have the right to approve the legal
1717 counsel providing the City's defense, which approval shall not be
1718 unreasonably withheld, and the property owner and/or permittee (as
1719 applicable) shall reimburse City for any costs and expenses directly and
1720 necessarily incurred by the City in the course of the defense. Legal

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1721 counsel shall not settle, compromise, waive or abandon any claim without
1722 the express written consent of City.

1723 6. **Adverse Impacts on Adjacent Properties.** Permittee shall undertake
1724 all reasonable efforts to avoid undue adverse impacts to adjacent
1725 properties and/or uses that may arise from the construction, operation,
1726 maintenance, modification and removal of the facility.

1727 7. **General Maintenance.** The site and the facility, including but not limited
1728 to all landscaping, fencing and related transmission equipment, must be
1729 maintained in a neat and clean manner and in accordance with all
1730 approved plans and conditions of approval.

1731 8. **Graffiti Removal.** All graffiti on facilities must be removed at the sole
1732 expense of the permittee within 48 hours after notification from the City.

1733 9. **No Waiver of Standing.** The City's grant or grant by operation of law of
1734 this permit does not waive, and shall not be construed to waive, any
1735 standing by the City to challenge Section 6409(a), any FCC rules that
1736 interpret Section 6409(a), including but not limited to 47 C.F.R. § 1.40001
1737 *et seq.*, or any permit granted pursuant to those laws and regulations.

1738 E. **Appeals.** Subject to applicable federal timeframes for local review, accounting
1739 for any tolling, any person or entity may file a written appeal to the City to
1740 reverse the Planning Director's final decision to approve or deny without
1741 prejudice a permit application under this Chapter. The appeal must state in plain
1742 terms the grounds for reversal and all facts that support those grounds. The
1743 appellant must pay a fee, if any, established by a resolution of the City at the
1744 time the appeal is filed. The City shall review the decision de novo.

1745 **SECTION 4. Effective Date.** This section shall become effective upon passage by the
1746 City Council.

1747
1748 **ENACTED THIS 11th DAY OF AUGUST 2015, BY A VOTE OF ___ IN FAVOR AND**
1749 **___ OPPOSED.**

1750
1751
1752 _____
Richard Robb, Mayor

1753 ATTEST:
1754
1755
1756
1757
1758 _____
1759 Lori Strickler, City Clerk

New Business

City of Bethel Action Memorandum

Action memorandum No.	15-28		
Date action introduced:	8-25-2015	Introduced by:	Councilwoman Pike
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

Travel request for city attorney to travel to Kotzebue to attend the ABC Board meeting of September 15, 2015 in person.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Finance Director H. Mathlaw		
<input checked="" type="checkbox"/>	City Attorney Burley	PB	Reviewed
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Attachment(s):

Amount of fiscal impact:		Account information:
	No fiscal impact	
X	Funds are budgeted for.	10-56-545
	Funds are not budgeted. Budget modification is required.	

Request by City Attorney to attend the ABC Board meeting of September 15, 2015 in person to defend the City's protest of Dimitri's application for a restaurant or eating place license to sell beer and wine on the premises.

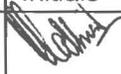
Estimated cost is \$ 1165.20 broken down as follows:

Airfare	\$ 577.20
Lodging (Kotzebue)	\$ 229.00
Lodging (Anchorage)	\$ 223.00
Per Diem	\$ 136.00

City of Bethel Action Memorandum

Action memorandum No.	#15- 29		
Date action introduced:	August 18, 2015	Introduced by:	Ann K. Capela
Date action taken:		Approved	Denied
Confirmed by:			

SUBJECT/ACTION: *This item is before City Council to request an approval of an amendment to the existing contract between the City of Bethel and DOWL for the project known as the Institutional Corridor {IC} Piped Water project. The request is: change in the Statement of Work, Sec. (h) from "full-time on-site construction inspection" to "part-time on-site construction inspection". There is NO additional COSTS to this request.*

Route to Department/Individual	Initials	Remarks
Muzaffar Lakhani/Public Works City Attorney, Patty Burley Administration/Ann K. Capela		Requested by PW Director 8-18-15 Concurs with the request.

Attachments: Exhibit (A) Existing Contract

Fiscal Impact Amount	Description	Account information
NO Fiscal Impact to this contract.	Funds to be allocated from Construction; full-time on-site construction inspection to <i>part-time on-site inspection.</i>	Grant Funded, account # 45-50-643

Summary statement:

DOWL HKM, City's consulting Engineers on the "Institutional Corridor Piped Water Supply System Project" has brought to the City's attention some inconsistencies with the 2006 easements for the existing sewer pipes.

According to the institutional Corridor Water Supply system Feasibility study update in July, 2014 (Provided by the City as part of the City's RFP), the new water line is to follow the same alignment of the *already constructed* sewer line in 2006. In order to ensure that the project easements, both past and present, are as strong as possible, a change in the scope of work for DOWL's contract (as reported to the City Council and to the Public Works Committee by the Public Works Director in his reports) is proposed with NO additional cost to the project. Instead the amount of services will be decreased in the area of construction oversight from full-time to part-time and increased in other portions of the scope of work from part-time to full-time. If the cost of the proposed re-allocation of the project does not reach the full amount of the proposal, the funds will be re-applied to the construction oversight portion of the project.

The total contract amount = \$592,211.30 of which \$199,920.00 was allocated for Construction Administration (Including full-time on-site construction observation).

The amount to be re-allocated from construction oversight is \$82,705.00.

Consulting Services Agreement

This CONSULTING SERVICES AGREEMENT (hereinafter "Agreement") is made by and between the City of Bethel, a municipal corporation (hereinafter "City") and DOWL HKM, (hereinafter "Consultant") and is effective on November 25 2014.

THE PARTIES AGREE AS FOLLOWS:

1. SCOPE OF SERVICES:

- 1.1 (Consultant) will provide the City with engineering and consulting services as mutually agreed upon and described in the attached Statement of Work. All consulting services to be provided hereunder will be referred to as Services.
- 1.2 Statements of Work will be written documents setting forth at a minimum:
 - a. A complete, sufficiently-detailed description of the types of Services to be rendered;
 - b. The applicable billing rates for the Services to be rendered (Services Fees); and
 - c. Any additional terms and conditions to which the parties may agree.
- 1.3 The parties contemplate that it may be desirable to make changes to the Statement(s) of Work. Before performing any work associated with any such change, a written Change Order shall set forth the necessary revisions to the Statement(s) of Work, and the parties, shall agree in writing that such work constitutes a change from the original Statement of Work, as amended, and that they further agree to the change provisions set forth in the Change Order. Each Change Order shall be numbered serially and executed by City and Consultant.
- 1.4 Consultant will provide such resources and utilize such employees and/or consultants as it deems necessary to perform the Services.
- 1.5 City's Project Manager and Consultant's Project Manager will review the Status of the Services, Statement(s) of Work, Change Orders, invoices and estimates as may be required. A written status report will be produced regarding the review. City and Consultant agree to execute and maintain copies of these status reports.

2. OBLIGATIONS

- 2.1 Consultant will provide other support services to City as both the Consultant and City subsequently agree and as outlined in the Statement of Work.

3. SERVICES AND FEES AND EXPENSES

- 3.1 Consultant shall be responsible for all Service Fees as identified in the applicable Statement(s) of Work (and Change Orders, as applicable) as those Services are provided.
- 3.2 Consultant will invoice the City monthly with a detailed invoice describing work performed, who performed the work (stating the hours and tenths of an hour spent), and providing original receipts for any budgeted reimbursable. Consultant shall only invoice for work actually completed, not work anticipated to be completed.

- 3.3 Invoicing shall be in proportion to the work completed. For example, if ten (10%) percent of the project is completed, then no more than ten (10%) of the work should be invoiced for.
- 3.4 City shall tender payment of all invoices within thirty (30) days of receipt.
- 3.5 In the event of a dispute regarding any invoice submitted by Consultant, City shall provide written notice of the dispute within ten (10) days of receipt of the invoice. The undisputed portion of the invoice shall be paid in accordance with this Agreement.
- 3.6 In the event the parties have a dispute as to invoicing and cannot reach a resolution immediately, the Parties shall endeavor to reach resolution through good faith direct discussions between the Parties' representatives, who shall possess the necessary authority to resolve such matters and who will record the date of first discussions.
- 3.7 If the Parties' representatives are not able to resolve such matter within ten (10) business days of the date of first discussion, the Parties' representatives shall immediately inform senior executives of the Parties in writing that resolution was not affected.
- 3.8 Upon receipt of such notice, Senior Executives of the Parties shall schedule a meeting within ten (10) calendar days to personally meet and discuss resolution. If the dispute remains unresolved twenty (25) days from the date of first discussion, the Parties shall submit such matter to a dispute review board.
- 3.9 **Dispute Review Board.** In the event all of the above methods of resolving a dispute fail, a Project Neutral/Dispute Review Board shall be mutually selected and appointed by the Parties. The costs and expenses of the Neutral/Board shall be shared equally by the Parties. The Neutral/Board shall be available to both parties, upon request, and is to issue written findings within ten (10) business days of referral of the matter, unless good cause is shown for more time. Findings by the Neutral/Board are non-binding.
- 3.10 If the matter remains unresolved following the issuance of the nonbinding finding by the Neutral/Board, the parties may proceed to litigation. Venue shall be in the Bethel courts for the State of Alaska.

4. TERM AND TERMINATION

- 4.1 This Agreement shall commence as of the Agreement Date above and shall remain in force through November 1, 2016.
- 4.2 In the event of a breach of this Agreement, the City will provide Consultant an opportunity to cure by providing written notice to the Consultant of the breach. The Consultant will have ten (10) days in which to either cure the breach or present an acceptable correction plan to the City with an approved timeline. If a breach is not cured within the specified period of time, the City may terminate the Agreement for default. Notwithstanding this provision, repeated breaches (two or more) of the same nature shall be grounds for termination for default without a cure period.
- 4.3 If the breach endangers City property, employees or the public, the City may suspend the Consultant's operations as appropriate while still giving time for the Consultant to cure the breach.
- 4.4 The City may terminate this Contract upon the filing or the execution of a petition in bankruptcy by or against the Consultant, a petition seeking relief of the same or

different kind under any provision of the Bankruptcy Act or its successor, an assignment by the Consultant for the benefit of creditors, a petition or other proceeding against the Consultant for the appointment of a trustee, receiver, or liquidator, or the taking by any person or entity of the rights granted by this Contract or any part thereof upon execution, attachment or other process of law or equity. The City may terminate this Agreement if the City reasonably determines that the Consultant is unable to perform the terms of the Agreement due to bankruptcy or insolvency.

4.5 Termination of this Agreement shall be by written notice to the Consultant.

5. PROPRIETARY RIGHTS: CONFIDENTIAL INFORMATION

5.1 Consultant agrees that the work products from the Services provided to City shall be owned by City. Nothing contained in this Section 5.1 shall be construed as prohibiting Consultant utilizing in any manner, knowledge and experience of a general nature acquired in the performance of Services for City.

5.2 By virtue of this Agreement, each party hereto may disclose to the other party information that is Confidential and otherwise proprietary. Unless governed by the terms of an existing contemporaneously executed non-disclosure agreement ("NDA"), the following apply:

5.3 Confidential Information includes all information identified by a disclosing party as proprietary and confidential, which Confidential Information shall remain the sole property of the disclosing party unless the ownership of such Confidential Information is otherwise expressly set forth in the Agreement. Items will not be considered Confidential Information if: (a) available to public other than by a breach of an agreement by the recipient; (b) rightfully received from a third party not in breach of any obligation of any confidentiality; (c) independently developed by one party without access to the Confidential Information of the other; or (d) rightly known to the recipient at the time of disclosure as verified by its written records.

5.4 Each party agrees that it shall not use for any purpose or disclose to any third party any Confidential Information of the other party without the express written consent of the other party. Each party agrees to safeguard the Confidential Information of the other party against use or disclosure other than as authorized by or pursuant to this Agreement through measures, and exercising a degree of care, which are at least as protective as those, City or Consultant, as the case may be, exercises in safeguarding the confidentiality of its own proprietary information, but no less than a reasonable degree of care under the circumstances. Each party shall permit access to the Confidential Information of the other party only to those individuals (a) who have entered into a written nondisclosure agreement with the other party on terms equally as restrictive as those set forth herein, and (b) who require access in performance of their duties to the other party in connection with the other party's rights under this Agreement.

5.5 Each party acknowledges that the wrongful use or disclosure of Confidential Information of the other party may result in irreparable harm for which there will be no adequate remedy at law. In the event of a breach by the other party or any of its officers, employees or agents of its or their obligations under this Section 5, the non-breaching party may immediately terminate this Agreement without liability to the

other party, and may bring an appropriate legal action to enjoin such breach, and shall be entitled to recover from the breaching party reasonable legal fees and cost in addition to other appropriate relief.

6. WARRANTIES/ASSURANCES

- 6.1 Consultant represents that, at the time and within the locality where the Services are performed under this Agreement, those services shall be performed in a professional manner conforming to those generally accepted industry standards and practices existing at that time. Consultant agrees that it has the sole and exclusive obligation with respect to the Services performed under this Agreement to correct any nonconformity or to refund the Services Fee paid for any affected executive consulting services.
- 6.2 Consultant shall indemnify, defend and hold harmless the City from and against any claim of, or liability for, negligent acts, errors and omissions of the Consultant under this Agreement. The Consultant is not required to indemnify, defend, or hold harmless the City for a claim of, or liability for, the independent negligent acts, errors and omissions of the City. If there is a claim of, or liability for, a joint negligent act, error or omission of the Consultant and the City, the indemnification, defense and hold harmless obligation of this provision shall be apportioned on a comparative fault basis.
- 6.3 In this section, "consultant" and "city" include the employees, agents and contractors who are directly responsible, respectively to each.
- 6.4 "Independent negligent acts, errors and omissions" means negligence other than in the City's selection, administration, monitoring or controlling of the Consultant, or in approving or accepting the Consultant's work.

7. INSURANCE

- 7.1 Consultant is solely responsible for insuring all machinery and equipment owned, rented or borrowed and used by it for the performance of Services.
- 7.2 Professional Liability Insurance (errors and omissions) insurance coverage shall be obtained to a limit of not less than One Million (\$1,000,000) Dollars on a claim made basis. Evidence of such coverage shall be maintained and provided for a period of two (2) years subsequent to conclusion of services provided under this Agreement.
- 7.3 The Consultant shall provide to the City certificates of insurance which shall include a provision that such insurance shall not be canceled or modified by the Consultant without at least thirty (30) days advance written notice.
- 7.4 The City of Bethel shall be named as an additional insured.

8. LIMITATIONS ON LIABILITY

- 8.1 EXCEPT FOR DAMAGES OR LOSSES ARISING FROM A PARTY'S INDEMNIFICATION OBLIGATION OR INFRINGEMENT OR MISAPPROPRIATION OF A PARTY'S INTELLECTUAL PROPERTY, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER FOR SPECIAL, CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE OR EXEMPLARY DAMAGES, HOWEVER CAUSED, WHETHER FOR BREACH OF WARRANTY, CONTRACT, TORT NEGLIGENCE, STRICT LIABILITY, LOSS OF DATA,

LOSS OF USE, OR OTHERWISE, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

- 8.2 The Consultant agrees that the City is not bound by any act, omission, communication, determination, decision or direction of any person other than the City's Representative, Muzaffar Lakhani or his designee. The Consultant must promptly carry out any determination, decision or direction of or given by the City's Representative, Muzaffar Lakhani or his designee, but the Consultant is not responsible or liable for the consequences of doing so if the Consultant, acting in accordance with the standards and matters, immediately objected in writing to the City's Representative that the determination, decision or direction was contrary to those standards and matters.
- 8.3 Consultant represents that the Services provided hereunder will be performed in a professional manner consistent with the quality of Consultant's performance of service for similarly situated customers and in accordance with generally accepted industry standards as existing at the time and within the locality where the Services are to be performed.

9. INDEPENDENT CONTRACTORS

- 9.1 Consultant shall perform the services under this Agreement as an independent contractor, and nothing contained in this Agreement shall be construed to create or imply a joint venture, partnership, principal agent or employment relationship between the parties. Neither party shall take any action or permit any action to be taken on its behalf which purports to be done in the name of or on behalf of the other party and shall have no power or authority to bind the other party to assume or create any obligation or responsibility, express or implied on the other party's behalf or in its name, nor shall such party represent to any one that it has such power or authority.

10. GOVERNING LAW

- 10.1 This Agreement shall be governed and construed in accordance with the laws of the State of Alaska. Exclusive jurisdiction for any action relating to this Agreement shall be in the Bethel Superior Court, Bethel, Alaska.

11. GENERAL PROVISIONS

- 11.1 **Notices:** Any notice, direction, demand, approval, certificate or waiver which may be or is required to be given under this Agreement must be in writing and be hand delivered or sent by certified mail, addressed as follows:

To the City:

City Attorney
City of Bethel
PO Box 1388
Bethel AK 99559-1388

To the Consultant:

DOWL HKM
Attn: Aaron R. Christie
4041 B Street
Anchorage AK 99503

- 11.2 **Severability:** If any term or provision of this Agreement is determined to be invalid or unenforceable for any reason, it shall be adjusted rather than voided, if possible, to achieve the intent of the parties to the extent possible. In any event, all other terms

and provisions shall be deemed valid and enforceable to the maximum extent possible.

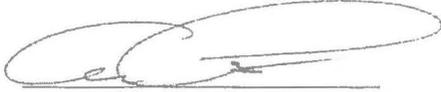
- 11.3 **Force Majeure:** Neither party shall be liable for loss, damage or penalty arising from delay due to causes beyond its reasonable control.
- 11.4 **Assignment:** Neither party shall assign, delegate or subcontract any portion of its rights, duties or obligations under this Agreement without the prior written consent of the other party, which consent will not be unreasonably withheld or delayed; provided, however, that consent shall not be required in the case of an assignment by either party to the surviving entity in a merger or consolidation in which it participates or to a purchaser of all or substantially all of its assets. Notwithstanding the foregoing, Consultant may subcontract any portion of its obligations under this Agreement to a third party so long as Consultant remains responsible for the performance of such obligations.
- 11.5 **Complete Agreement:** This Agreement, the Statement of Work, the Request for Proposals and the accepted Proposal of Consultant, the Feasibility Study and update to the Feasibility Study are the complete and exclusive statement of the agreement between the parties regarding the subject matter hereof, which supersedes all proposals, oral or written, and all other communications between the parties relating to such subject matter.
- 11.6 **Modification:** Each party agrees that any terms or conditions of this Agreement that are in addition to or inconsistent with the terms and conditions of this Agreement shall be of no force or effect. This Agreement may only be modified by a written instrument duly executed by an authorized representative of both the City and Consultant.
- 11.7 **Non-Waiver:** The failure of a party to enforce any provision of this Agreement shall not constitute a waiver of such provision or the right of such party to enforce such provision or any other provision.
- 11.8 **Contract Interpretation:** This contract shall be interpreted based on the Statement of Work. Any discrepancies should be resolved looking first to the following documents: the Request for Proposals, the Submission by DOWL, HKM, the Feasibility Study and Update to Feasibility Study.

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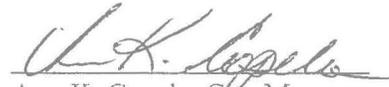
IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed by their duly authorized representatives as of the Agreement date first written above.

Consultant

City of Bethel



Aaron R. Christie, DOWL HKM


Ann K. Capela, City Manager

STATEMENT OF THE WORK EXHIBIT A

This Statement of Work is made effective by and between the City of Bethel (a municipal corporation) (hereinafter "City"), and DOWL HKM (hereinafter "Consultant") located at: 4041 B Street, Anchorage AK 99503.

1. **Description of Services:** All services described herein anticipate that DOWL, HKM will advise and consult with the City on at least a weekly basis and more frequently if warranted. Questions as to how to proceed should be guided by the RFP, DOWL's submission, the feasibility study and the update to the feasibility study. DOWL HKM is expected to independently verify all figures and calculations provided to it either via a study or via City documents.
 - a. Preliminary Design and System Modeling – Develop preliminary design documents that will be used to guide survey and geotechnical crews. City to approve final design documents prior to their implementation.
 - b. Survey and Easement Acquisition – Complete Right of Way (ROW), topographic and utility as-built survey upon agreement of a preliminary design. Identify any necessary easements which must be acquired and assist the City of Bethel in obtaining those easements.
 - c. Geotechnical Investigation – Conduct Geotechnical investigation focused around establishing what depth helical piers must be driven to support above ground water and sewer infrastructure. Provide results, in written format, to the City of Bethel.
 - d. Thirty (30%) Percent Design and Long Lead Item Procurement – Develop a 30% alignment, identify utility conflicts and develop 30% piping and instrumentation diagrams for modifications inside the City's Water & Sewer Treatment Plant. This design shall be presented to the City for review and approval.
 - e. Ninety (90%) Percent Design and Alaska Department of Environmental Conservation Plan Review – Advance the Design documents to 90% taking into consideration the review comments from the 30% design phase. Develop design details to such a level that submission of an ADEC request for approval to construct is appropriate. Conduct pre-meeting with ADEC, if necessary and recommended.
 - f. One Hundred (100%) Percent Construction Documents– Following review of the 90% design, all comments shall be addressed and, if appropriate, incorporated into

the final 100% construction document. Particular attention should be focused on ADEC comments. Construction drawings should be ready at this phase.

- g. Bid Documents – Develop contract and bid documents to assist the City of Bethel in selecting the best possible contractor for the institutional corridor project. All prepared bids must comply with the City’s procurement policies as set out in Chapter 4.20 of the Bethel Municipal Code. The bid draft, as well as the contract draft, must be approved by the City’s legal counsel prior to public dissemination. DOWL, HKM will assist the City with evaluating the proposals and selecting the most qualified proposer.
- h. Construction Administration – Staff the actual construction, including full-time on-site inspectors. Oversee all onsite construction work, be available to answer contractor questions and tend to any and all issues that may arise during construction. Brief the City regularly throughout construction and monitor progress to ensure all safety and general constructions standards are being adhered to.

2. Billing Rate

Rates as submitted in the DOWL’s Proposal dated Oct. 31, 2014.

This statement of work is effective beginning Nov. 26, 2014 through the final acceptance of the project by the City of Bethel

Not To Exceed Total: Five Hundred Ninety Two Thousand, Two Hundred Eleven Dollars and thirty cents (\$592,211.30).

3. Invoicing & Payments:

Detailed and itemized invoices shall be presented to the City of Bethel, Attn: Finance Director, once each month. The City of Bethel will have thirty (30) days to process any undisputed invoices and submit payment to DOWL, HKM.

4. Additional Terms and Conditions

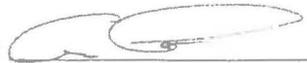
Time Estimated: Final Completion and Acceptance of Project by November 16, 2016.

