

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on January 13, 2015 at 6:30pm, in the council chambers, Bethel, Alaska.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:

Mayor Rick Robb, Vice-Mayor Leif Albertson, Council Member Chuck Herman, Council Member Heather Pike, Council Member Byron Maczynski, Council Member Mark Springer (arrive after roll call, 6:50p), and Council Member Zach Fansler (arrived after roll call, 8:03p)

Also in attendance were the following:

City Attorney Patty Burley, City Clerk Lori Strickler and City Manager Ann Capela

IV. PEOPLE TO BE HEARD

Daysha Eaton-Spoke in opposition to the discussion of some of the Executive Session items listed on the agenda. Stated it appears some of them should be discussed by the Council in an open session.

Dave Trantham Jr. – Spoke in opposition to the Council’s AM 15-08 which would allow two council members to travel to Washington DC for the National League of City’s Conference only because it would require a budget modification to account for the travel. Suggested the Council instead, provide a donation to the pool facility to allow low income children an opportunity to swim.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: To approve the Consent and Regular Agenda.

Moved by: | Pike

Seconded by:	Maczynski
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Albertson, Maczynski, Springer, Pike, Robb and Herman
Opposed:	None

Main Motion: Remove AM 15-06 and 15-08 from the Consent Agenda and the Meeting Minutes from December 9, 2014.

Moved by: Robb

VI. APPROVAL OF THE MEETING MINUTES

Item A – Regular City Council Meeting December 9, 2014

Main Motion: To approve the Meeting Minutes from December 9, 2014.

Moved by:	Pike
Seconded by:	Maczynski
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Albertson, Maczynski, Pike, Robb and Herman
Opposed:	None

Item B- Special City Council Meeting December 29, 2014
Passed on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Item A - Port Commission –

A meeting will be held next week, the commission will be discussing modification to the Port Chapter in the BMC.

Item B - Planning Commission –

Heather Pike, Council Representative-
Preliminary Plat for the Hoffman property was discussed and approved. The Administration will be working with the developer to develop a Planned Unit Development Agreement.
Chapter updates to the Bethel Municipal Code are being discussed.

Item C - Public Safety and Transportation Commission-
Chuck Herman, Council Representative-

Item D - Energy Committee –
No one available to provide a report.

Item E - Public Works Committee-

Byron Maczynski, Council Representative –
A meeting has not been held since the last City Council Meeting.

Item F - Finance Committee-
Leif Albertson, Council Representative –
A meeting has not been held since the last City Council Meeting.

Item G - Parks and Recreations Committee-
Richard Robb, Council Representative-
Five year parks improvements plan.
Location for the City dog park.

Item H – Non Standing Committee
YUUT Board-
Leif Albertson, City Representative-
The Board elected a Chair and Vice-Chair.
Discussion of Donlin Creek.

Council Member Springer arrived at 6:50p.

VIII. SPECIAL ORDER OF BUSINESS

Item A- USA Pool Update On The YK Regional Aquatic Training and Health Center.

Raunika Ray, USA Pool Representative, reported they have a total of 15 classes in place to include a tiny tots and adult swim class. The facility will be providing Water Zumba classes as well as many others.

IX. UNFINISHED BUSINESS

Item A- Public Hearing Of Ordinance 14-27: Repealing And Replacing Bethel Municipal Code 4.20, Purchasing.

Mayor Robb opened the Public Hearing.

No one wished to be heard.

Mayor Robb closed the Public Hearing.

Motion to approve Ordinance 14-27 was made at the November 11, 2014 Council Meeting.

Main Motion:

Moved by:	Pike
Seconded by:	Herman
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Albertson, Maczynski, Pike, Springer, Robb and Herman

Opposed:	None
Incidental Motion:	Suspend the rules to hear from Hansel Mathlaw, Finance Director.
Moved by:	Springer
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Albertson, Maczynski, Pike, Springer, Robb and Herman
Opposed:	None

Insert under 4.20.160 Construction,

C. Bonds: All construction contracts exceeding One Hundred Thousand Dollars (\$100,000), shall require the contractor to furnish the following bonds prior to the signing of any final contract:

1. Performance Bond with a corporate surety qualified to do business in the State of Alaska, the amount of the performance bond shall be equivalent to the amount of the payment bond;
2. Payment Bond: A payment bond with a corporate surety qualified to do business in the State of Alaska.
 - a. When the total amount payable by the terms of the contract is not more than One Million Dollars (\$1,000,000), the payment bond shall be in sum equal to one-half (1/2) the total amount payable by the terms of the contract.
 - b. When the total amount payable by the terms of the contract is more than One Million Dollars (\$1,000,000) but not more than Five Million Dollars (\$5,000,000), the payment bond shall be in a sum of forty percent (40%) of the total sum payable by the terms of the contract.
 - c. When the total amount of the payable by the terms of the contract is more than Five Million Dollars (\$5,000,000), the payment bond shall be in the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000).
3. Payment and Performance Bonds shall be for equivalent amounts.

Primary Amendment:

Moved by:	Springer
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Albertson, Maczynski, Pike, Springer, Robb and Herman
Opposed:	None

X. NEW BUSINESS

Item A – AM 15-01: Appointment of Wade Ferdig To The Energy Committee.