This Statement of Work serves as an Exhibit to the Services Agreement.

AGREED AND ACCEPTED:

DOWL HKM

CITY OF BETHEL

BY: 
Title: Project manager


Ann Capela, City Manager

Dated: 11/24/14

Dated: 11-26-14

City of Bethel Action Memorandum

Action memorandum No.			
Date action introduced:		Introduced by:	
Date action taken:		Approved	Denied
Confirmed by:			

Action Title

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s):

Amount of fiscal impact:	Account information:
No fiscal impact	
Funds are budgeted for.	
Funds are not budgeted. Budget modification is required.	

Summary Statement

Approved Electrical Services Firms

Scoresheet Summary

Criteria	Tec Pro Ltd.	Peak Oilfield Service Co., Ltd.	Star Electric, Inc.
Cover Letter	5	6	6
Experience	20	26	19
Staffing	12	13	6
Fees/Costs	110	113	90
Quality of Products	27	25	12
Service Plan	69	53	20
References	26	29	27
Total	269	265	180

Submitted, but not considered:

	<u>Reason</u>
KNIK Electric	(1) Did not register on proposers list as specified in RFP; (2) Did not acknowledge receipt of addenda as required in BMC.
Susitna Construction	(1) Did not acknowledge receipt of addenda as required in BMC.

Mayor's Report

Bethel City Council

Office of the City Manager

Manager's Report



MEMORANDUM

From: Ann K. Capela, City Manager
To: Mayor, Vice Mayor and Council
Cc: City Attorney, City Clerk
Date: August 16, 2015
Re: City Manager's Report

1. **Caselle (City's Financial Management System) Training will take place the week of August 17 to 20, 2015 –**

Council during the budget process emphasized the need for staff training especially in the Finance Department. Caselle has been the City's provider to many years and has demonstrated the willingness to be in Bethel to provide on-site staff training. Caselle will provide general staff training to Department Heads or their designee and will provide intensive training to Finance Staff. The City will also request recommendation from Caselle to develop a better module interface for the current cash receipting and updating of collection of sales tax with the connection to issuance and renewal of business licenses. It is noteworthy that this type of training is a departure from the past practices of Finance Department – in the past, the Finance Director travelled out of state for Caselle training and then was to train other Finance staff. This method did not prove effective and Director Mathlaw has changed this practice where all Finance employees will receive the one-on-one Caselle training.

2. **RFP Opportunities –**

The City currently closed an RFP for (a) City Audit Services – due on 08.17.15; (b) Employee Healthcare Benefits 08.21.15; (c) Wind Turbine (2nd time RFP) 08.27.15; (d) Planner Services 08.28.215 and (e) Sand Shed Insulation 09.04.15.

3. **Sales Tax Collection –**

Finance is focused on conducting assessments on all current businesses that have been notified of being late with tax payment remittances. The goal is to complete the assessments within the next 2 weeks and then review the rest of the delinquencies to determine what the next step for these are.

4. **Business License and Tax Receipting –**

This process needs to be addressed with Caselle and staff training. Currently the Finance office (front desk) takes in a payment and only records the receipt. This receipt goes to an "in-basket" to Sales Tax and it stays there until the Sales Tax enters the receipts and updates the business records. However, at times the same business that paid may be receiving a notice that they are late with payments. The Finance Department will work to mitigate this with Caselle training and possible tech solutions.

5. **Ridgecrest Drive –**

The latest communication from LKSD staff is that LKSD "does not want to enter into any agreements to resolve any issues that your project may have and does not think your decision to

precede hinges on LKSD involvement. LKSD will try to do anything we can to improve the traffic pattern, over time, after your project is completed.”

6. **AVEC** –

Current focus is on the wind turbine project. AVEC may not be able to proceed with the test turbine project until the issue of the second property lease is resolved. The City is currently conducting a market value assessment for price of this property. CEO of AVEC and I have agreed to postpone some of these discussions until the fair market value of the proposed property is determined and how to structure an agreement whereby the residents of Bethel can realize future reduction of long term energy costs. AVEC has assumed the \$3 million dollar grant from the State (City wrote the grant) and also the \$150K research grant. CEO Kohler has appointed Steve Gilbert to spearhead this project but Steve will keep her apprised of all proposed activities. Steve Gilbert will be working through my office as well as with the City Attorney.

AVEC – ROW’s (public Right-Of-Ways) and the use of is another long standing issue that needs to be resolved. This resolution will be a multi-year project. While the City is implementing the recently enacted permit application the currently located utility permits were approved by the City for AVEC that include, power, telephone and cable.

7. **City Planner** –

No major change from the last report except that the City did received an application for the position but has not been able to connect with the applicant.

8. **United Pools** –

Attached are the July 2015 reports by UP. Of note is the rise in the water use at the pool facility. According to UP officials, the rise of the water use is due to rise of various activities at the facility. (Attachment #1)

9. **Brown Water** –

Sorry that the attachments did not get into the previous report. In the past month’s City’s water customers who are on the City’s piped water system have requested lab testing on the City’s water due to the water’s “brownish color”. Attached is a report authored by then the City Manager and current State Representative for Bethel, Bob Herron. Also attached, is a detailed lab review and conclusion regarding the “brownish color” of the water in the piped water system. While the City will continue to respond to requests by water customers to test the water quality in particular locations, this 2002 report provides an explanation as to why the water has a brownish color. (Attachment #2)

10. **Bethel Public Transit** –

Sorry this report was not attached in the previous report. This is a ridership overview from July 2012 through June 30, 2015. While this is not an all inclusive statistical analysis, the numbers show an increased ridership. The data seems to point that developing partnership with local agencies that are willing to purchase monthly ridership passes for its clients tends to increase annual ridership. City of Bethel has a “working transit manager” who performs multiple functions and tasks. While the bus drivers do not require a CDL (due to the size of the buses) the drivers are subject to all the FTA very stringent regulations. The reporting for both the FTA 5311 and 5309 grants is very labor intensive. One of proven successes for increased ridership is developing partnership with local federal and state agencies to provide for monthly passes for its clients. Also, attached is a proposal to develop advertising on the buses. (Attachment #3)

FY 13 July1,2012 to June 30, 2013

Attachment #3

July. 2012		Total Riders	
\$1 Riders	97	139	236
\$2 Riders	78	97	175
\$3 Riders	378	273	651
T-Pass	273	283	556
Mo. Pass	211	9	220
Disability	29	29	58

Jan. 2013		Total Riders	
\$1 Riders	87	106	193
\$2 Riders	48	64	112
\$3 Riders	393	237	630
T-Pass	348	457	805
Mo. Pass	285	21	306
Disability	84	108	192

Aug. 2012		Total Riders	
\$1 Riders	95	132	227
\$2 Riders	73	69	142
\$3 Riders	483	286	769
T-Pass	503	308	811
Mo. Pass	140	22	162
Disability	37	16	53

Feb. 2013		Total Riders	
\$1 Riders	53	108	161
\$2 Riders	34	35	69
\$3 Riders	337	355	692
T-Pass	310	661	971
Mo. Pass	210	63	273
Disability	54	106	160

Sept. 2012		Total Riders	
\$1 Riders	104	99	203
\$2 Riders	57	32	89
\$3 Riders	476	242	718
T-Pass	623	723	1346
Mo. Pass	217	309	526
Disability	15	7	22

Mar. 2013		Total Riders	
\$1 Riders	68	114	182
\$2 Riders	44	8	52
\$3 Riders	372	243	615
T-Pass	389	254	643
Mo. Pass	276	58	334
Disability	69	114	183

Oct. 2012		Total Riders	
\$1 Riders	72	57	129
\$2 Riders	60	16	76
\$3 Riders	392	144	536
T-Pass	293	139	432
Mo. Pass	267	51	318
Disability	35	17	52

Apr. 2013		Total Riders	
\$1 Riders	88	140	228
\$2 Riders	66	17	83
\$3 Riders	475	281	756
T-Pass	379	383	762
Mo. Pass	393	30	423
Disability	37	13	50

Nov. 2012		Total Riders	
\$1 Riders	45	76	121
\$2 Riders	19	25	44
\$3 Riders	254	149	403
T-Pass	186	332	518
Mo. Pass	163	197	360
Disability	37	60	97

May. 2013		Total Riders	
\$1 Riders	129	222	351
\$2 Riders	98	42	140
\$3 Riders	476	237	713
T-Pass	528	233	761
Mo. Pass	246	87	333
Disability	43	9	52

Dec. 2012		Total Riders	
\$1 Riders	39	74	113
\$2 Riders	19	8	27
\$3 Riders	246	126	372
T-Pass	272	200	472
Mo. Pass	207	17	224
Disability	41	72	113

June. 2013		Total Riders	
\$1 Riders	106	146	252
\$2 Riders	48	23	71
\$3 Riders	313	126	439
T-Pass	227	125	352
Mo. Pass	234	33	267
Disability	99	110	209

FY 14 July 1, 2013 to June 30, 2014

July. 2013		Total Riders	
\$1 Riders	199	84	283
\$2 Riders	156	24	180
\$3 Riders	617	94	711
T-Pass	701	117	818
Mo. Pass	504	22	526
Disability	108	37	145

Jan. 2014		Total Riders	
\$1 Riders	326	109	435
\$2 Riders	84	9	93
\$3 Riders	546	66	612
T-Pass	411	44	455
Mo. Pass	357	45	402
Disability	71	0	71

Aug. 2013		Total Riders	
\$1 Riders	243	86	329
\$2 Riders	115	40	155
\$3 Riders	596	123	719
T-Pass	411	149	560
Mo. Pass	510	42	552
Disability	73	12	85

Feb. 2014		Total Riders	
\$1 Riders	273	80	353
\$2 Riders	77	9	86
\$3 Riders	474	61	535
T-Pass	412	47	459
Mo. Pass	337	33	370
Disability	78	9	87

Sept. 2013		Total Riders	
\$1 Riders	97	251	348
\$2 Riders	14	138	152
\$3 Riders	74	545	619
T-Pass	154	507	661
Mo. Pass	3	258	261
Disability	11	75	86

Mar. 2014		Total Riders	
\$1 Riders	229	53	282
\$2 Riders	97	11	108
\$3 Riders	548	62	610
T-Pass	397	48	445
Mo. Pass	444	27	471
Disability	94	2	96

Oct. 2013		Total Riders	
\$1 Riders	463	119	582
\$2 Riders	115	7	122
\$3 Riders	560	122	682
T-Pass	416	89	505
Mo. Pass	363	33	396
Disability	85	2	87

April. 2014		Total Riders	
\$1 Riders	299	115	414
\$2 Riders	103	23	126
\$3 Riders	651	162	813
T-Pass	477	201	678
Mo. Pass	390	46	436
Disability	133	41	174

Nov. 2013		Total Riders	
\$1 Riders	310	93	403
\$2 Riders	61	8	69
\$3 Riders	466	101	567
T-Pass	300	148	448
Mo. Pass	387	31	418
Disability	74	4	78

May. 2014		Total Riders	
\$1 Riders	285	67	352
\$2 Riders	179	21	200
\$3 Riders	462	86	548
T-Pass	287	83	370
Mo. Pass	234	28	262
Disability	117	28	145

Dec. 2013		Total Riders	
\$1 Riders	320	137	457
\$2 Riders	78	10	88
\$3 Riders	490	91	581
T-Pass	309	156	465
Mo. Pass	276	11	287
Disability	58	2	60

June. 2014		Total Riders	
\$1 Riders	315	0	315
\$2 Riders	109	0	109
\$3 Riders	475	0	475
T-Pass	228	0	228
Mo. Pass	417	0	417
Disability	118	0	118

FY 15 July1, 2014 to June 30, 2015

July, 2014		Total Riders	
\$1 Riders	336	0	336
\$2 Riders	93	0	93
\$3 Riders	433	0	433
T-Pass	231	0	231
Mo. Pass	584	0	584
Disability	141	0	141

Jan. 2015		Total Riders	
\$1 Riders	269	65	334
\$2 Riders	56	10	66
\$3 Riders	260	44	304
T-Pass	408	98	506
Mo. Pass	177	8	185
Disability	149	38	187

Aug. 2014		Total Riders	
\$1 Riders	259	0	259
\$2 Riders	60	0	60
\$3 Riders	542	0	542
T-Pass	274	0	274
Mo. Pass	323	0	323
Disability	133	0	133

Feb. 2015		Total Riders	
\$1 Riders	230	54	284
\$2 Riders	59	9	68
\$3 Riders	327	65	392
T-Pass	283	90	373
Mo. Pass	135	6	141
Disability	149	42	191

Sept. 2014		Total Riders	
\$1 Riders	238	23	261
\$2 Riders	130	10	140
\$3 Riders	528	31	559
T-Pass	393	31	424
Mo. Pass	210	0	210
Disability	180	25	205

March. 2015		Total Riders	
\$1 Riders	166	69	235
\$2 Riders	69	25	94
\$3 Riders	426	63	489
T-Pass	338	60	398
Mo. Pass	498	0	498
Disability	196	36	232

Oct. 2014		Total Riders	
\$1 Riders	330	97	427
\$2 Riders	78	53	131
\$3 Riders	574	172	746
T-Pass	250	63	313
Mo. Pass	729	156	885
Disability	181	43	224

April. 2015		Total Riders	
\$1 Riders	223	46	269
\$2 Riders	104	13	117
\$3 Riders	552	58	610
T-Pass	498	56	554
Mo. Pass	587	9	596
Disability	232	41	273

Nov. 2014		Total Riders	
\$1 Riders	254	74	328
\$2 Riders	85	12	97
\$3 Riders	440	58	498
T-Pass	487	81	568
Mo. Pass	420	39	459
Disability	158	32	190

May. 2015		Total Riders	
\$1 Riders	163	63	226
\$2 Riders	89	29	118
\$3 Riders	387	83	470
T-Pass	617	209	826
Mo. Pass	312	9	321
Disability	183	33	216

Dec. 2014		Total Riders	
\$1 Riders	325	56	381
\$2 Riders	95	20	115
\$3 Riders	500	105	605
T-Pass	422	29	451
Mo. Pass	153	3	156
Disability	223	31	254

June. 2015		Total Riders	
\$1 Riders	190	53	243
\$2 Riders	107	23	130
\$3 Riders	382	51	433
T-Pass	729	102	831
Mo. Pass	282	0	282
Disability	206	29	235

\$1 Riders 2013-2014-2015			
	2013	2014	2015
July	236	283	336
August	227	329	259
Sept.	203	348	261
Oct.	129	582	427
Nov.	121	403	328
Dec.	113	457	381
Jan.	193	435	334
Feb.	161	353	284
March	182	282	235
April	228	414	269
May	351	352	226
June	252	315	243

\$2 Riders 2013-2014-2015			
	2013	2014	2015
July	175	180	93
August	142	155	60
Sept.	89	152	140
Oct.	76	122	131
Nov.	44	69	97
Dec.	27	88	115
Jan.	112	93	66
Feb.	69	86	68
March	52	108	94
April	83	126	117
May	140	200	118
June	71	109	130

\$3 Riders 2013-2014-2015			
	2013	2014	2015
July	651	711	433
August	769	719	542
Sept.	718	619	559
Oct.	536	682	746
Nov.	403	567	498
Dec.	372	581	605
Jan.	630	612	304
Feb.	692	535	392
March	615	610	489
April	756	813	610
May	713	548	470
June	439	475	433

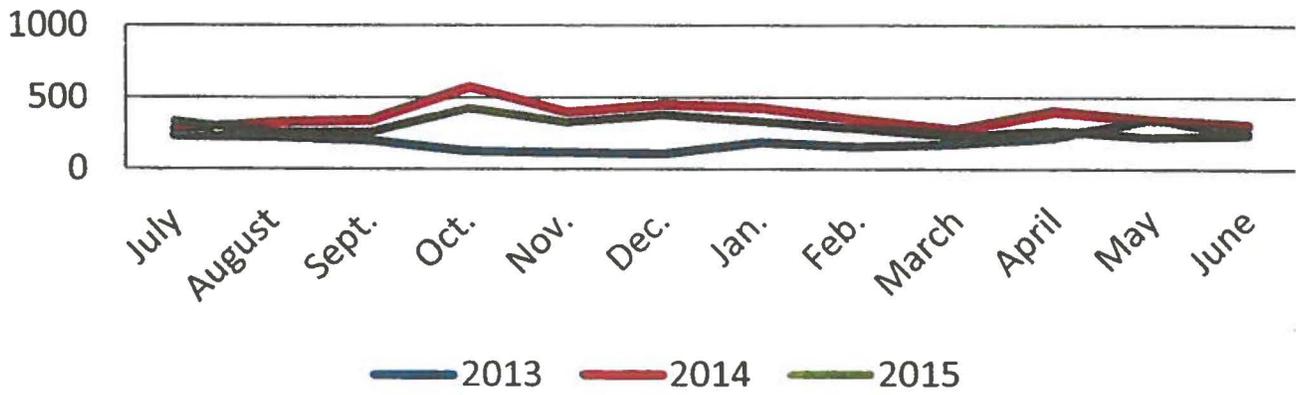
Monthly Passes Used 2013-2014-20: 2015			
	2013	2014	2015
July	9	526	584
August	22	552	323
Sept.	526	261	210
Oct.	318	396	885
Nov.	360	418	459
Dec.	224	287	156
Jan.	306	402	185
Feb.	273	370	141
March	334	471	498
April	423	436	596
May	333	262	321
June	267	417	282

Disability 2013-2014-2015			
	2013	2014	2015
July	58	145	141
August	53	85	133
Sept.	22	86	205
Oct.	52	87	224
Nov.	97	78	190
Dec.	113	60	254
Jan.	192	71	187
Feb.	160	87	191
March	183	96	232
April	50	174	273
May	52	145	216
June	209	118	235

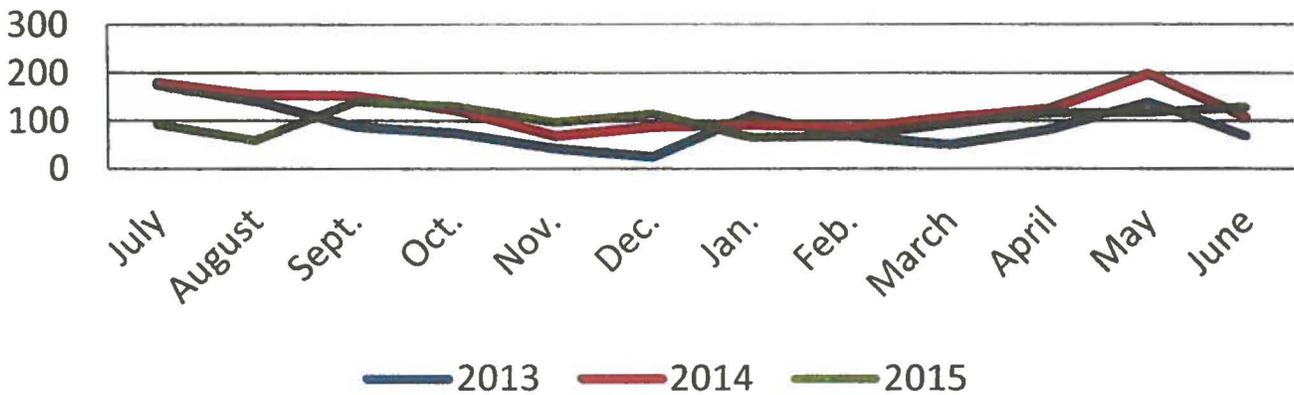
Total Riders 2013-2014-2015			
	2013	2014	2015
July	1100	1541	1349
August	1235	1434	1070
Sept.	983	2637	1579
Oct.	805	1573	1549
Nov.	645	2700	1374
Dec.	496	2501	1611
Jan.	878	1611	1173
Feb.	893	1520	1423
March	742	1602	1643
April	1068	1884	2142
May	1203	1567	1778
June	918	1099	2017
Total	10966	21669	18708

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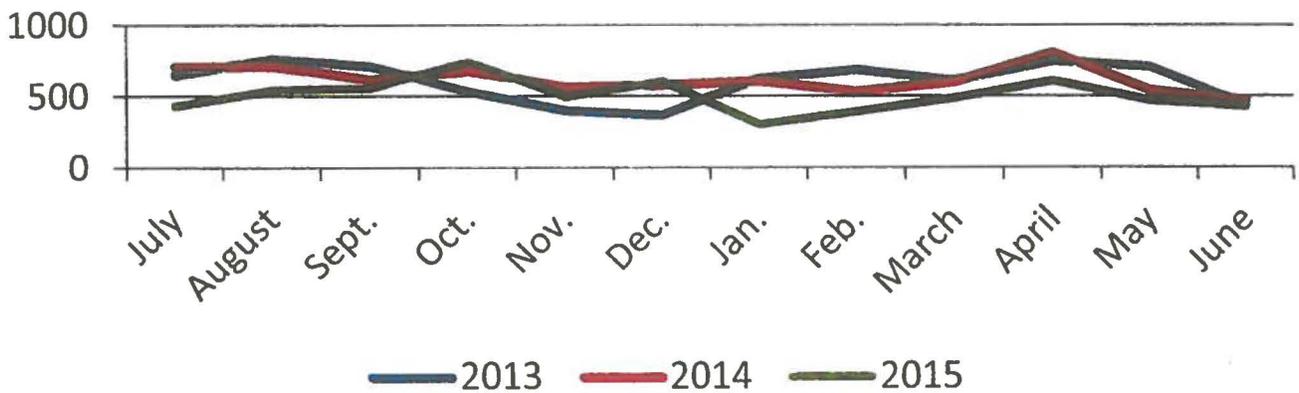
\$1 Riders 2013-2014-2015



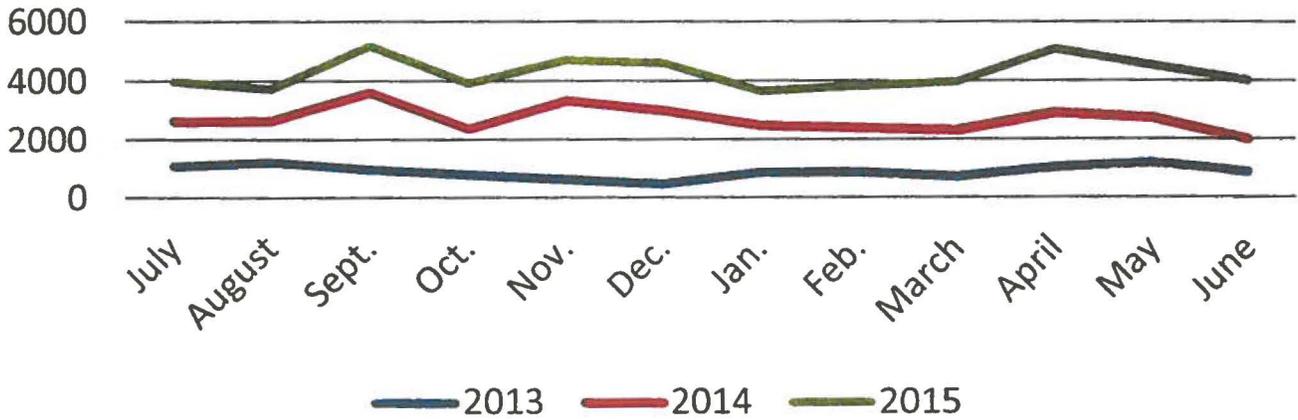
\$2 Riders 2013-2014-2015



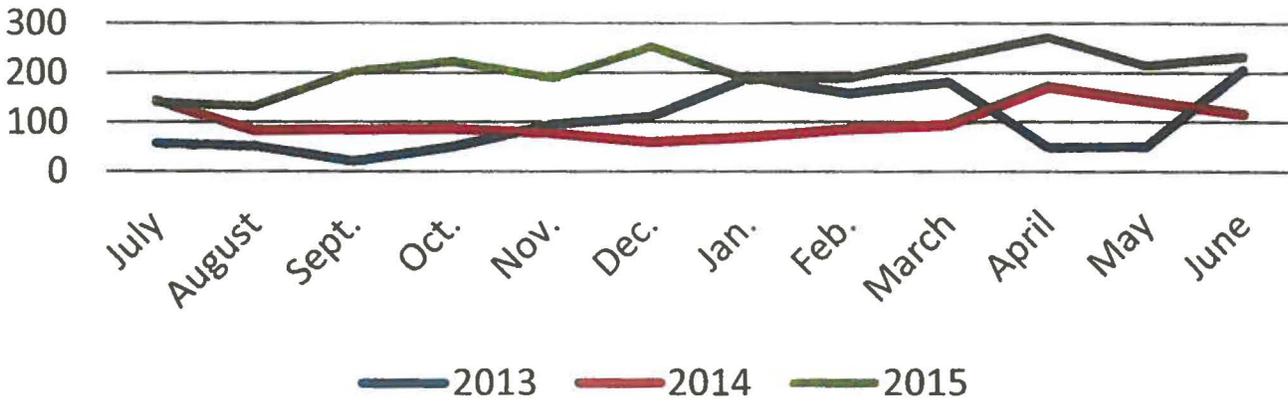
\$3 Riders 2013-2014-2015



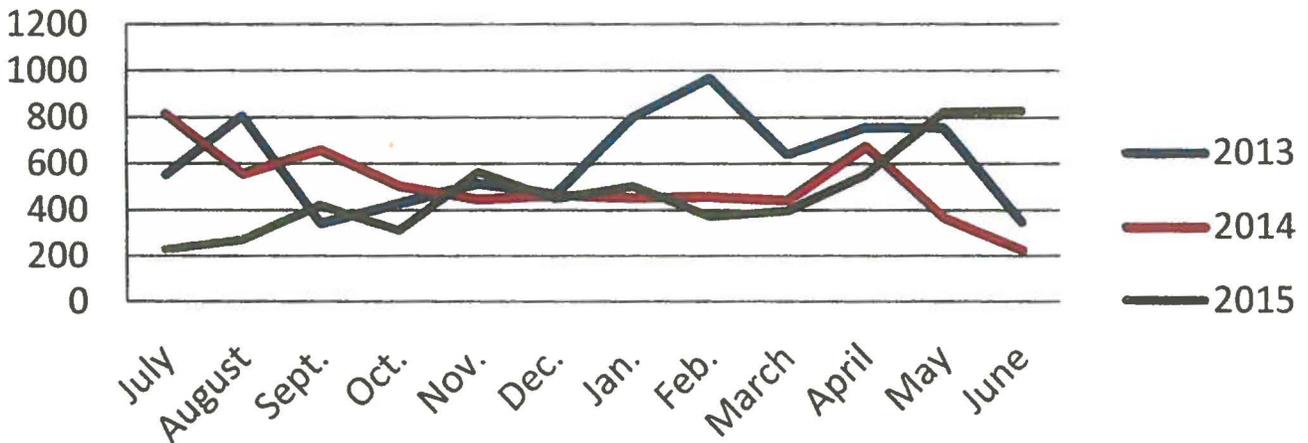
Total Riders 2013-2014-2015



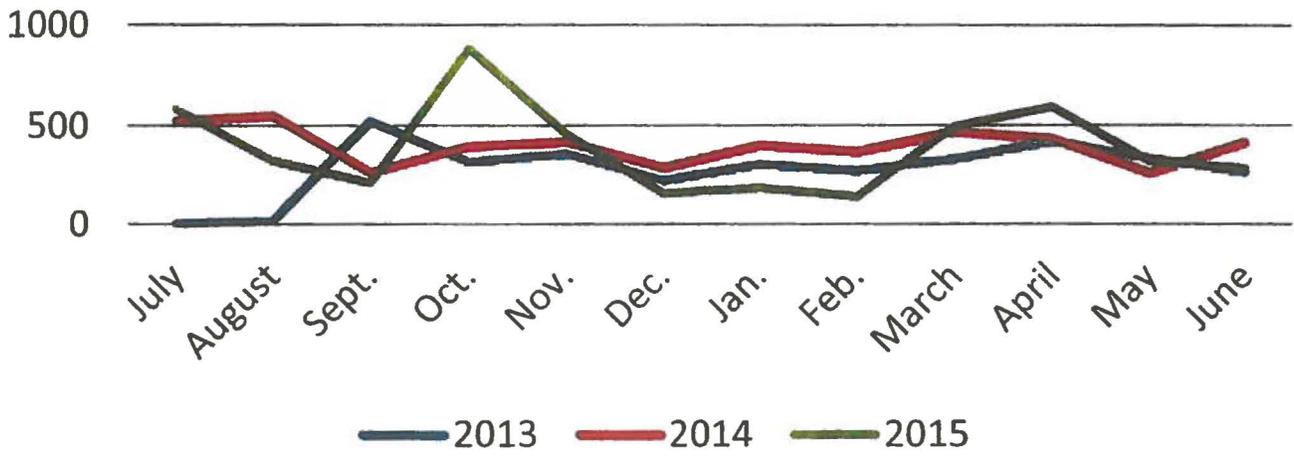
Disability 2013-2014-2015



Trip Passes 2013-2014-2015



Monthly Passes Used 2013-2014-2015



Bethel Transit System

Advertisement for local businesses and agencies

Businesses and agencies are responsible for the cost of sign production.

Transit Brochure advertisement can be changed at the end of each fiscal quarter; September 30, December 31, March 31 and June 30. If there is a sign (design) change it needs to be email to the Transit Manager five days prior to the end of the fiscal quarter, if the change is for the next fiscal quarter.

Transit Brochure Space

A. 1 ¾" X 3" \$ _____ / Year

B. 3 ¾" X 3" \$ _____ / Year

Advertisement space on the interior of the bus can be changed at the end of each month. The sign for the interior of bus needs to be given to the Transit Manager five days before the end of the month.

Interior of Buses....Posted in three buses

A. 11" X 14" \$ _____ / Year (All Buses)

B. 11" X 16" \$ _____ / Year (Buses 436, 437 and 439)

C. 11" X 18" \$ _____ / Year (Buses 436, 437 and 439)

D. 18" X 36" \$ _____ / Year (All Buses)

Transit Brochure and Interior of Buses

Brochure	plus	Interior of Buses	Cost
A. 1 ¾" X 3"	+	11" X 14"	\$ _____ / Year
B. 1 ¾" X 3"	+	11" X 16"	\$ _____ / Year
C. 1 ¾" X 3"	+	11" X 18"	\$ _____ / Year
D. 1 ¾" X 3"	+	18" X 36"	\$ _____ / Year
E. 3¾ " X 3"	+	11" X 14"	\$ _____ / Year
F. 3¾" X 3"	+	11" X 16"	\$ _____ / Year
G. 3¾" X 3"	+	11" X 18"	\$ _____ / Year
H. 3¾" X 3"	+	18" X 36"	\$ _____ / Year

GREEN LINE



GREEN LINE DOES NOT OPERATE BETWEEN 10:30 and 11:30am and stops at 6:15pm

EFFECTIVE JULY 1, 2013

ALL FARES ARE ONE WAY

Under age 3	Free
3 to 13	\$2.00
14 to 64	\$3.00
Over age 65	\$1.00

Monthly Bus Passes Available

Adult Pass	\$60.00
Youth Pass	\$30.00
Senior/Elder Pass	\$25.00
Day Pass	\$5.00

Call 543-3039 for more Information

Bethel Transit System
Sponsored by
City of Bethel

To quest a Para Transit Ride, Call 543-3039. You must call during office hours a day before the ride is needed.

AC Store	6:30	7:30	8:30	9:30		11:30	12:30	1:30	2:30	3:30	4:30	5:30
TWC	6:32	7:32	8:32	9:32		11:32	12:32	1:32	2:32	3:32	4:32	5:32
Pump House	6:34	7:34	8:34	9:34	O	11:34	12:34	1:34	2:34	3:34	4:34	5:34
Public Works	6:36	7:36	8:36	9:36	U	11:36	12:36	1:36	2:36	3:36	4:36	5:36
Ptarmigan Quick Stop	6:38	7:38	8:38	9:38	T	11:38	12:38	1:38	2:38	3:38	4:38	5:38
Uiuvuq Subdivision	6:40	7:40	8:40	9:40		11:40	12:40	1:40	2:40	3:40	4:40	5:40
Mormon Church	6:44	7:44	8:44	9:44	O	11:44	12:44	1:44	2:44	3:44	4:44	5:44
Ptarmigan&Kaligtug	6:46	7:46	8:46	9:46	F	11:46	12:46	1:46	2:46	3:46	4:46	5:46
AVCP Housing	6:48	7:48	8:48	9:48		11:48	12:48	1:48	2:48	3:48	4:48	5:48
Ayalpik Apt.	6:50	7:50	8:50	9:50	S	11:50	12:50	1:50	2:50	3:50	4:50	5:50
AC Quick Stop	6:52	7:52	8:52	9:52	E	11:52	12:52	1:52	2:52	3:52	4:52	5:52
UPC Church	6:54	7:54	8:54	9:54	R	11:54	12:54	1:54	2:54	3:54	4:54	5:54
City Hall	6:55	7:55	8:55	9:55	V	11:55	12:55	1:55	2:55	3:55	4:55	5:55
Cultural Center	6:59	7:59	8:59	9:59	I	11:59	12:59	1:59	2:59	3:59	4:59	5:59
Hospital	7:00	8:00	9:00	10:00	C	12:00	1:00	2:00	3:00	4:00	5:00	6:00
Alanivik Hotel/Mud Hut	7:02	8:02	9:02	10:02	E	12:02	1:02	2:02	3:02	4:02	5:02	6:02
Pre-Maternal Home	7:04	8:04	9:04	10:04		12:04	1:04	2:04	3:04	4:04	5:04	6:04
Post Office	7:06	8:06	9:06	10:06		12:06	1:06	2:06	3:06	4:06	5:06	6:06
ONC / Blackberry	7:08	8:08	9:08	10:08		12:08	1:08	2:08	3:08	4:08	5:08	6:08
Q-2 Quick Stop	7:10	8:10	9:10	10:10		12:10	1:10	2:10	3:10	4:10	5:10	6:10
YKHC Admin.	7:14	8:14	9:14	10:14		12:14	1:14	2:14	3:14	4:14	5:14	6:14
Covenant Church	7:16	8:16	9:16	10:16		12:16	1:16	2:16	3:16	4:16	5:16	6:16
1st National Bank	7:17	8:17	9:17	10:17		12:17	1:17	2:17	3:17	4:17	5:17	OUT
Swanson's	7:18	8:18	9:18	10:18		12:18	1:18	2:18	3:18	4:18	5:18	OF
Corina's Caselot	7:19	8:19	9:19	10:19		12:19	1:19	2:19	3:19	4:19	5:19	SER
East Ave.	7:21	8:21	9:21	10:21		12:21	1:21	2:21	3:21	4:21	5:21	VICE
South Boat Harbor	7:24	8:24	9:24	10:24		12:24	1:24	2:24	3:24	4:24	5:24	
Hanger :Lake Road	7:26	8:26	9:26	10:26		12:26	1:26	2:26	3:26	4:26	5:26	
AC Apt.	7:28	8:28	9:28	10:28		12:28	1:28	2:28	3:28	4:28	5:28	

Advertisement
Space

Advertisement
Space



Red Line starts at Public Works (City Shop) and at the end of day stops at Corina's Caselot

RED LINE DOES NOT OPERATE BETWEEN 12:00AM & 1:00PM and stops at 3:00pm

EFFECTIVE JULY 1, 2013

ALL FARES ARE ONE WAY

Under age 3	Free
3 to 13	\$2.00
14 to 64	\$3.00
Over age 65	\$1.00
Monthly Bus Passes Available	
Adult Pass	\$60.00
Youth Pass	\$30.00
Senior/Elder Pass	\$25.00
Day Pass	\$5.00

Call 543-3039 for more

Bethel Transit System
Sponsored by
City of Bethel



To request a Para Transit Ride, Call 543-3039. You must call during office hours a day before the ride is needed.

Office hours:
Monday through Friday
7am—2pm



Bus operates 9AM to 12noon and 1PM to 3PM, Monday through Friday

AC Store
Pump House
Public Works
Ptarmigan Quick Stop
Uivug Subdivision
Mormon Church
Ptarmigan & Kaligtug
AVCP Housing
Ayalpik Apt.
AC Quick Stop
Mission/Ridgecrest
YUUT / Pool
Mission / Akiak Dr.
City Hall
Cultural Center
Hospital
Allanivik Hotel
Pre-Maternal Home
Post Office
ONC / Blackberry
Q-2 Quick Stop
YKHC Admin
Covenant Church
1st National Bank
Swanson's
Corina's Caselot
East Ave.
So.Boat Harbor
Hanger Lake Road
AC Apt.

9:00	10:00	11:00		1:00	2:00
9:02	10:02	11:02		1:02	2:02
9:04	10:04	11:04		1:04	2:04
9:06	10:06	11:06		0:00	2:06
9:08	10:08	11:08		1:08	2:08
9:10	10:10	11:10		1:10	2:10
9:13	10:13	11:13		1:13	2:13
9:15	10:15	11:15		1:15	2:15
9:17	10:17	11:17	O	1:17	2:17
9:19	10:19	11:19	u	1:19	2:19
9:21	10:21	11:21	t	1:21	2:21
9:23	10:23	11:23		1:23	2:23
9:25	10:25	11:25	of	1:25	2:25
9:28	10:28	11:28		1:28	2:28
9:29	10:29	11:29	s	1:29	2:29
9:34	10:34	11:34	e	1:34	2:34
9:36	10:36	11:36	r	1:36	2:36
9:38	10:38	11:38	v	1:38	2:38
9:40	10:40	11:40	i	1:40	2:40
9:42	10:42	11:42	c	1:42	2:42
9:44	10:44	11:44	e	1:44	2:44
9:45	10:45	11:45		1:45	2:45
9:48	10:48	11:48		1:48	2:48
9:50	10:50	11:50		1:50	2:50
9:51	10:51	11:51		1:51	
9:52	10:52	11:52		1:52	
9:53	10:53	11:53		1:53	
9:54	10:54	11:54		1:54	
9:57	10:57	11:57		1:57	
9:58	10:58	11:58		1:58	

Advertisement
Space

Advertisement
Space

**CITY OF
BETHEL**

William (Bill) Ferguson <wferguson@cityofbethel.net>

Advertising

1 message

Sam Marshall <smarshall@alyeskaresort.com>
To: "wferguson@cityofbethel.net" <wferguson@cityofbethel.net>
Cc: "Howard, Debbi A (DOT)" <debbi.howard@alaska.gov>

Thu, Aug 6, 2015 at 10:54 AM

Hi Bill,

Glacier Valley Transit (Girdwood) does advertising on our website, bus schedules, and inside our buses. Our pricing is as follows:

\$500 Level

Sponsors at this level will get their business name and logo with a link to their website on The GVT "Supporting Glacier Valley Transit Page" and GVT homepage for one year.

\$1,000 Level

In addition to having your business logo and link on the GVT website, Sponsors at this level will also receive their logo on the bus schedule.

\$2,000 Level

In addition to having your business logo and link on the GVT website and bus schedule, Sponsors at this level will get a 11" x 14" sign installed in each of the three buses for one year.

We also did a sponsorship campaign with Girdwood Chamber of Commerce where people could donate money to the chamber and then the chamber would match that donation up to a total of \$2000. Those sponsors got listed on a sign that is installed in the buses.

Since this is considered sponsorship of a non-profit, this advertising is tax deductible for businesses.

Hope this helps and good luck!

Sam Marshall

Glacier Valley Transit Operations Manager

907-382-9908

smarshall@alyeskaresort.com



- ABOUT GVT
- FARES
- ROUTES MAP / SCHEDULE
- D A R T
- SUPPORTING GVT
- EMPLOYMENT
- CONTACT

About Glacier Valley Transit

Glacier Valley Transit (GVT) operates a year-round transportation busing system with fixed route service in Girdwood, Alaska. GVT is a non-profit company and leases employees from Alyeska Resort. GVT is made possible by a grant from the Federal Transit Authority and The Alaska Department of Transportation.

How to Ride

- Seatbelts must be worn when the bus is in motion.
- The seats in the front of the bus are reserved for senior citizens and disabled passengers, so the driver may ask you to move if those seats are needed.
- Skis and snowboards can be placed in the racks on the exterior of the bus. Ski poles should be brought inside. Please keep your equipment under control with sharp points and edges pointed down and away from other riders. When boarding the buses, please allow exiting passengers off first.
- Please remain seated until the bus has stopped, then hold onto the rails when heading down the steps out the door.
- No food, drink or pets allowed.

Comments and suggestions can be directed to:

T: 907-754-2547
info@glaciervalleytransit.com

Other transportation resources:

[Anchorage People Mover »](#)

GVT benefits everyone in the Girdwood community by:

- Providing an affordable and reliable travel choice that helps reduce traffic and increase economic activity.
- Enhancing the mobility of the entire community by delivering workers, residents and visitors to their destinations.
- Providing car owners a choice to ride the bus and save on money on high gas prices, parking and car maintenance.
- Contributing to the economic vitality of our community. Studies show that for every dollar invested in local public transportation, nearly five dollars of economic benefits are returned to the community.

Sponsors:



**CITY OF
BETHEL**

William (Bill) Ferguson <wferguson@cityofbethel.net>

Advertising

1 message

Naomi Nelson <nnelson@matsutransit.com>
To: "wferguson@cityofbethel.net" <wferguson@cityofbethel.net>
Cc: "Howard, Debbi A (DOT)" <debbi.howard@alaska.gov>

Thu, Aug 6, 2015 at 12:38 PM

Hi Bill,

Please find our advertising rates attached in a .pdf. If you like the look of the flyer and want to modify it for your own use, I've attached it in Publisher. Per Debbi, my "words of wisdom" are:

- 1.) The biggest selling point (particularly for exterior ads) is that people can't change the channel (tv/radio), turn the page (print advertising) or chuck it in the garbage (junk mail).
- 2.) Clients could consider "mention this ad and receive a _ discount" (would give you feedback from your client on how many people are noticing it)
- 3.) It's important for clients to understand that any prices listed do not include the cost of sign production
- 4.) Make sure that if there is more than one vendor available to them for sign production, that you do not state a preference for one over the other
- 5.) It's extremely important to work with whatever company is producing the signs to make sure they understand not only the correct sizes of your ad spaces *before printing*, but any borders for sign rails/frames that need to be considered so that no image or text is partially covered. If you send exact specs to both the purchaser and the vendor producing the signs (picture can really help as well) via email – that will help your client get any errors fixed at no cost to them.
- 6.) Follow-up with a nice picture of the signage when placed & thank you letter or email and consider listing them as a supporter on your website etc. or other materials
- 7.) If you get an offer from a company to sell your ad space for you, *consider the terms very carefully* – some will want up to 50% of your revenue and frankly you will probably do better on your own
- 8.) Consider keeping old signs that are not date specific – they can clean up well and potentially provide an opportunity to get the client to advertise again at less cost because they don't have to pay for the signs to be produced again

I think that's it – much luck to you. Debbi will let us both know if any of this advice is *not* wise. ;)

Sincerely,

Naomi Nelson

ADVERTISE WITH US

Why Choose Bus Advertising?

AFFORDABLE:
Bus advertising is significantly more affordable than print or radio advertising.

VISIBLE:
You can be sure your ad will be seen by large Audience.

CHARITABLE:
Your advertising dollars go directly to supporting a vital community service and allows us to leverage federal grant funding.

We are a 501(c)(3) Non-Profit Organization

Providing Mobility for Our Community Since 1999



DESIGN & WRAP BY DG SIGNS & LIGHTING COMPANY—WASILLA ALASKA

Advertising Options & Rates

Exterior Ads

Weekly:	\$80	
Monthly:	\$320	
Six Months:	\$1,128	10% Savings
Year:	\$3,110	20% Savings

Interior Ads

Weekly:	\$15
Monthly:	\$60
Six Months:	\$324
Year:	\$583

Rates are per sign. Prices do not include sign production and/or design. Additional 10% discount for multiple signs.

Bus Wraps (Rates are for One Year)

Prices do not include design & wrap costs.

Full Wrap:	\$11,000
3/4-1/4 Wrap*:	\$6,000

**Requires that design leaves current sign advertising space on vehicle.*

Compare our Rates*

Bus Advertising gives you an average of 21 days per month or 252 days per year of ad display to reach your customers!

- One Year Exterior Add (2 Signs) is comparable to only 3, full page color print adds.

- One Year Full Bus Wrap is comparable to only 6, full page color print ads.

**Based on currently published print advertising rates*

CONTACT US TODAY!

(907) 864-5014

admin@matsutransit.com
www.matsutransit.com
225 West Riley Avenue
Wasilla, Alaska 99654



[MASCOT \[Mat-Su Transit\]](#)Select Language

Contact MASCOT: (907) 864-5000



- [HOME](#)
- [SCHEDULE](#)
- [BUS STOPS](#)
- [TRANSPORTATION PARTNERS](#)
- [CONTACT](#)
- [HOT JOBS!](#)
- [BLOG](#)

--- Navigation --- 

Moving Advertisements!

As a bus company, we have a lot of buses, some of which were purchased later than others. Then, in an effort to raise awareness of how our salmon survive this world, we worked with Design Graphics and Envision Mat-Su to wrap one bus in a beautiful info-graphic. Talk about a change! What had been an old white bus with our little logo on the drivers side door, was now a beautiful moving advertisement to help protect our waters! This led to us working with Design Graphics further to update all our old white buses with fancy new logos. They even decorated a bus with their own advertisement! Now imagine how many companies and causes could spread awareness quickly with this idea of bus wraps? Like I said, we have quite a few buses.

If you're interested in advertising with MASCOT, contact us:

Phone: (907) 864-5014

Email: admin@matsutransit.com

Fax: (907) 373-5999

Design Graphic Advertisement



Click the photos to enlarge!

Envision Mat-Su Salmon Bus



On January 9, 2015 / [Uncategorized](#)



Cloudy

10:13:45 am

A Discussion on the Water Color in the Bethel Heights Water Distribution System

By Bob Herron, Bethel City Manager

The Bethel Heights water distribution system is connected directly to the Bethel Heights Water Treatment Plant (BHWTP) by two water distribution loops. Each loop originates from the plant and zigzags aboveground along back lot lines of the Bethel Heights subdivision, and nearby facilities like the LKSD high school, and returns to the plant. Pumps located at the plant continuously circulate the water around the loops so that a minimum flow velocity will be maintained—thus protecting against water freeze-up.

The distribution loops feature "arctic" pipe construction, which is comprised of an inner "carrier" pipe made of ductile iron and an outer jacket made of corrugated steel. Polyurethane foam insulation fills the annular (*ringed*) space in between the jacket and carrier pipe to retard heat loss and slow the temperature drop of the water as it travels around the loop. Building service lines connect to the distribution lines and circulate water as well. Each service connection features a piped loop that is intended to continuously route water in and out of the building's plumbing system. A circulation pump inside the building is ordinarily used to maintain circulation, similar to that for the distribution loops. In addition, devices called "pitorifices" help direct water flow from the main into the service line and vice versa. A pitorifice is typically comprised of copper piping that is shaped like a scoop, and extends into the middle of the distribution line in order to intercept the water having highest velocity.

Water treatment at BHWTP deals primarily with the removal of moderately high iron and manganese levels present in its source groundwater. Recently, this plant has been upgraded with new greensand filters, detention tanks, a heat exchanger and an improved chemical feed system. The plant uses calcium hypochlorite (*i.e. chlorine*) and a non-ionic polyacrylimide polymer-aid to oxidize (*to increase the positive charge of an element by removing electrons*) and agglomerate (*collect*) the iron into filterable form. Manganese is removed by adsorption onto greensand media grains that are coated with manganese dioxide. Using this process, the plant has been removing about 95 to 98% of the iron and about 50 to 75% of the manganese, leaving their concentrations in the filtered water well below the State Maximum Contaminant Levels (SMCL). Calcium hypochlorite is also used as a media regenerant and for disinfecting the water. The plant also fluoridates the filtered water by adding sodium fluoride. Treated water is delivered to a water storage tank before being discharged to the distribution loops. The rate at which water flows into the loops simply depends on the rate at which water is consumed and the rate provided by the circulation pumps.

PROBLEM WITH WATER COLOR

For some time, the City of Bethel has been receiving complaints from users that the water delivered through the distribution loops has a high degree of color. Although the BHWTP is producing water of good clarity, users are nevertheless receiving water having a color and/or sediment chunks. This observation suggests that the color and/or sediment chunks are originating from the distribution loops. Testing over many months

indicate that water leaves the plant containing very little iron. Prior to the plant upgrades, it is not known how much of this color originated from the plant versus the amount originating from the loops. Now that the plant is producing clear water, it is evident that one or more conditions within the loop piping are causing the color in the water. As this piping was constructed in the 1970s, such conditions have probably been developing over the last 20+ years. In recent months, the problem seems to have increased.

This type of problem is commonly experienced by communities having iron present in their water, and particularly evident when water is conveyed by distribution lines constructed of steel or iron materials. A testing program is ordinarily needed to determine the cause of color originating from distribution lines, as possible causes and the chemistry behind them are complex. Generally, however, industry experience suggests that the color could be due to biofilms caused by iron buildup, or corrosion, having a number of causes—including compounded iron buildup. Natural organic material (NOM) not removed by the treatment process could also contribute to color.

Iron buildup is commonly found in waters containing iron, and while not known to be harmful to human health, is considered to be a nuisance as it is aesthetically unpleasant and creates odor and taste issues. The biofilm caused by such buildup can completely clog well screens and pipelines over time. The iron attaches itself to the inner walls of pipeline and continues to attract various elements like iron, manganese, aluminum, copper and sulphur, chemically forming hard crusty growths called tubercles (*nodes*). Frequently high flow rates and pressure surges will cause biofilms to slough (*to be knocked off*) from pipe walls and be transported down the distribution line, often discharging out of water taps as chunks of sediment. This condition commonly arises when a utility performs its regular line flushing program, or when the fire department discharges water in high volume from the system.

If the ductile iron pipe interior is not protected by a lining, or if the lining has worn or corroded away, the surface might become rusty. Rusty wall deposits can be suspended in the water causing a yellow to red color. The degree of rusting largely depends on the corrosive character of the water, relating to parameters like pH, alkalinity, dissolved oxygen content and other chemicals present. Bethel's groundwater is known to be slightly corrosive. Chlorine, which is added to the water as a disinfectant, also contributes to corrosion. Biofilms can also cause corrosion. Over time, corrosion will consume the entire pipe wall thickness, which leads to line breakages.

REMEDIAL ACTION

As the color problem is complex, simple solution possibilities are few and limited. The recent onset of high color may be related to increased corrosion caused by slightly higher water temperatures applied at the BHWTP during the recent very cold weather. The increased water temperature practice during very cold weather is to protect the entire system from freeze-ups including the sewer lines. Reducing the water temperature back down 5 degrees may reduce the color originating from the distribution lines. Continuous hydrant flowing has also been demonstrated to improve water quality, but is limited in effectiveness during very cold weather. Aggressive flushing is done three times a year, right after the schools are out for the summer, before the students return in the fall, and during the holiday break. A more frequent schedule will be developed and implemented to accommodate the school schedule and all water users.

The color problem will need to be evaluated to determine solution possibilities and doing so will take some time. A first task should be the extraction and laboratory testing of a pipe sample to determine whether iron buildup, corrosion or both cause interior pipe conditions. In addition, pipe interior conditions will be inspected. This effort has been initiated. Based on results from this initial testing, an on-site testing program can be tailored to determine the specific chemical conditions at various locations in the distribution system. Such testing may employ the use of metallic coupons to determine and monitor the degree of corrosivity in the water, a sampling program to better understand the variations in chemical water properties, and a survey of user complaints to map out problem locations. With the knowledge gained from testing, one or more potential solutions can be developed and implemented.

In conventional distribution systems, interior growths are commonly cleaned out by swabbing, using foam projectiles that are propelled by water pressure. Unfortunately, the Bethel Heights distribution loop configuration and the presence of pitiorifices do not lend itself to this type of cleaning. Super-chlorination can also be used to remove iron buildup and initiate biofilm sloughing that is subsequently removed by hydrant flushing. However, biofilms can form a tough shell that chlorine cannot penetrate. Other types of chemicals, such as from the phosphate and silicate families, may be applied at high dosages to weaken the shell, allowing chlorine to penetrate the shell and reduce the iron buildup. Once cleaned, a diligent chlorination program is needed to minimize the occurrence of future growths. However, if pipe interiors are insufficiently protected, increased chlorine levels can aggravate corrosion rates, thereby causing color problems. Corrosion inhibitors like phosphates and silicates can be injected into the water stream to coat pipe interiors, possibly combined with pH adjustment, thereby inhibiting or preventing biofilm growth and corrosion. However, these chemicals must be continually dosed to prevent subsequent, accelerated growth and corrosion. One possible solution might be to incorporate a corrosion inhibitor injection system to clean and protect the distribution system until such time that distribution lines can be replaced. Testing is needed to determine the type of system appropriate for the specific conditions in the Bethel Heights distribution loops.

Having said all that, the City of Bethel will:

- 1) Maintain and increase a flushing schedule that maximizes the cleansing of the system yet minimizes the impact on the water users.
- 2) Analyze the results of the tests on the section of pipe sent to the Fairbanks lab on the present environment inside the pipe.
- 3) Ascertain if the system will be sufficiently protected if the water temperature is not increased in very cold weather.
- 4) Continue to rigorously monitor the injection schedule and procedures of the required chemical process that removes the iron and manganese and disinfects the water.
- 5) Identify additional locations in the water system requiring purging (flushing) outlets, purchase and install these valves as soon as possible.
- 6) Work with appropriate agencies to secure funding for the feasibility study and eventual replacement of these iron ductile pipes to a HDPE (high-density polyethylene) plastic pipe system.



NORTHERN TESTING LABORATORIES, INC.

3330 INDUSTRIAL AVENUE
5761 SILVERADO WAY, UNIT N
POUCH 340043

FAIRBANKS, ALASKA 99701
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January 15, 2002

CRW Engineering Group
3900 Arctic Blvd., Suite 203
Anchorage, AK 99503-5781
Attention: Jon Hermon, PE

Re: Bethel Heights WTF- Evaluation of Water Distribution System Pipe Sample

Dear Jon:

As authorized, Northern Testing Laboratories, Inc. (NTL) examined a sample of Bethel Heights water distribution system pipe received at our Fairbanks laboratory January 8, 2002. The sample was collected on January 7, 2002, and was sent by Alaska Airlines Goldstreak in an ice chest (Photo 1). The sample was wrapped in two plastic bags, over-wrapped with cellophane, packed in shredded paper, and kept cool (5 °C) with ice packs. This is the report of our findings and our interpretation of the data from our analysis.



Photo 1: Packaging for shipment of pipe sample with shredded paper removed

Description of sample: The sample was a 6-inch long section of 6-inch diameter cast iron pipe (Photo 2). An external layer of foam insulation and an outer jacket that reportedly is used on this type of pipe had been removed. The exterior of the pipe was gray metal with minor white scale deposits. The pipe wall was 1/4 inch thick.

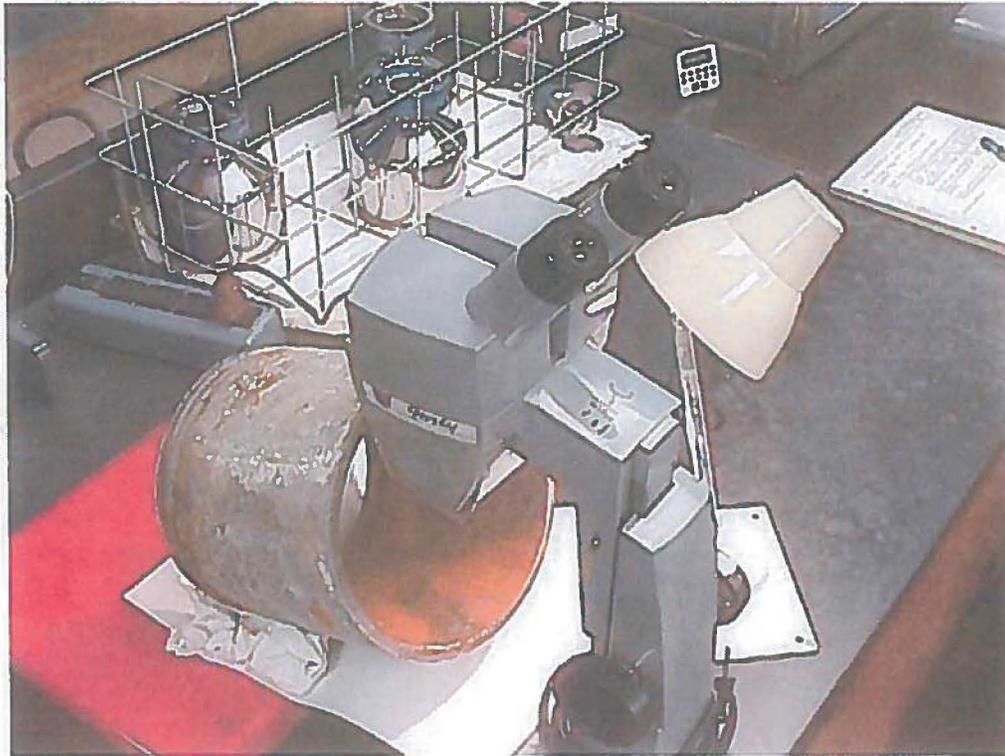


Photo 2: Internal examination of pipe sample scale deposits with 40x microscope.

Examination of interior surface: Mike Pollen examined the interior of the pipe visually, then microscopically at 40x power with a dissecting stereoscope (Photo 2). No large pits were visible on the interior surface. The interior of the pipe sample was still moist when it was received, because of the care taken in packaging the sample. The condition of the interior surface is described as follows:

- Approximately 10 percent of the interior surface was coated with soft, moderately adherent scale, which was rust-colored on the top and black on the bottom. The scale, which was up to 1 millimeter (mm) thick, could be easily scraped off with a scalpel, and had the consistency of soft butter (Photo 3). All of this scale was located on one-half of the interior pipe surface (Photo 4). Under microscopic examination, this scale had the appearance of orange, hydrated iron floc. This material turned a light yellow-orange color as it dried.



Photo 3: Soft scale on interior of pipe was easily removable with a scalpel. The surface of the scale appeared to be hydrated iron floc; the bottom of the scale was black.

- Approximately 70 percent of the interior surface was coated with a light iron rust scale, which adhered to the surface more strongly than the soft scale described above (Photo 4). This scale type was approximately 0.1 mm thick and could be removed only by fairly aggressive abrading with a scalpel blade. The 40x power microscopic examination showed the rust was located on the surfaces of very shallow pits and grooves in the metal.
- Approximately 20 percent of the interior surface was metal surface without scale deposits. The microscopic examination of the metal showed a light general etch type of corrosion without pitting. General etch corrosion is characterized by even loss of metal from the exposed surface, rather than more pronounced anodic pitting of the metal.



Photo 4: Soft, hydrated floc was present on only half of the interior surface of the pipe. A more adherent, thinner scale was present on about 70 percent of the interior surface.

Microscopic and bacterial examination of scale samples removed from pipe: Several specimens of scale were removed from the pipe sample and examined by microscopic and microbiological procedures. NTL microbiologists, Bonnie Buteyn, Lara Weisensel, and Patryce McKinney, collaborated on this work.

1) Slides: Three slides were prepared by a wet mount method and examined directly at 100x to 400x power by Phase Contrast Microscopy (Photo 5).

- Slide #1: Soft scale sample removed from the innermost plastic bag in which the sample was wrapped.
- Slide #2: Soft scale sample removed from interior surface of the pipe with a scalpel and smeared onto a slide.
- Slide #3: Lower, black-colored layer of soft scale sample, removed with a scalpel and smeared onto a slide.

All three slides contained orange mineral deposits and live swarms of various bacillus (rod-shaped) and coccus (round) single bacteria. No iron bacteria were observed.



Photo 5: Microbiologist Lara Weisensel exams slides by Phase Contrast Microscope.

2) Suspensions for iron bacteria analysis: Two suspensions were prepared by mixing a few hundredths of a gram of soft scale with approximately 100 milliliters (ml) of phosphate-buffered deionized water in sterile plastic bags (Photo 6). Part of each suspension was filtered onto 0.45-micron (μ) grid membrane filters to give a light to medium orange color. After drying, a section of each filter was immersed in oil and examined at 100x to 400x by Phase Contrast Microscopy for presence of iron bacteria. No iron bacteria were observed on either of the prepared filters.

3) Scale sample: A sample of the soft scale was dried in a petri dish and examined directly using a 20x power stereoscope. When dried, the orange deposit was chunky and easily crumbled into a powder. The black scale adjacent to the pipe surface and under the orange soft scale deposit was brittle.

Chemical analysis of scale: Part of the soft scale was removed for analysis by inductively coupled plasma spectrometer for iron and manganese content. Two samples were tested as duplicates of the scale. The samples were prepared for analysis by weighing, then digesting in heated hydrochloric acid. Copies of the laboratory data transmittals are enclosed. These tests showed that the scale sample had the following approximate composition based on the wet weight of the scale sample:

<u>Metal</u>	<u>Units</u>	<u>Sample #1</u>	<u>Sample #2</u>
Iron	mg-Fe/kg	212,000	229,000
Iron	% as Fe(OH) ₃ *	40.6	43.8
Manganese	mg-Mn/kg	330	592
Manganese	% as MnO ₂ *	0.052	0.094

* Scale components as most likely oxidized forms are presented

These data show that approximately 42 percent of the mass of the soft scale was ferric hydroxide and about 0.07 percent was oxidized manganese. It is probable that up to half of the scale, as sampled, was water associated with these oxidized metals.



Photo 6: Suspensions of soft scale and phosphate-buffered water for iron bacteria testing.

Conclusions: The pipe sample examined in this analysis had soft, loosely adherent deposits of iron floc attached to approximately 20 percent of the pipe surface. All of the soft scale was located on one half of the pipe. It was not possible to determine whether the deposits were originally in the top or bottom part of the pipe, but it is presumed that these deposits were most likely in the bottom half. This material was easily removed by gentle probing with a scalpel and readily dispersed in water creating a distinct yellowish

color. The intensity of the color varied with the amount of material dispersed in the water (Photo 6). The darker-colored bottom layer of the scale that did not readily disperse remained as dark sediment particles in the prepared suspension samples (Photo 6).

The suspension experiment resembles the description of the color and sediment in the distribution system water described by Jon Hermon, P.E. of CRW Engineering Group in a phone conversation preceding arrival of the pipe sample.

The pipe sample did not appear to be heavily pitted, but appeared to have a moderate level of general etch corrosion with very little loss of wall thickness. Overall, it is our opinion that the level of corrosion evident in this pipe sample is not severe enough to account for the volume of the soft scale found in this pipe sample. These scale deposits were iron hydroxide floc, which are supporting an active population of single-celled bacteria. These did not confirm to be iron bacteria, but are presumed to be non-pathogenic heterotrophic plate count type bacteria. Note that current State of Alaska Drinking Water Regulations allows up to 500 such bacteria per ml of water (50,000 bacteria per 100 ml) in what is considered to be adequately disinfected water. Such bacterial activity in scale deposits is quite common in water distribution systems.

The source of the iron floc is most likely the treatment system, possibly from iron hydroxides that inadvertently passed through the filtration system and have since been deposited in the distribution system piping. An examination of possible deposits in the bottom of the potable water storage tank is suggested to determine if that is the source of the iron floc. Also, it would be useful to learn when the last time the storage tank was cleaned out. If it was before the use of polymers in the treatment system, this could be a legacy accumulation of iron.

If you have any questions about this analysis or our findings, please contact me at my Fairbanks office at 907-456-3116, or by E-mail at mrp@ntlalaska.com.

Sincerely,
Northern Testing Laboratories, Inc.



Michael R. Pollen, President

Enclosure: Data Transmittals



NORTHERN TESTING LABORATORIES, INC.

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CRW Engineering
3900 Arctic Blvd.; Suite 203
Anchorage, AK 99503-5781

Attn: Jon Hermon
Phone: (907) 562-3252
Fax:

NTL Lab#: F303856
Client Sample ID: Scale #2
Location/Project: City of Bethel (VSW)
COC #: 31822
Sample Matrix: Solid

Report Date: 1/15/02
Date Arrived: 1/11/02
Date Sampled: 1/8/02
Time Sampled:
Collected By:

Flag Definitions

MDL = Method Detection Limit
MCL = Maximum Contaminant Level
B = Below Regulatory Minimum
H = Above Regulatory Maximum
M = Matrix Interference
J = Best Available Estimate
U = Less Than Detection Limit

Comments: Heterogeneous sample matrix.

Parameter	Result	Units	Flag	MDL	MCL	Prep Method	Prep Date	Analysis Method	Analysis Date
Iron	212000	mg/kg		2000		EPA 3050	1/14/02	EPA 6010B	1/15/02
Manganese	330	mg/kg		1		EPA 3050	1/14/02	EPA 6010B	1/15/02

Reported by Barry Durbrow
Fairbanks Chemistry Supervisor



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Attn: Jon Hermon
Phone: (907) 562-3252
Fax:

NTL Lab#: F303865
Client Sample ID: Scale #2 Duplicate
Location/Project: City of Bethel (VSW)
COC #: 31822
Sample Matrix: Solid

Report Date: 1/15/02
Date Arrived: 1/11/02
Date Sampled: 1/8/02
Time Sampled:
Collected By:

Flag Definitions

MDL = Method Detection Limit
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J = Best Available Estimate
U = Less Than Detection Limit

Comments: Heterogeneous sample matrix.

Parameter	Result	Units	Flag	MDL	MCL	Prep Method	Prep Date	Analysis Method	Analysis Date
Iron	229000	mg/kg		3000		EPA 3050	1/14/02	EPA 6010B	1/15/02
Manganese	592	mg/kg		1		EPA 3050	1/14/02	EPA 6010B	1/15/02

Reported by Barry Durbrow
Fairbanks Chemistry Supervisor

YKFC
USA Pools Activity Report for the Month of
July 2015

This report is submitted in conjunction with the Budget Report of the same date. Of the \$1,043,893.71 of the authorized operating budget, \$96,587.40 has been spent to date. Of the \$609,200.00 projected revenues, \$36,495.09 has been generated.

Operations:

This month we opened up for 4th of July. Majority of the crowd came after 2pm. Only members came before 2pm. In the future I think the pool should open at 2pm and close later. I don't think people will come to the pool before then because there are so many free activities going on. Please see attachment for the pool usage this month.

Maintenance:

This month we had our first visit from Alaska Fitness for preventive maintenance on July 31st. These visits are scheduled quarterly. During the visit, we took care of a warranty issue. They will be mailing us a new monitor for one of the treadmills. We also scheduled the next visit for November during the two week closure. We also had a visit from MSI for a scheduled maintenance on July 30th. During their visit, they checked all the preventative maintenance areas (HVAC, Boilers, etc.)

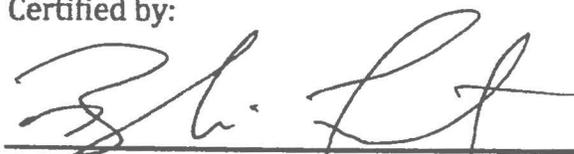
Programming:

For the month of July we continuously ran Camp H2O each week peaking at 16 kids in one session! We had Camp Fire Alaska come in and teach the kids cold water safety in coordination with the Bethel 4-H programs. We also launched multiple new programs for adults, teens and families with the goal to meet the needs of our diverse community, including Parents Night, Jam Sessions, Bump Tournament, Teen Night, Elders Night and Toddler Time. Toddler Time was such a success that it will now be available twice a week. Along with our regular scheduled classes, we will add additional classes to the fitness center like self-defense for women, water babies and tiny tots.

Outreach:

The fitness center put out weekly flyers with our schedules, programs and contact information all over town. On the 4th of July team members also went around with promotional coupons to turn in for discounted rate on daily admissions that day. We also reached out to the elders in the community and hosted Elders Day on 7/5 and 7/26. The YK Fitness Center was a part of multiple runs and organized events this month such as Nicotine Control 5K, Heroine Fun Run, and the Bethel Half Marathon. During these events we had a table/booth with flyers, free merchandise and pamphlets of all our classes and programs.

Certified by:



Bobbi Fortner

Title

8/11/15

Date

YKFC Revenue and Expense - Budget Report for July 2015
 Operating Budget July 1, 2015 - June 30, 2016

	Estimate, 12 months												Budget
	July	August	September	October	November	December	January	March	April	May	June	Totals	Variance
Revenues,													
Entry Fees	\$ 336,000.00	\$ 19,834.00										\$ 19,834.00	\$ 316,166.00
Facility Rental	\$ 15,000.00	\$ 582.50										\$ 582.50	\$ 14,417.50
Program Fees	\$ 141,200.00	\$ 6,205.00										\$ 6,205.00	\$ 134,995.00
Concessions Revenue	\$ 69,000.00	\$ 5,394.34										\$ 5,394.34	\$ 63,605.66
Pro-shop Revenue	\$ 48,000.00	\$ 4,479.25										\$ 4,479.25	\$ 43,520.75
Total Revenues (Collected by United Pools, expense offset)	\$ 609,200.00	\$ 36,495.09	\$ -	\$ 36,495.09	\$ 572,704.91								
Expenses													
Fixed Fee	\$ 140,200.08	\$ 11,683.34										\$ 11,683.34	\$ 128,516.74
Facility & Program Director	\$ 135,000.00	\$ 7,312.50										\$ 7,312.50	\$ 127,687.50
Lifeguard Labor	\$ 187,258.50	\$ 5,928.56										\$ 5,928.56	\$ 181,329.94
Customer Service Representative Labor	\$ 84,481.50	\$ 5,390.59										\$ 5,390.59	\$ 79,090.91
Cleaners Labor	\$ 68,440.00	\$ 1,565.74										\$ 1,565.74	\$ 66,874.26
Pre-Post Cleaning of YKFC	\$ 14,053.00											\$ -	\$ 14,053.00
Staff Meetings	\$ 2,200.00											\$ -	\$ 2,200.00
Aquatics Programs Labor	\$ 19,250.00											\$ -	\$ 19,250.00
Fitness Programs Labor	\$ 8,250.00											\$ -	\$ 8,250.00
Payroll Taxes	\$ 57,082.63	\$ 2,079.26										\$ 2,079.26	\$ 55,003.37
Insurance - Workman's Compensation	\$ 32,000.00											\$ -	\$ 32,000.00
Cost of Living Adjustment	\$ 36,000.00	\$ 3,000.00										\$ 3,000.00	\$ 33,000.00
Benefits	\$ 7,800.00	\$ 650.00										\$ 650.00	\$ 7,150.00
Bank Fees	\$ 13,000.00	\$ 915.21										\$ 915.21	\$ 12,084.79
Advertising/Marketing Exp	\$ 10,000.00	\$ 728.24										\$ 728.24	\$ 9,271.76
Sub-Contractor Cost, Maint	\$ 35,790.00											\$ -	\$ 35,790.00
Building Maintenance													
Contingency Reserve	\$ 3,300.00											\$ -	\$ 3,300.00
Exercise Preventive													
Equipment Maintenance	\$ 5,600.00											\$ -	\$ 5,600.00
Pool/Building Supplies Cost	\$ 5,000.00	\$ 4,308.25										\$ 4,308.25	\$ 691.75
Chemical Supplies Cost	\$ 26,500.00	\$ 15,435.65										\$ 15,435.65	\$ 11,064.35
Paper and Cleaning Products	\$ 22,000.00	\$ 13,272.45										\$ 13,272.45	\$ 8,727.55
Point of Sale Use Fee	\$ 5,780.00	\$ 388.40										\$ 388.40	\$ 5,391.60
Office Supplies Expense	\$ 9,000.00	\$ 806.04										\$ 806.04	\$ 8,193.96
Postage Expense	\$ 1,000.00											\$ -	\$ 1,000.00
Unforeseen Expense	\$ 1,500.00											\$ -	\$ 1,500.00
Fitness Items	\$ 1,500.00											\$ -	\$ 1,500.00
Aquatics Program Items	\$ 2,500.00	\$ 595.00										\$ 595.00	\$ 1,905.00
Concession Items	\$ 42,000.00	\$ 3,107.80										\$ 3,107.80	\$ 38,892.20

Pro-shop Items	\$ 32,000.00	\$ 17,575.76											\$ 17,575.76	\$ 14,424.24
Auto Fuel Expense	\$ 3,000.00	\$ 472.61											\$ 472.61	\$ 2,527.39
Auto Maintenance Expense	\$ 1,000.00												\$ -	\$ 1,000.00
Auto Insurance Expense	\$ 2,500.00												\$ -	\$ 2,500.00
Insurance Fidelity Bond/Umbrella Policy	\$ 7,000.00												\$ -	\$ 7,000.00
Cable TV	\$ 1,908.00	\$ 143.88											\$ 143.88	\$ 1,764.12
Shipping	\$ 20,000.00	\$ 1,228.12											\$ 1,228.12	\$ 18,771.88
Holding Money	\$ 50,000.00	\$ 50,000.00											\$ 50,000.00	\$ -
Total Expenses, Operating Budget	\$ 1,043,893.71	\$ 96,587.40	\$ -	\$ 96,587.40	\$ 947,306.31									

date printed 8/11/15

Jul-15 Time	1-Jul	2-Jul	3-Jul	4-Jul	5-Jul	6-Jul	7-Jul	8-Jul	9-Jul	10-Jul	11-Jul	12-Jul	14-Jul	7/115/2015	16-Jul	17-Jul	18-Jul	19-Jul	21-Jul	22-Jul	23-Jul	24-Jul	25-Jul	26-Jul	27-Jul	28-Jul	29-Jul	30-Jul	31-Jul	
Pool 6:00am	3	0	0	0	0		1	3	4	1	0	0	3		0	2	1	0	0	2	3	0	5	0	0		0	0	0	1
Weight	4	3	1	0	0		3	2	5	2	0	0	7		1	4	0	0	4		3	2	0	0		5	1	3	3	
Pool 6:30am	6	0	0	0	0		1	3	4	1	0	0	3		4	2	5	0	0	2	3	0	5	0	0		2	2	3	5
Weight	4	3	1	0	0		3	2	5	0	0	0	7		1	1	0	0	5		5	2	0	0		5	1	3	2	
Pool 7:00am	6	4	1	0	0		4	4	2	2	0	0	2		5	1	1	0	0	3	2	5	5	0	0		1	2	0	5
Weight	4	3	3	0	0		4	3	6	2	0	0	8		2	6	0	0	6		5	5	0	0		5	4	4	7	
Pool 8:00am	2	5	1	0	0		2	3	2	2	0	0	2		1	2	3	0	0	4	2	2	0	0	0		2	1	0	2
Weight	1	1	2	0	0		1	3	0	1	0	0	1		0	2	0	0	3		0	0	0	0	0		0	1	0	1
Pool 9:00am	1	4	0	0	0		1	2	0	1	3	0	2		0	2	3	2	0	4	0	0	0	0	0		0	1	5	0
Weight	0	2	0	0	0		0	3	1	0	2	0	2		0	2	2	0	0	4	0	0	0	0	0		0	0	0	0
Pool 10:00am	5	2	2	3	0		4	2	4	5	1	2	0		3	4	3	10	2	1	0	3	3	3	0		5	1	7	2
Weight	0	10	0	0	0		7	1	8	0	1	5	7		0	0	2			0	0	2	0	5		2	2	10	0	
Pool 11:00am	4	2	0	4	2		6	1	2	0	0	5	4		3	6	3	10	8	1	0	0	7	4	7		6	9	7	3
Weight	0	10	0	0	2		14	2	0	2	1	7	10		2	0	0			0	15	0	1	2		9	3	14	1	
Pool 12:00pm	1	7	7	0	6		21	2	1	1	3	5	5		7	5	1	6	7	5	2	6	0	10		7	8	12	5	
Weight	0	1	1	0	8		0	3	0	3	1	4	0		0	3	0			0	0	3	1	1		1	6	0	1	
Pool 1:00pm	2	20	11	1	11		23	11	6	9	8	15	0		8	10	2	5	7	5	3	8	12	7	5		5	10	10	5
Weight	0	3	2	0	8		0	2	0	1	1	6	3		0	1	0			0	1	4	0	1		2	3	4	2	
Pool 2:00pm	2	20	32	6	15		23	13	6	13	15	25	23		10	10	3	8	20	20	4	2	6	10	18		3	8	3	5
Weight	1	2	6	0	6		2	2	0	0	7	4	1		2	1	0			2	1	5	5	2		3	2	4	6	
Pool 3:00pm	11	27	10	7	12		23	3	2	8	15	33	7		9	9	0	21	28	30	5	1	20	5	14		16	15	5	3
Weight	2	2	9	3	4		1	1	2	3	5	4	2		2	0	3			2	2	6	3	5		5	3	2	5	
Pool 4:00pm	9	5	9	15	16		19	5	3	5	18	25	0		8	8	0	18	5	33	6	12	16	19	20		13	7	15	2
Weight	4	1	2	3	1		1	3	0	5	7	3	3		1	0	6			7	2	1	2	6		5	2	2	4	
Pool 5:00pm	11	7	32	9	10		26	7	14	8	12	18	7		7	7	7	18	0	12	9	14	15	13	12		15	10	12	11
Weight	3	1	10	0	4		3	7	3	4	4	2	0		5	8	4			8	5	1	5	6		8	5	5	4	
Pool 6:00pm	9	14	20	11	10		20	12	17	8	15	10	7		5	7	23	15	19	12	6	12	30	24	16		17	11	15	16
Weight	6	1	5	0	2		4	6	6	5	3	4	7		10	9	6			14	4	3	3	5		7	5	11	2	
Pool 7:00pm	7	16	28	11	13		17	6	13	3	15	11	20		5	8	23	15	19	17	15	27	23	27	28		28	15	12	30
Weight	5	8	4	3	2		10	5	6	4	5	4	19		16	9	10			6	10	2	2	1		11	3	3	1	
Pool 8:00pm	4	16	27	13	13		15	5	10	6	10	8	15		7	8	19	12	10	13	8	17	15	27	26		28	13	16	16
Weight	5	6	0	3	1		10	5	4	4	2	0	19		8	6	1			6	8	2	3	2		6	6	3	3	
Pool 8:30pm	4	13	16	13	8		9	9	10	6	10	8	15		7	5	19	12	10	13	8	17	15	13	26		19	13	22	16
Weight	5	6	0	1	1		6	3	4	4	2	0	14		8	5	1			6	3	1	0	2		6	2	2	2	
Pool 9:00pm																														
Weight	5	4	0	0	0		6	2	4	2	0	0	14		0	4	1			4	3	0	2			2	2	0	2	

Report Criteria:
Meter.Meter ID = "C5023320"

Meter ID	Current Status	Location Number	Service Address	Age Years	Loc Years	Date	Reading	Description
Water - Metered C5023320	Active	4224	267 AKIACHAK METERED	.8	1.4	04/01/2014		Meter Installed
						04/23/2014	124,000	Period Meter Reading
						05/29/2014	124,000	Period Meter Reading
						06/27/2014	222,000	Period Meter Reading
						07/31/2014	222,000	Period Meter Reading
						08/27/2014	275,000	Period Meter Reading
						09/25/2014	294,000	Period Meter Reading
						10/29/2014	498,000	Period Meter Reading
						11/01/2014	498,000	New Connect
						12/03/2014	543,000	Period Meter Reading
						12/30/2014	651,000	Period Meter Reading
						01/29/2015	754,000	Period Meter Reading
						02/27/2015	800,000	Period Meter Reading
						03/31/2015	891,000	Period Meter Reading
						04/28/2015	1,188,000	Period Meter Reading
						05/29/2015	1,248,000	Period Meter Reading
						06/30/2015	1,314,000	Period Meter Reading
						07/29/2015	1,373,000	Period Meter Reading

Management Team Reports

MEMORANDUM



DATE: August 4, 2015
TO: Ann Capela, City Manager
FROM: John Sargent, Grant Manager
SUBJECT: Grant Manager's Report – August 11, 2015 Bethel City Council Meeting

Sewage Lagoon Rehabilitation Project

I prepared and submitted the grant application for USDA-RD funding in the amount of \$868,176 for the construction work to replace the dump site and improve the approach with fill, gravel, and lighting. The funding amount is a placeholder until new cost figures are available in the preliminary engineering report being completed by DOWL. To complete the application, the City needs three documents currently being generated by DOWL and proof of a public meeting.

RFBs and RFPs

Electrician Vendor List

The City received four proposals from companies to be on the approved electrician vendor list. The proposals are being evaluated.

Calcium Chloride and Sodium Chloride

The City received six bid packages for the purchase of calcium chloride and sodium chloride. Bids were rated on the most material that could be provided for a set amount of money to be expended.

Audit Services

The City received no responses to its RFP for Audit Services and so re-issued the RFP with a deadline of August 17, 2015.

Health Insurance Broker

The RFP for health insurance broker services was issued. Deadline is August 21, 2015.

Approved Planner List

The RFP for Planner has been re-issued.

Grant Reports

I re-learned how to use Caselle Accounting Software in order to access financial data so that I can complete the Finance Reports for the quarter ended June 30, 2015.

**City of Bethel
Grant Summary
Calendar Year 2015**

Preparing

Sponsor	Name	Products/Services	City Depts. (Partners)	Date	\$ Grant \$ City Match
Alaska Public Entity Insurance	Grant	Playground surface material	Parks & Rec.	2/2015	\$10,000
Alaska Public Entity Insurance	Grant	Safety equipment/supplies	Public Works	2/2015	\$1,000 -0

Submitted in Calendar Year 2014-15

Most recent first

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ City Match
AK Division of Homeland Security & Emergency Management	State Homeland Security Grant	Port: video cameras, portable light banks, cold water entry gear, road signs/barricades.	Port	5/29/15	\$141,180 -0
Alaska Dept. of Health and Social Services	Bethel Community Service Patrol	CSPs to assist those unable to care for themselves	Police	4/1/15	\$346,829 \$91,121 (In-kind)

Approved in Calendar Year 2015

Most recent first

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
Alaska Dept. of Transportation & Public Facilities, Transit Division	FTA Section 5311 Community Transit Grant	Capital, operating, and administrative expenses for transit system.	PW-Transit System	12/16/14	Est. \$321,703 \$98,892 (City)
Alaska Housing Finance Corporation (BCSF grant award)	SFY 2015 Public Safety Housing Grant Program	Housing for public safety personnel.	Police, Fire	10/13/14	\$1,000,000 15% (paid by BCSF)

Total City

\$321,703

Total BCSF to benefit City

~\$1,000,000

Not Approved in Calendar Year 2015

State of Alaska, Capital Budget	FY 2016 Capital Budget	Capital priorities being decided by Bethel City Council	Admin.	12/8/14	\$22,977,400 -0
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CITY OF BETHEL
POLICE DEPARTMENT



DATE: August 11, 2015
TO: Ann Capela, City Manager
FROM: Andre Achee, Chief of Police
RE: July 2015 Monthly Report

Personnel:

Staffing at the Bethel Police Department continues to be a challenge. For over two years we have not been able to maintain full staffing in the Patrol division. Currently we are budgeted for 8 full time patrol officers, however we have three vacancies. We continue to look for ways of recruiting police officer candidates, but this has been a difficult and challenging endeavor.

The staffing issue has also affected our dispatch center, earlier this summer. With the resignation of our dispatch supervisor, the communications center was below minimum staffing. Our current dispatchers did an outstanding job to ensure all shifts were covered to maintain 24 hour coverage. We were able to select and hire new dispatch candidates, but even this process was difficult. We have had several candidates resign during their six to eight week field training program.

Last week another dispatcher resigned, again putting us below minimum staffing. We were able to continue to provide staffing by scheduling other personnel to cover dispatch.

All of public safety is a difficult career path. Many see the difficulties that police officers have in the performance of their duties. These difficulties are shared and mirrored by the police officers' life-line, the dispatcher.

Currently we have two full time dispatchers, training two full time dispatch trainees. The dispatch schedules is currently being supplemented by administrative and patrol staff to ensure our 24 hour coverage.

We are continuing to look for candidates to fill our vacant community service officer position. We anticipate filling this position soon.

Our community service patrol program is going on full strength and in full force. We recently filled a vacancy and continue to serve the community.

Operations (Patrol / Communications):

During this reported period the Bethel Police Department Dispatch Center (Communications) logged 1,372 calls for service.

For a detailed look at these calls for services please refer to the July 2015 Stats attachment.

Additionally, I have attached a year to date stats from January 1st, 2015 to June 30th, 2015. During the first six months of this year, the Bethel Police Department has handled 8,157 calls for service. Please refer to the Mid Year Stats attachment.

Lastly, at the request and administration and counsel, I have attached year to date 2015 Alcohol involved stats and Protective Custody stats from 2009 to current. Please refer to ETOH 2015 and PC Stats attachments.

Animal Control:

The Bethel Police Department 52 calls for service regarding animals during this reporting period (July), of which includes 8 dogs and 0 cats.

The following are the disposition of the animals in the pound:

- 2 Returned to owner
- 6 Released to Bethel Friends of K9
- 5 Citations Issued

Transportation Inspector:

Below is a summary of the June and July 2015 Transportation Inspector report. For additional information, please refer to the Transportation Inspector Report attachment.

New Chauffeurs	3
Chauffeurs Renewal	6
Chauffeurs Transfer	4
Permit Renewals	0
Vehicle Transfers	16

Vehicle Inspections	31
Revocations	2
Temporary Permits	0

Closing:

During the last several months we have seen a great increase of suicides in the Bethel area. All suicides are a tragedy and affect everyone, from family members, relatives, friends and first responders.

I urge everyone available on August 15th to attend the “Pledge to Live” march for suicide awareness beginning at the Cultural Center and walking to the Teen Center 4H at 1:00 pm. I have attached their flyer to this report.

Additionally, there has been a lot of criticism regarding Bethel Police Department response to calls on social media. All of the reported calls are handled based on the priority of the calls received. If any members of the public have concerns regarding call response, please contact me directly.

Attachments: July 2015 Statistics
Mid Year 2015 Statistics
ETOH Involvement Statistics
Protective Custody Statistics
Transportation Inspector Report June/July 2015
Flyer “Pledge to Live”

harassment, Equal Employment Opportunity, and others that mirror federal or state law) into the draft Employee Handbook. Adoption of the handbook will allow for those policies that merely restate the law to be rescinded in favor of guidance in the handbook.

OSHA:

Coordinated and participated in a three-day Voluntary Consultation visit by OSHA. The visit proactively identifies areas in which the City needs to shore up our safety programs or mitigate hazards. No imminent dangers were identified and several items were corrected on the spot. The City can expect a full report in a month or so, and the consultant projected a six-month time frame for corrective actions. The most time-consuming will be related to required staff training and training records.

Transit Program Drug and Alcohol Review:

DOT provided feedback on our post-inspection report. There exist minor process corrections which will be completed during the month of August. They also require submission of our consolidated program data, which will also be submitted with our post-correction update in August.

Drug & Alcohol Program:

Third quarter random selections are ongoing, incorporating process changes recommended by DOT as part of the FTA audit. Our transit drivers are all fully enrolled in the program and have their chauffeur licenses to be in confirmation with City Code. Of note, the requirements of our drivers are mandated whether the transit system is operated in support of a revenue or a non-revenue service.

Other:

Have worked to determine which positions outside of finance have or require access to Caselle functionality in support of upcoming training. Completion of the necessary training will be documented in the personnel record.

Continuing to clean up personnel records, namely removing confidential or medical information from the general file and transferring data into Caselle in order to be able to complete EEO- and Affordable Care Act-related end of year reporting.

TRANSPORTATION INSPECTOR REPORT: JUNE & JULY 2015

2015	June	July
New Chauffeurs	2	1
Chauffeur Renewals		6
Chauffeur Transfers	3	1
Vehicle Permit Renewals	0	0
Vehicle Transfers	7	9
Inspections	7	24
Revocations	1	1
Temporary Permits	0	0

JUNE 2015

- In June, there were no scheduled semi-annual inspections, however there were 3 chauffeur transfers, 2 new chauffeurs and 7 vehicle transfers.
- 6/8/2015 - There was one permit suspended for 10 days – Quyana Cab #14 Hung Kwon – cited for BMC 5.20.080 D Mechanical Equipment Standards – failure to have a readily accessible fire extinguisher, BMC 5.20.170 Failure to have a child safety restraint and BMC 5.30.065 Failure to have permit posted in interior of taxicab, and BMC 5.40.080 – No chauffeur may knowingly possess or knowingly allow another person to possess a container of alcoholic beverages in a taxicab. She was fined \$150.00 for each of these infractions. Hung Kwon’s chauffeur permit was suspended for 10 days and a letter was sent out to her in regards to the suspension and incident.

JULY 2015

- Taxi Cab had their semiannual inspection in July – no major issues noted here.
- There were 24 inspections conducted in July, 12 of which consisted of Taxicab’s semi-annual inspection, and the other 12 were randomly conducted taxi cab inspections on various shifts throughout the day/evening.
- There were 9 vehicle transfers, 1 chauffeur transfer, 1 new chauffeur and 6 chauffeur license renewals.
- 7/13/2015 – Alaska Cab #93 chauffeur license suspended for 10 days. BPD was notified by the WAANT unit that this chauffeur was either a principle or an accomplice in the sold, offered for sale or barter, trafficked in, or bartered an alcoholic beverage without a license or permit. Status of his chauffeur license is pending finalized report from AST and if he is charged, it will be revoked indefinitely. Letter sent out in regards to this matter. (BMC 5.40.080 and AS 4.11.010)
- 7/22/15 - Quyana Cab #19 was cited for violation of BMC 5.40.080 – A. No chauffeur may possess or knowingly allow another person to possess a container of alcoholic beverages in a taxicab...B. No passenger may possess any container of alcoholic beverages inside the passenger compartment of a regulated vehicle.
- 7/23/2015- Quyana Cab #29 cited for smoking inside of his vehicle per BMC 5.40.060 which states that “it is unlawful for any chauffeur or passenger in a regulated vehicle to smoke any cigar, pipe, or

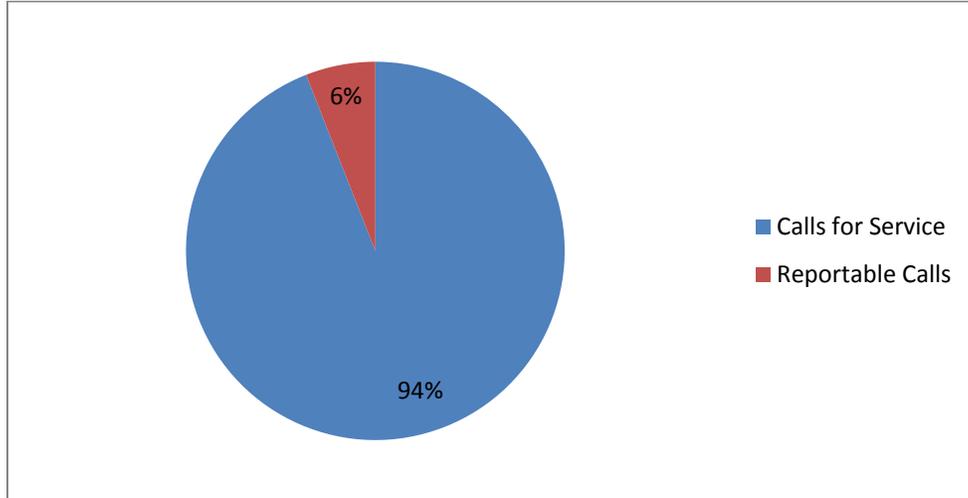
cigarette or to burn tobacco or any other material in such vehicles at any time, regardless of where or not passengers are riding in the vehicle.”

- 7/27/2015 Quyana Cab #23 issued citation for BMC 5.20.170 for not having a child safety restraint. Action corrected
- 7/27/2015 Complaint made on Taxicab #87 in regards to transporting multiple passengers with open alcoholic beverages. Chauffeur stated that he removed the individuals from his car as soon as he realized they had open containers. One of our officers, Corporal Hendrix responded to this matter and gave him a verbal warning; additionally a written letter was sent to chauffeur.
- 7/28/2015 Alaska Cab #95 issued a citation for not having a readily accessible fire extinguisher per BMC 5.20.80. Action corrected, vehicle inspected on 7/29/15.
- Currently working on drafting a letter to all cab companies in regards to changing their vehicle numbers to match their permit numbers. Fee schedule will need to be forwarded to City office, once I find a vendor to order the reflective decals from to price match (BMC 5.30.090 Taxicabs – Vehicle Markings). Once further research is conducted and the draft is finalized, I will try to implement this sometime within this new fiscal year.
- This month, I began going on random cab inspections with officers during various shifts to make sure that all taxicabs are in compliance with BMC. Of the 12 random inspections conducted BPD has issued 7 citations thus far in the June – July period. I intend to continue conducting random inspections as it seems to be somewhat effective in making sure that taxicabs are in compliance with BMC.

July Statistics

Total Calls for Service: 1,372

Total Reportable Calls: 87



Total Assaults:

Physical Assaults:

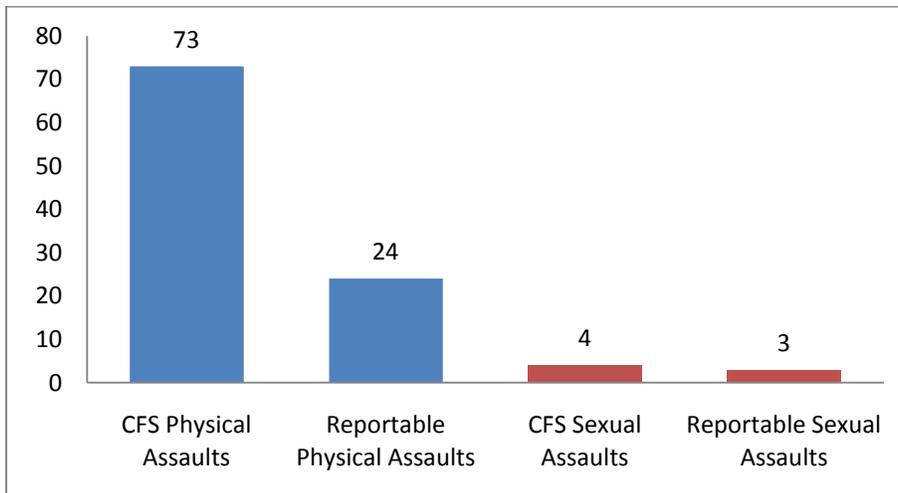
Total Calls for Service: 73

Total Reportable Calls: 24

Sexual Assaults:

Total Calls for Service: 4

Total Reportable Calls: 3



Total Deaths: 1

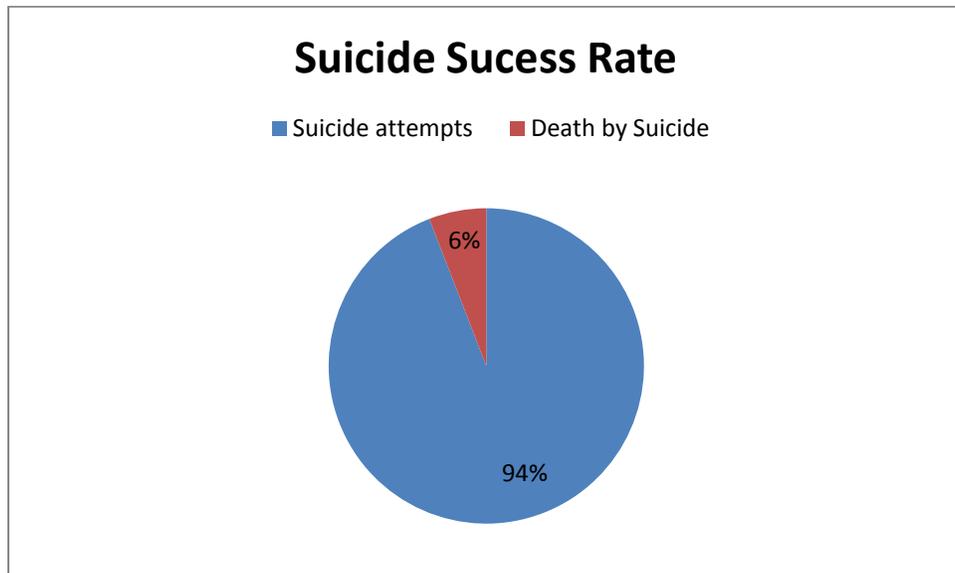
Total Homicides: 0

Suicide Calls:

Total Attempts of suicide: 16

Total Deaths by Suicide: 1

Other Unattended Deaths: 0



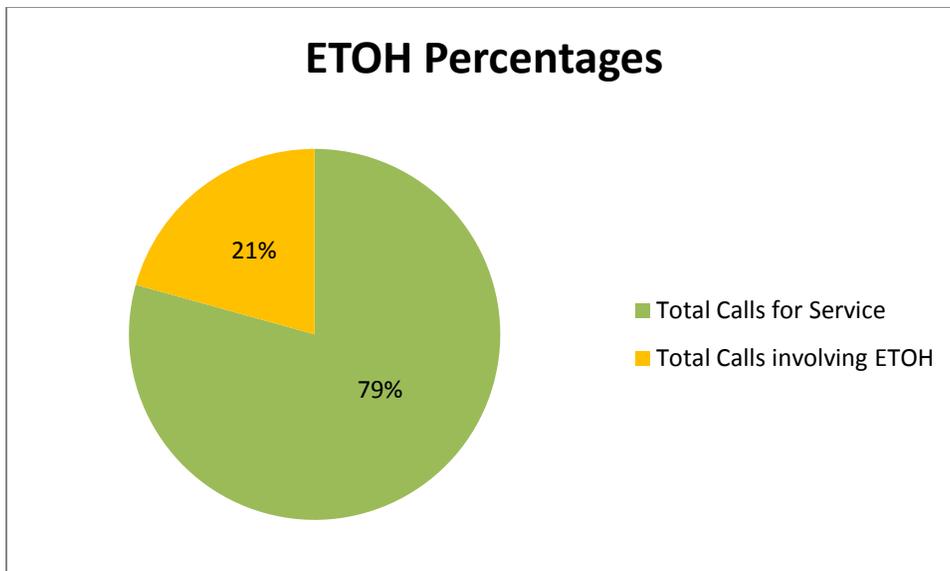
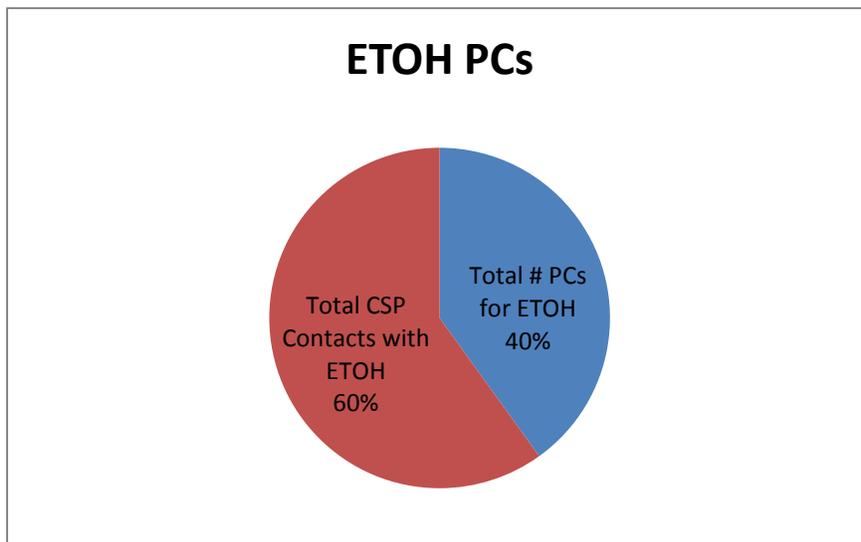
ETOH Statistics:

Total Calls for Service ETOH: 358

Total Reportable Calls ETOH: 31

Total # of PCs for ETOH: 121

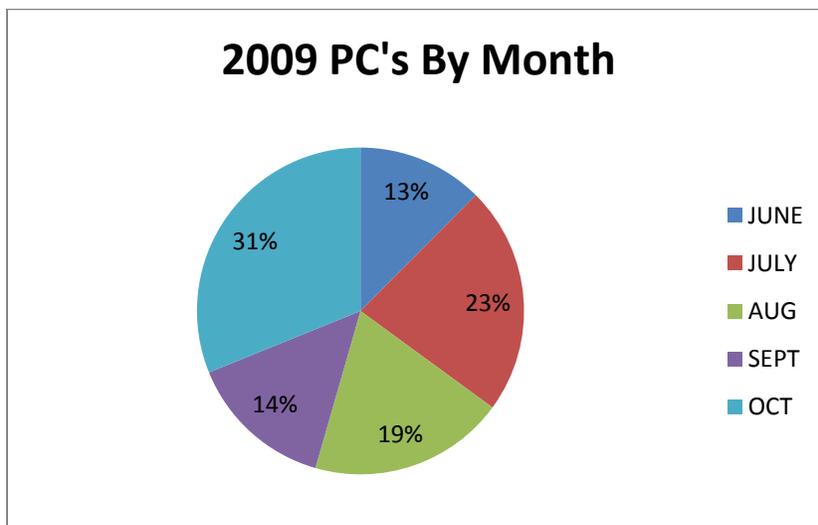
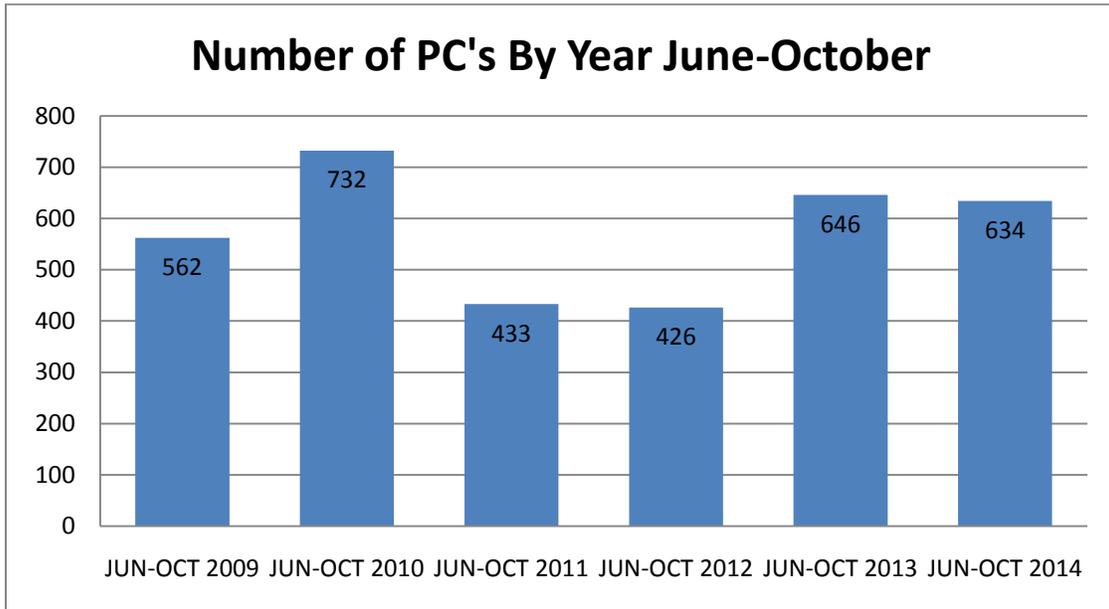
Total CSP ETOH Contacts: 181



PC Statistics

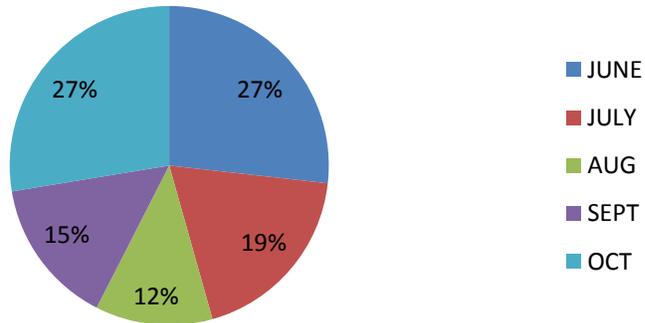
****Tracking of individuals taken into protective custody was not available before June 2009

****The number of PC's for 2009-2015 in the months of June through October (when ETOH was made available) are reflected below for comparison.



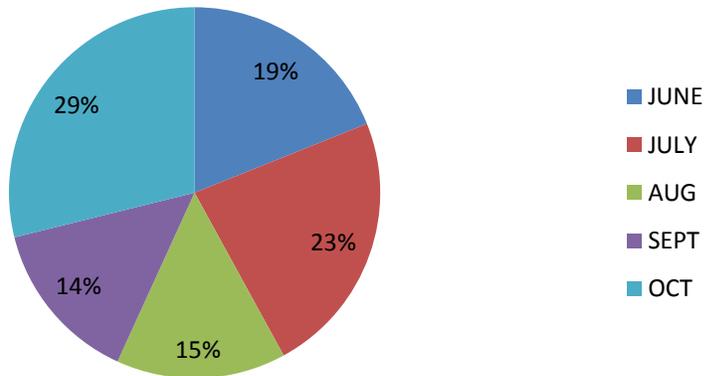
JUNE	70
JULY	127
AUG	109
SEPT	81
OCT	175
TOTAL	562

2010 PC's By Month



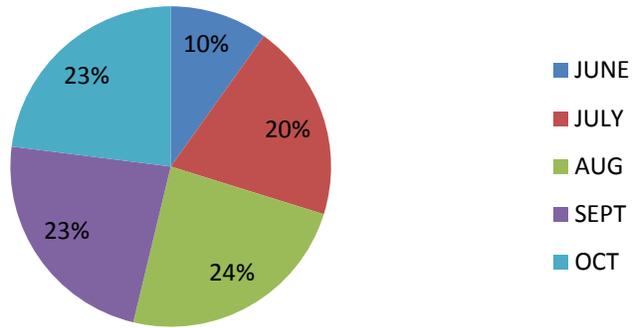
JUNE	196
JULY	138
AUG	87
SEPT	109
OCT	202
TOTAL	732

2011 PC's By Month



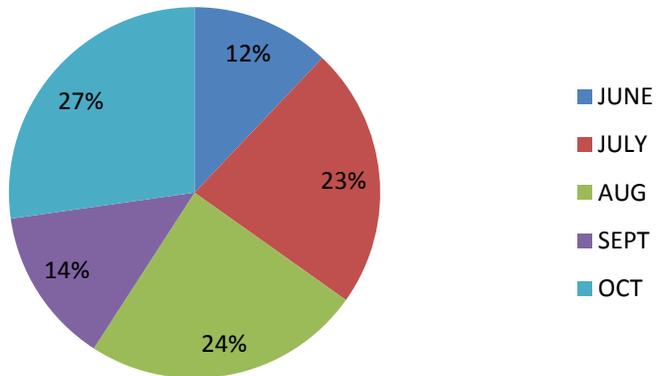
JUNE	82
JULY	100
AUG	64
SEPT	62
OCT	125
TOTAL	433

2012 PC's By Month



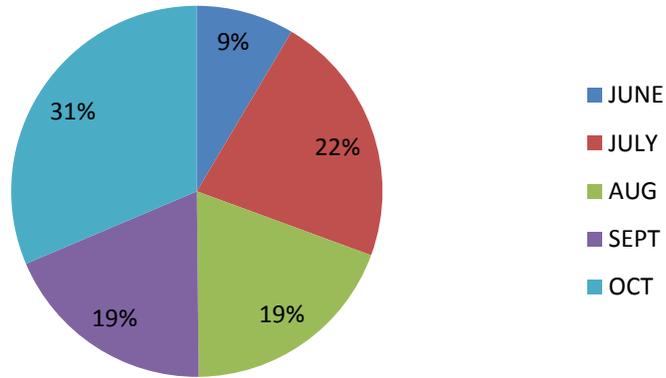
JUNE	42
JULY	85
AUG	102
SEPT	99
OCT	98
TOTAL	426

2013 PC's By Month



JUNE	78
JULY	147
AUG	157
SEPT	88
OCT	176
TOTAL	646

2014 PC's By Month

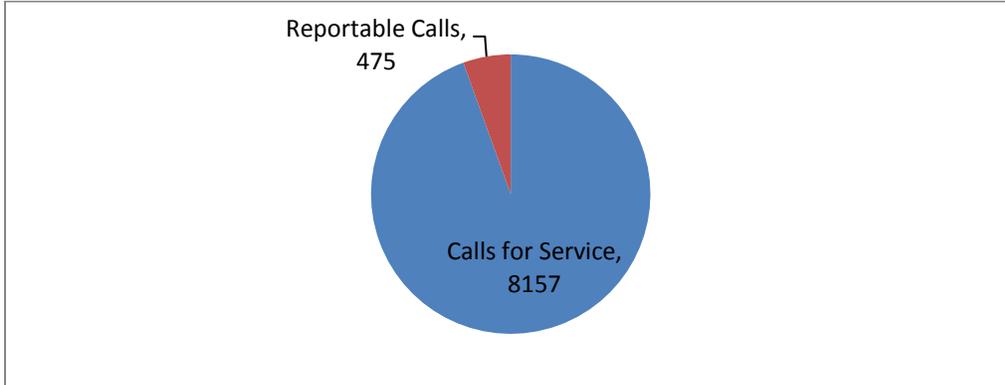


JUNE	54
JULY	140
AUG	122
SEPT	119
OCT	199
TOTAL	634

January 1, 2015-June 30, 2015

Total Calls for Service: 8,157

Total Reportable Calls: 475



Total Assaults: 257

Physical Assaults:

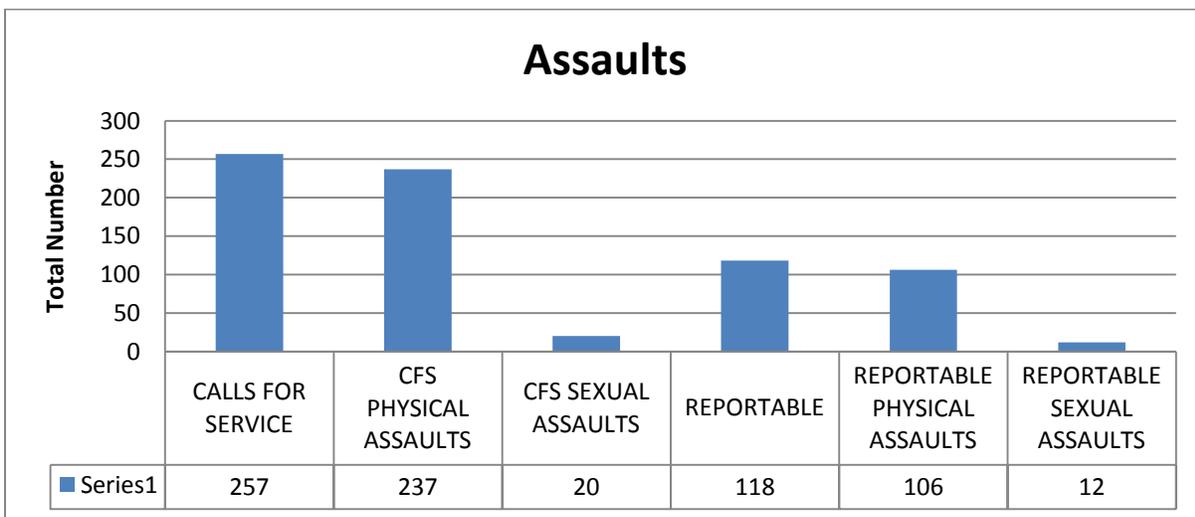
Total Calls for Service: 237

Total Reportable Calls: 106

Sexual Assaults:

Total Calls for Service: 20

Total Reportable Calls: 12



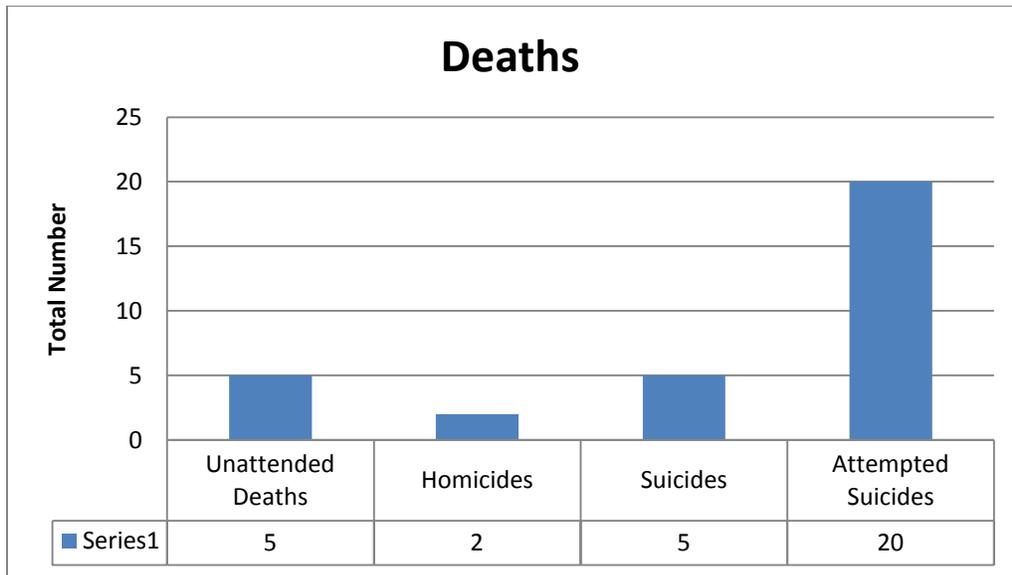
Total Homicides: 2

Suicide Calls:

Total Attempts of suicide: 20

Total Deaths by suicide: 5

Other Unattended Deaths: 5



Total Calls Involving ETOH:

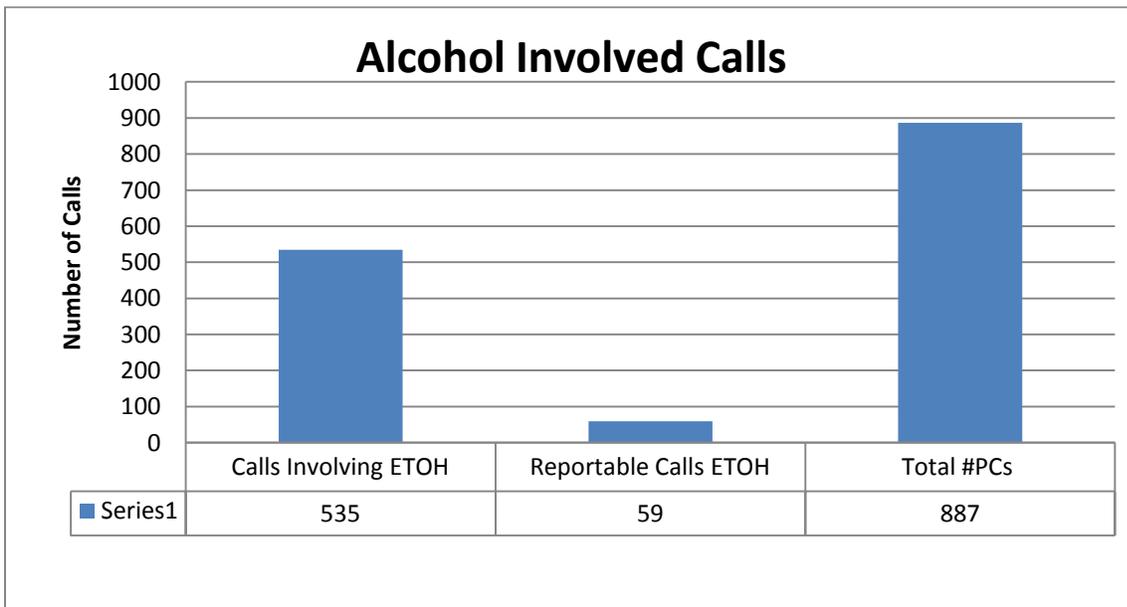
Total Calls for Service: 535

Total Reportable Calls: 59

Total # PCs for ETOH: 887

*****Many CFS have multiple people being PC'd*

*****ETOH involvement tracking did not begin until May 11, 2015*



4th of July Holiday Weekend 2015

Total Calls for Service: 165

Total Reportable Calls: 5

Total Arrests: 2

Total Calls Involving ETOH:

Total Calls for Service: 64

Total Reportable ETOH: 1

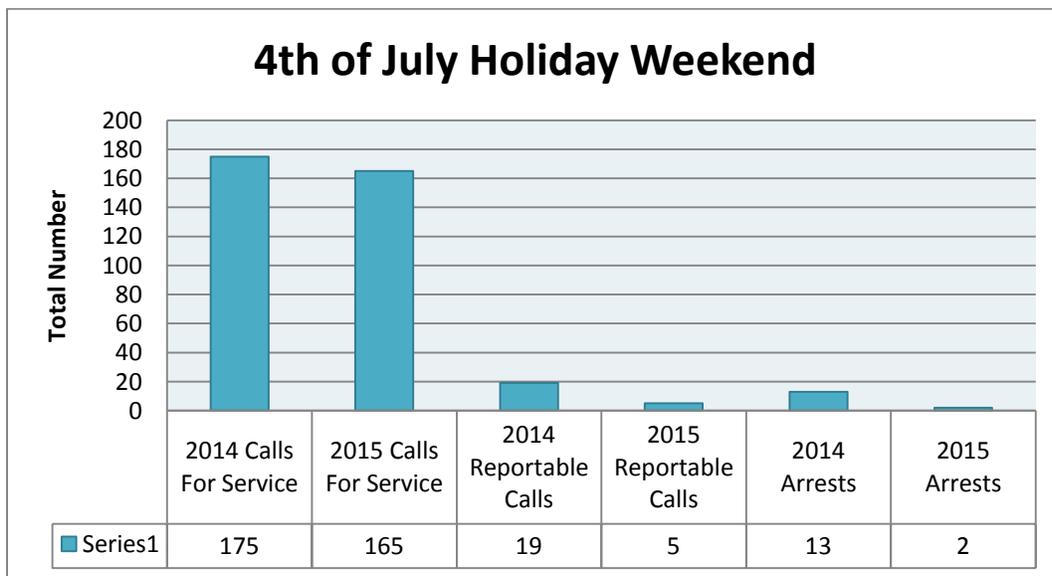
4th of July Holiday Weekend 2014

Total Calls for Service: 175

Total Reportable Calls: 19

Total Arrests: 13

****We did not keep track of ETOH involvement in 2014.



2015 ETOH Statistics

****ETOH involvement tracking did not begin until May 11, 2015

****Only CSP contacts were tracked prior to May 11, 2015 for ETOH statistics.

January 1, 2015-July 31, 2015

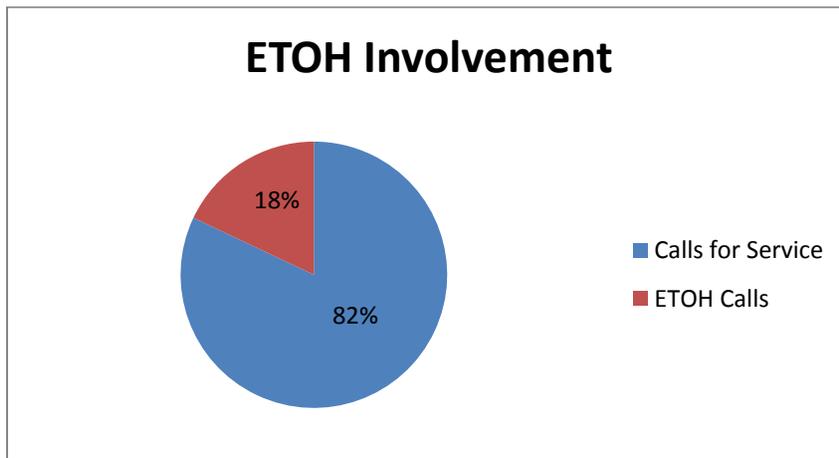
Total calls for service: 9,529

Total calls involving ETOH: 804

May 11, 2015-July 31, 2015

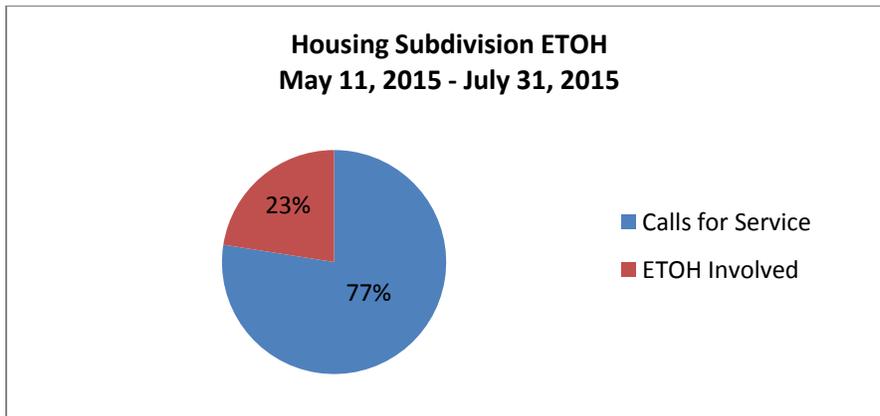
Total calls for service: 3,670

Total calls involving ETOH: 804

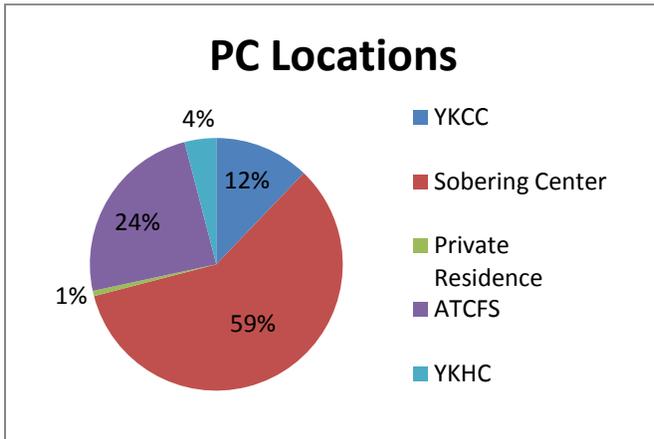


Housing Subdivision calls for service: 141

Housing Subdivision ETOH calls: 41

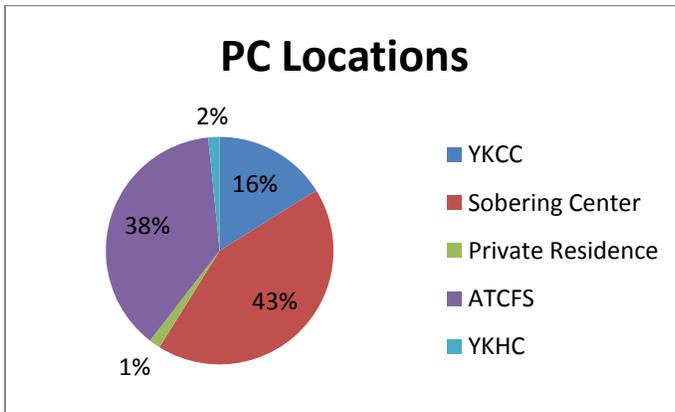


January 2015



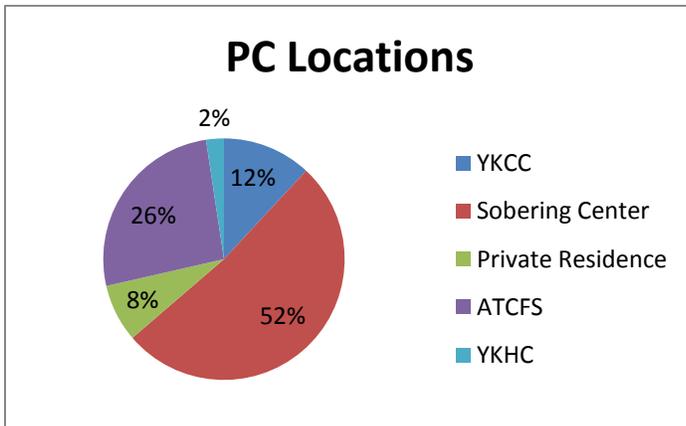
Total Contacts	148
YKCC	18
Sobering Center	87
Private Residence	1
ATCFS	36
YKHC	6

February 2015



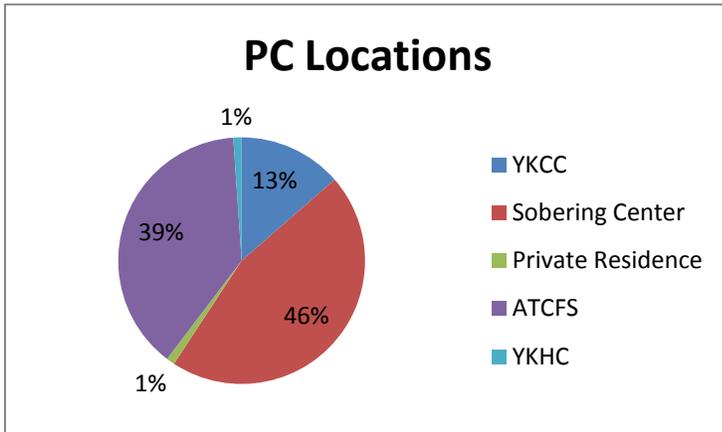
Total Contacts	124
YKCC	20
Sobering Center	53
Private Residence	2
ATCFS	47
YKHC	2

March 2015



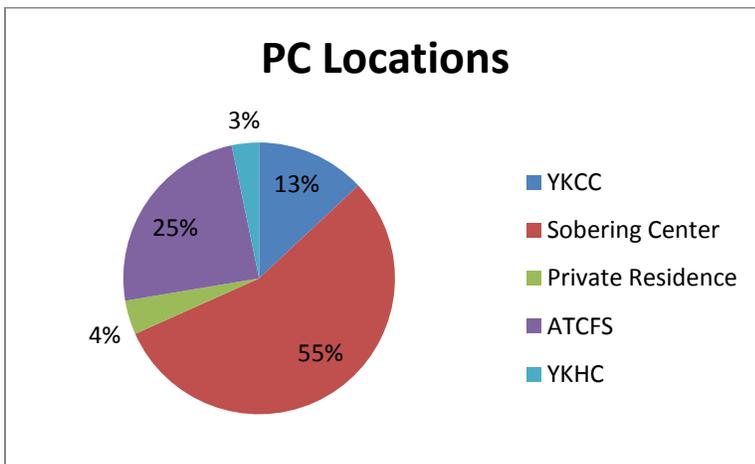
Total Contacts	168
YKCC	20
Sobering Center	87
Private Residence	13
ATCFS	44
YKHC	4

April 2015

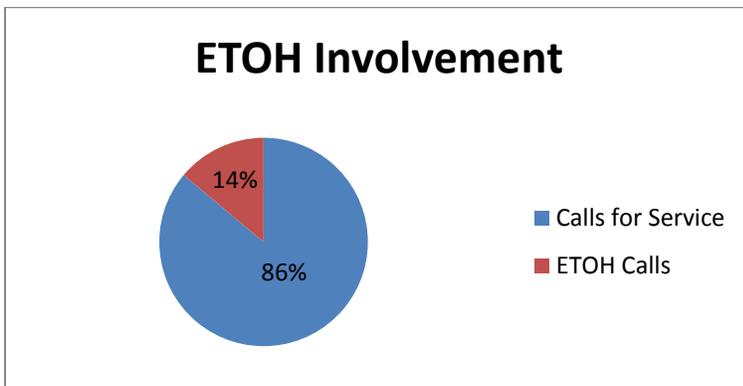


Total Contacts	184
YKCC	25
Sobering Center	84
Private Residence	2
ATCFs	71
YKHC	2

May 2015

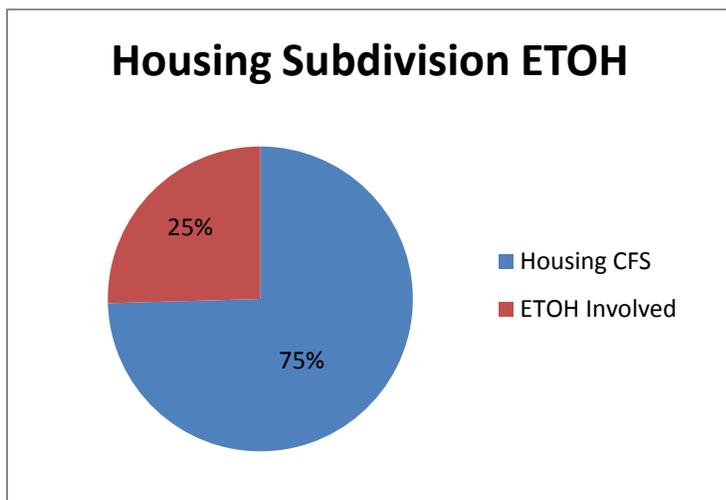


Total Contacts	123
YKCC	16
Sobering Center	68
Private Residence	5
ATCFs	30
YKHC	4

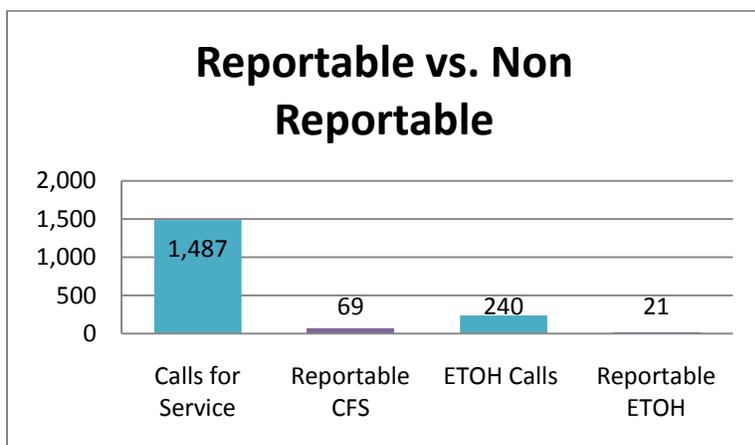


Total Calls for Service	1,487
ETOH Involved Calls	240

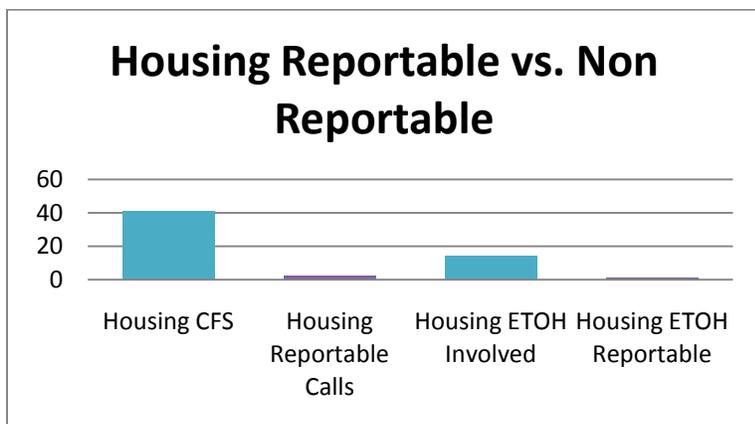
May 2015 Continued



Total Calls For Service	41
Housing Subdivision	
Housing Subdivision ETOH	14
Involved Calls	

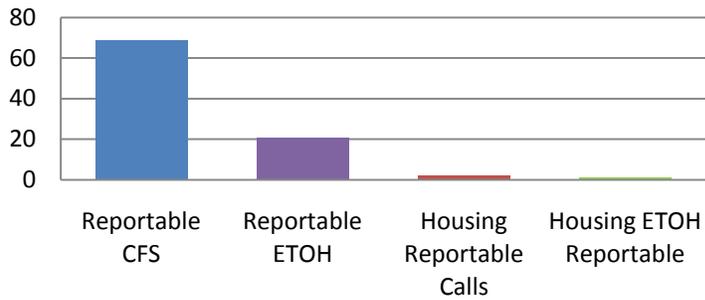


Calls for Service	1,487
Reportable CFS	69
ETOH Calls	240
Reportable ETOH	21



Housing CFS	41
Housing Reportable Calls	2
Housing ETOH Involved	14
Housing ETOH Reportable	1

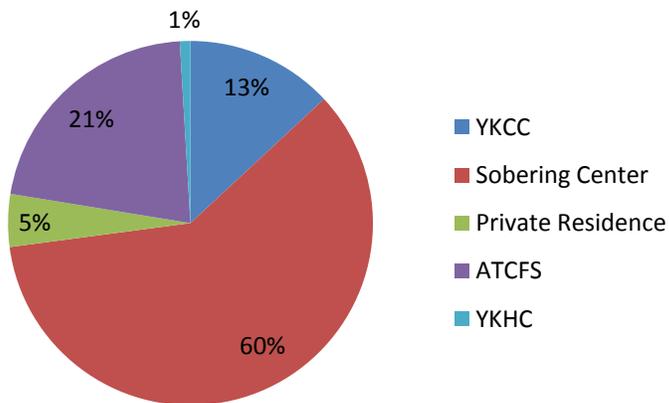
Reportable Calls



Reportable CFS	69
Reportable ETOH	21
Housing Reportable Calls	2
Housing ETOH Reportable	1

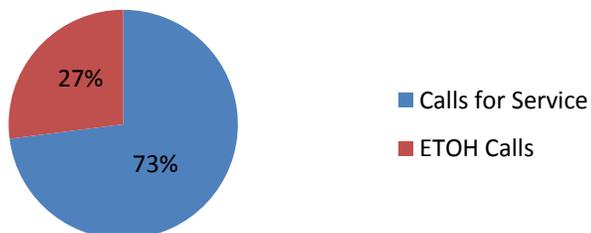
June 2015

PC Locations



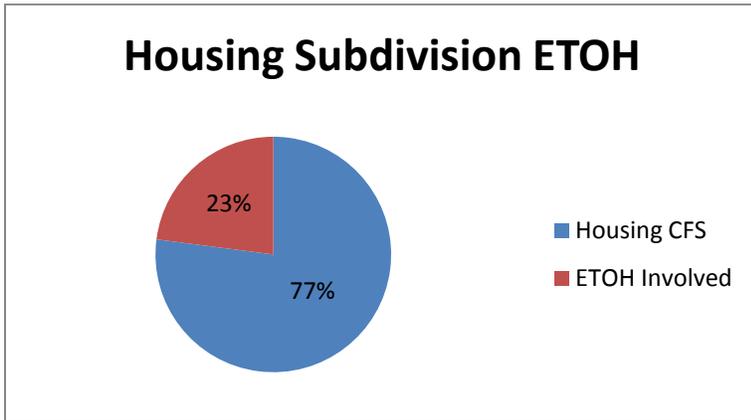
Total Contacts:	107
YKCC:	14
Sobering Center:	64
Private Res:	5
ATCFS:	23
YKHC:	1

ETOH Involvement

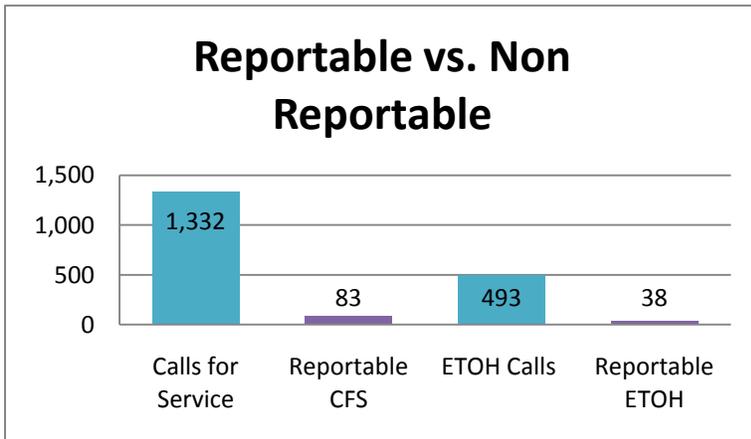


Calls for Service:	1,332
ETOH Calls:	493

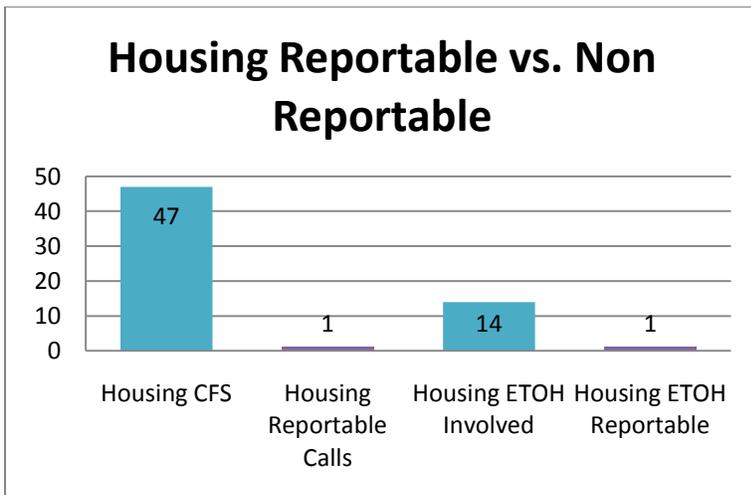
June Continued



Housing CFS: 47
 ETOH Involved: 14

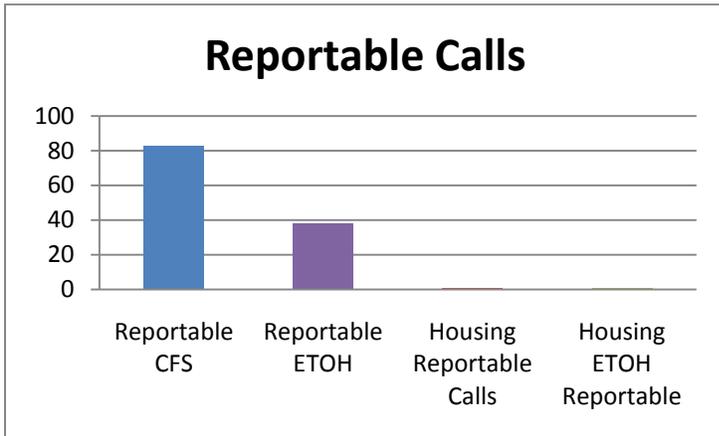


Calls for Service: 1,332
 Reportable CFS: 83
 ETOH Calls : 493
 Reportable ETOH: 38



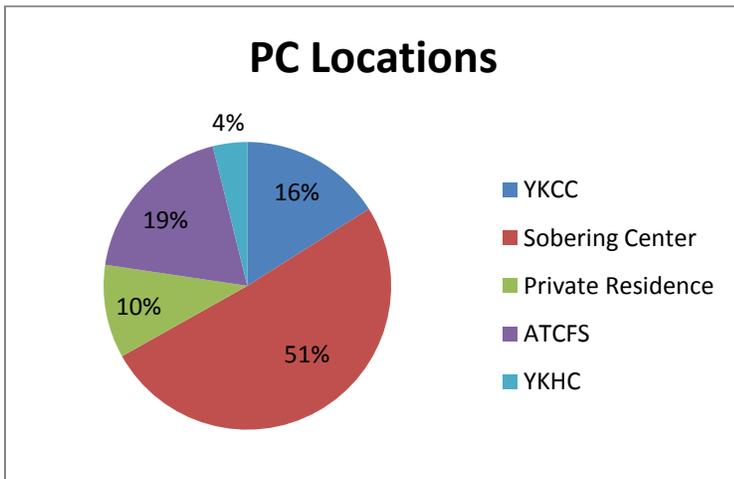
Housing CFS: 47
 Housing Reportable Calls: 1
 Housing ETOH Involved: 14
 Housing ETOH Reportable: 1

June Continued

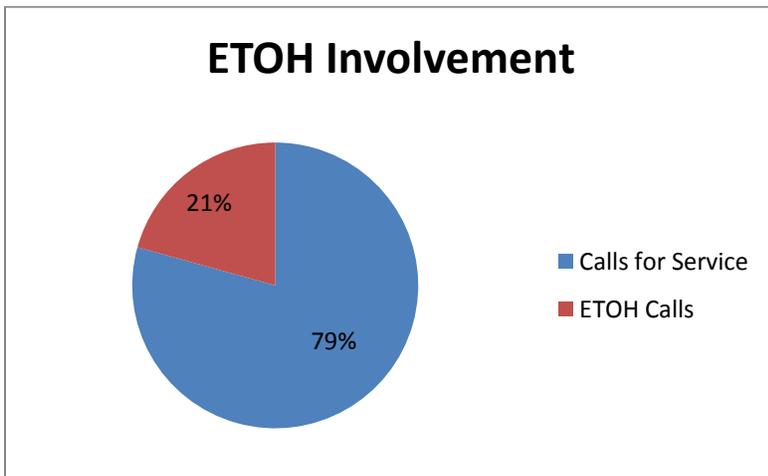


Reportable CFS	83
Reportable ETOH	38
Housing Reportable Calls	1
Housing ETOH Reportable	1

July 2015



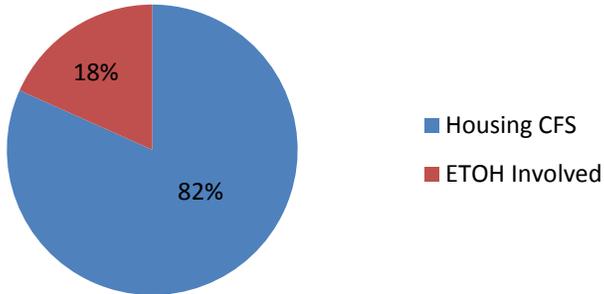
Total Contacts	107
YKCC	29
Sobering Center	92
Private Res.	19
ATCFS	34
YKHC	7



Calls for Service	1,372
ETOH Calls	358

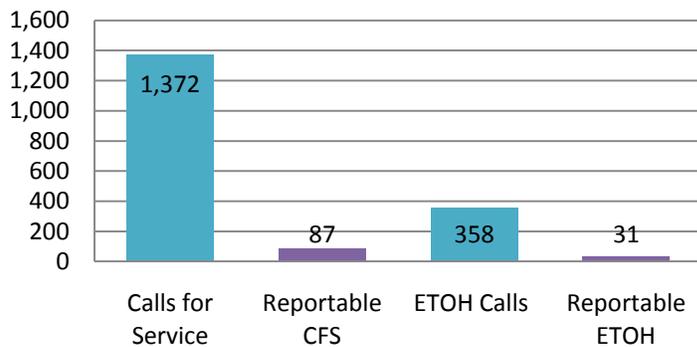
July Continued

Housing Subdivision ETOH



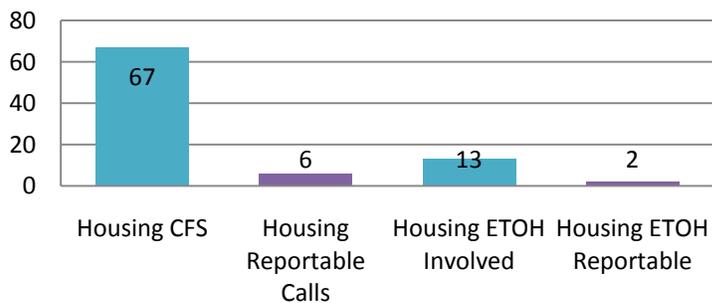
Housing CFS	67
ETOH Involved	15

Reportable vs. Non Reportable



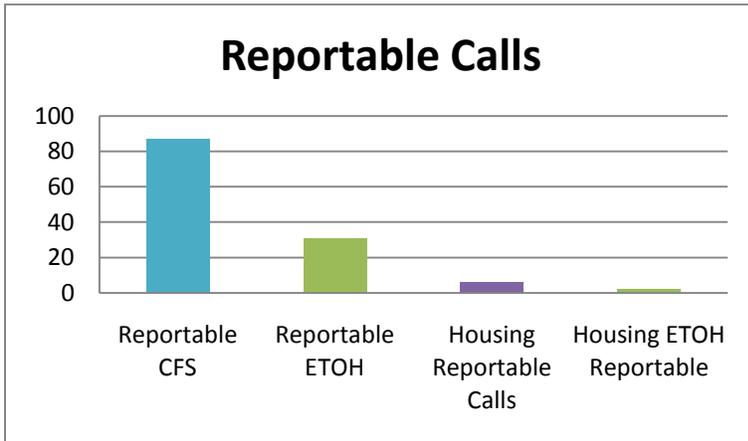
Calls for Service	1,372
Reportable CFS	87
ETOH Calls	358
Reportable ETOH	31

Housing Reportable vs. Non reportable



Housing CFS	67
Housing Reportable Calls	6
Housing ETOH Involved	13
Housing ETOH Reportable	2

July Continued

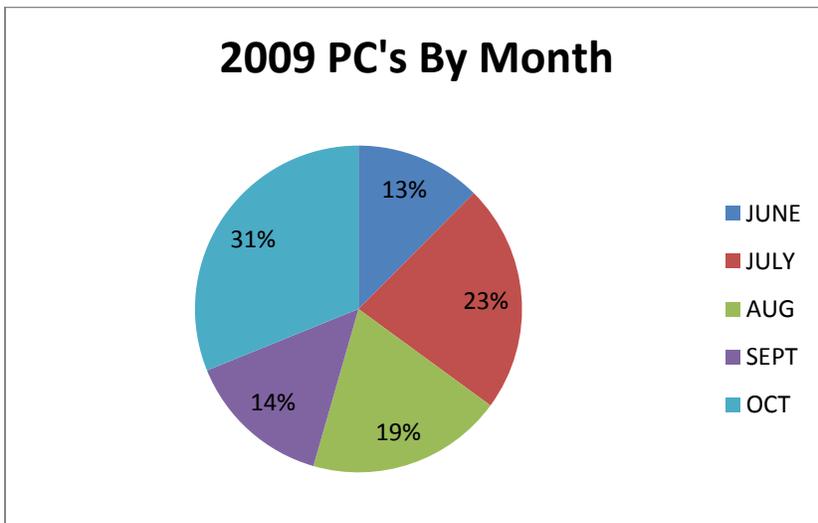
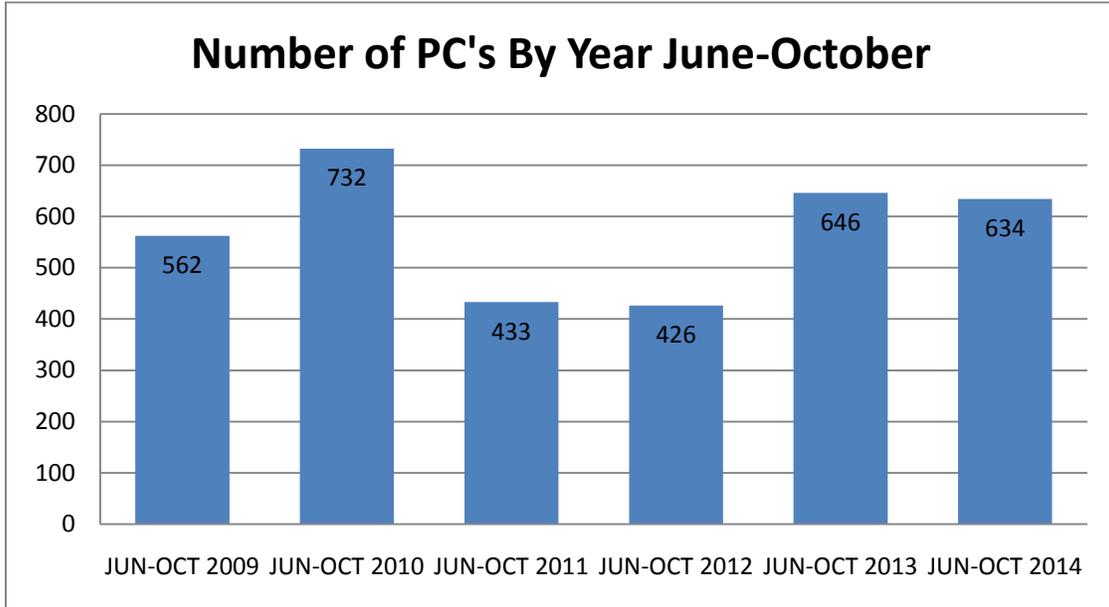


Reportable CFS	87
Reportable ETOH	31
Housing Reportable Calls	6
Housing ETOH Reportable	2

PC Statistics

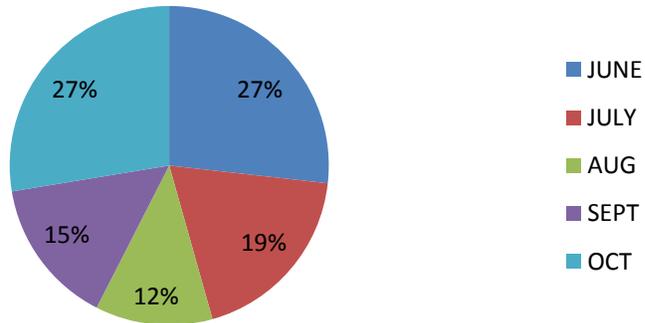
****Tracking of individuals taken into protective custody was not available before June 2009

****The number of PC's for 2009-2015 in the months of June through October (when ETOH was made available) are reflected below for comparison.



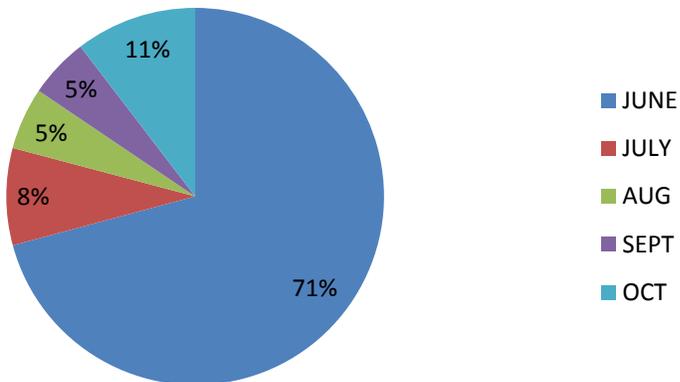
JUNE	70
JULY	127
AUG	109
SEPT	81
OCT	175
TOTAL	562

2010 PC's By Month



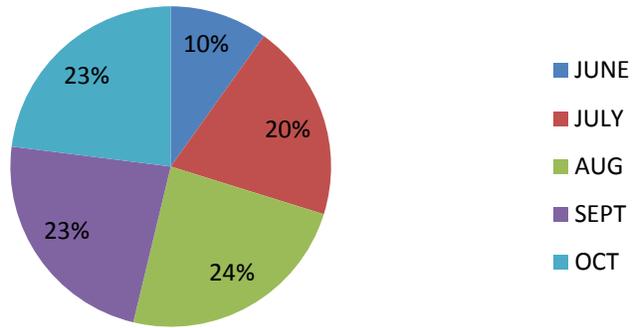
JUNE	196
JULY	138
AUG	87
SEPT	109
OCT	202
TOTAL	732

2011 PC's by Month



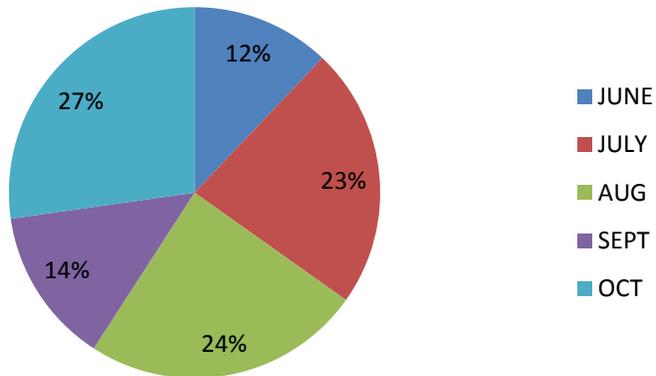
JUNE	852
JULY	100
AUG	64
SEPT	62
OCT	125
TOTAL	433

2012 PC's By Month



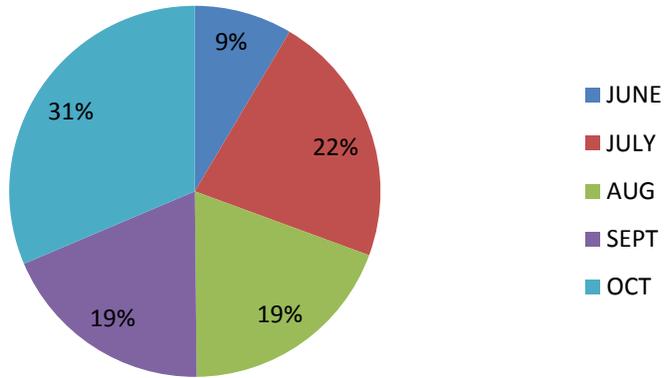
JUNE	42
JULY	85
AUG	102
SEPT	99
OCT	98
TOTAL	426

2013 PC's By Month



JUNE	78
JULY	147
AUG	157
SEPT	88
OCT	176
TOTAL	646

2014 PC's By Month



JUNE	54
JULY	140
AUG	122
SEPT	119
OCT	199
TOTAL	634

MEMORANDUM

Date: 08/01/2015
To: Ann Capela, City Manager
From: Muzaffar Lakhani, Public Works Director
Subject: Manager's Report

Programs/Divisions –

Public Works Director

Bids were received and opened for the road salt and calcium chloride and the chemicals for the water treatment plants.

DOWL has submitted a request for a No-Cost Change Order to transfer funds within their contract from Construction Administration to Design Engineering, to defray the cost of easement acquisitions for the I.C. Piped Water Supply Project.

The easements for the sewer project in 2006 were not obtained.

A meeting was held with the YKHC Officials with regards to the I.C. Piped Water Supply Project. The hospital officials expressed their concerns as to the proposed alignment of the water pipe. They expressed that the YKHC will not allow the city to let the city construct the pipe where the proposed new clinic parking lot is shown on their proposed plan.

Utility Maintenance

We have been working with streets and roads on the sewer lagoon, and fixed two road crossings one in AVCP housing and one on first road housing, we had 42 bags of green sand that we added to the number three filter at CSWTP with amazing results, our budget shows we have the funds to replace the media in all six filters. The time frame to do this is running out for this year so if we are still moving forward with this I will plan on having the materiel ordered and to arrive on the first barge next year.

Hauled Utilities

For July, being somewhat shorthanded, the water crew has pumped nearly 3 million gals of water. Sewer crew has pumped 2.5 million gal. And the dumpster crew has done approximately, 3500 cubic yards of trash to the landfill. We have tried to have the back loader out also at least one day a week to clean around the dumpster sites and general clean up around town.

We also had a compliance visit with O.S.H.A. towards the end of the month,

We found a lot of little things, in all buildings, but all in all we did not do too badly.

Property Maintenance

We had a busy month prepping the park before and after the Fourth of July. The Parks

Department is transitioning into Public Works and we are absorbing the work to assist with this move. We are into our summer maintenance projects and performing preventive maintenance on our heating equipment one heat plant at a time. We have our usual problems with windows and doors as well as plumbing issues that we take care of day to day. Assisting other departments with their needs is always a challenge. We had to move some fuel tanks around to accommodate our buildings; we had a double wall fuel tank that split its inner tank at the court house. We will have to start replacing some of our older tanks in the next few years. Vandalism keeps us on our toes everywhere and specially at the Senior Center.

Road Maintenance

Vehicles and Equipment

Well for the V&E department, we have lost one mechanic in July. I don't believe we have any new applicants to fill this position, as of yet. The three remaining mechanics are busy catching up with the leftover repairs, and doing fairly well. But we will need to have this position filled before too long.

Transit System

In July we only averaged 60-70 riders per day. The summer activities; travel, subsistence, and vacations, have taken passengers out of town. We continue to provide the best service we can. We know that dependability and reliability of service plays a key role in maintaining our ridership. Passengers are not willing to wait at the bus stop 5-10 minutes, in the rain/bugs and wind, for the bus that is late or never show up.

John Sargent, City Grant Manager, and I are currently working on the RFP's for the new buses and the Bus Stop Shelters. They should be done in the next couple of weeks and submitted for approval by the Administration/City Council. If they are accepted and advertised we should have bids back before Christmas. I hope DOT will accept them that late. Our next major project will be working on the FY 2017 Transit Grant. We know that the grant will require a matching fund and we're in hopes that some of the local business and agencies will help here.

Housing our buses in the Transit Bus Barn has helped us maintain our buses and gives us the opportunity to do some of the minor maintenance our selves. We purchase a bumper lift jack, 10 ton, and we're able to change our own tires, flats and summer to winter tires, and we're looking at changing the oil/oil filters. The other minor/major repairs will still need to be done by the City Shop.

Bethel Transit System goal for FY 2016 will be to show a 20-25 percent increase in ridership / revenue. I think we can do this by providing **better and more dependable / reliable service** for our passengers.

If you have questions and concerns please feel free to contact me anytime. Stop by the office and we can share a cup of coffee.

Landfill / Recycle Center

We had the Landfill Inspection by Doug Huntman of DEC and he was happy with what we have done so far. He was particularly happy for less exposed material and that we have buried so much steel, tires, vehicles, and arctic pipe. All in all I believe we will get a good report.

City Clerk's Report



City of Bethel, Alaska

City Clerk's Office

Council Meetings and Events

August 26, 2015 Special City Council meeting

September 8, 2015 Regular City Council meeting

City of Bethel Regular Election, October 6, 2015

Election Dates of Interest:

August 5-20 Declaration of Candidacy packets submission time frame.

August 20, Deadline for Ordinance adoption for ballot propositions.

Electronic Records Management

Administration has provided the City Clerk's Office with copies of leases. Unfortunately, these documents were not submitted with the lease term identified which means, the Office will have to go through each lease agreement to determine destruction dates. Additionally, the City Clerk's office will be working with Planning to obtain property maps for each of the leased premises to help establish a complete list of properties owned by the City of Bethel.

The Office is still waiting to receive all of the current contracts from administration for long term retention.

Cemetery

We will be working with the Public Works Department to determine how much seed and fertilizer should be purchased for the Memorial Cemetery as well as assessing and planning for the improvements for the other cemeteries.

The City Clerk will be out of the office on approved leave August 12-19.

For future meetings, the City Clerk's Office is working on Bethel Municipal Code amendments regarding alcohol; the processes taken by council when considering liquor license applications, Conditional Use Permits for package stores, Business License Regulations. This information will likely be presented to the Council August 25, 2015.

Executive Session

Additional Information