Passed on the consent agenda.

Item B – AM 15-02 Appointment Of Jody Drew To The Energy Committee.

Passed on the consent agenda.

Item C – AM 15-03: Re-Appointment Of Jennifer Dobson To The Public Works Committee.

Passed on the consent agenda.

Item D- AM 15-04: Re-Appointment Of Susan Taylor To The Parks And Recreation Committee.

Passed on the consent agenda.

Item E- AM 15-05: Re-Appointment Of Cliff Linderoth To The Planning Commission.

Passed on the consent agenda.

Item F- AM 15-06: Approval Of Regular City Council Meeting For Calendar Year 2015.

Main Motion: Approve AM 15-06.

Moved by:	Herman
Seconded by:	Maczynski
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Albertson, Maczynski, Pike, Springer, Robb and Herman
Opposed:	None

Main Motion: Amend to insert a meeting for December 22, 2015.

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

Item G- AM 15-07: Approval Of Administrative Leave For City Attorney, February 24 and 25, 2015.

Passed on the consent agenda.

Item H- Personal Leave Request For The City Attorney, January 15 and 16, 2015.

Passed on the consent agenda.

Item I- Personal Leave Request For The City Clerk, January 29 and 30 and May 12-29, 2015.

Passed on the consent agenda.

Item J- AM 15-08: Designating And Approving Two Council Members To Attend The National League of Cities Conference, March 9-12, 2015.

Main Motion: Approve AM 15-08.

Moved by: Maczynski
Seconded by: Albertson
Action: Item postponed

Primary Amendment: To strike two and insert one council members.

Moved by: Springer
Seconded by: Pike
Action: Item postponed

Council Member Fansler arrived at 8:03p.

Main Motion: Postpone until the next regular meeting.

Moved by: Springer
Seconded by: Albertson
Action: Motion carried unanimously by a vote of 6-1
In favor: Albertson, Maczynski, Springer, Fansler, Robb and Herman
Opposed: Pike

Item K- Administrative Leave Request For The City Manager To Attend The National League of Cities Conference, March 7 Through March 11, 2015.

Main Motion: Postpone until the next regular meeting.

Moved by: Albertson
Seconded by: Springer
Action: Motion carried unanimously by a vote of 6-1
In favor: Albertson, Maczynski, Springer, Fansler, Robb and Herman
Opposed: Pike

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

Council Member Zach Fansler-
Excited about the K300, it is an exciting event for our community and the region.
Encouraged everyone to use caution when using the river over the next few days,
there will be a lot of traffic.

Thanked all of the employees of the City for their hard work during the 2014 calendar year.

Look forward the Washington DC Lobbying discussion which will take place at the next meeting; feels as though it is an untouched resource.

Council Member Chuck Herman-

Appreciated the City Manager for bringing up the new idea to lobby in Washington DC.

The Public Safety and Transpiration Commission is in need of volunteers.

~~Council Member Heather Pike-~~

Happy Holidays.

Thanked the city employees and the Council for all of their hard work this year.

Congratulations and thank you to the Planning Commission Chair, Joy Shantz for her election as Chair. Thanked John Guinn for all of his years of service as Chair on the Commission.

Share a meal.

Council Member Mark Springer-

Congratulated Dan Sullivan for his Senate seat.

Encouraged drivers on the highway to be careful while driving.

It was nice to hear the road graders out early this morning, thanked Public Works for their hard work.

Council Member Byron Maczynski-

Happy New Year.

Be safe on the river.

Mayor Richard Robb-

Wished everyone a Happy New Year.

Wished the best of luck to the many mushers in town; thanked all of the volunteers for their efforts in K300 Race.

Vice Mayor Leif Albertson-

Looking forward to the K300.

The lobbying issue was substantive; it is an interesting option for the Council to consider.

XVI. EXECUTIVE SESSION

Item 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-Current Litigation:

- a) City of Bethel vs. Hazel Keezer
- b) City of Bethel vs. Karole Kohl
- c) Juan Sosa vs. City of Bethel

Item 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:

- a) Theft Against the City of Bethel
- b) Personal Injury Claims
- c) Honey Bucket Violations
- d) Hold Over Tenant
- e) Businesses Operating Without A Business License
- f) Overdue Sales Taxes
- g) Real-estate Taxes

Move into Executive Session - 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-Current Litigation:

- a) City of Bethel vs. Hazel Keezer
- b) City of Bethel vs. Karole Kohl
- c) Juan Sosa vs. City of Bethel

Move into Executive Session – 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:

- d) Theft Against the City of Bethel
- e) Personal Injury Claims
- f) Honey Bucket Violations
- g) Hold Over Tenant
- h) Businesses Operating Without A Business License
- i) Overdue Sales Taxes
- Real-estate Taxes

Those participating in the Executive Session, City Attorney, Patty Burley; City Manager, Ann Capela, and City Clerk, Lori Strickler.

Main Motion:

Moved by:	Albertson
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 7-0
In favor:	Albertson, Maczynski, Pike, Springer, Fansler, Robb and Herman
Opposed:	None

XVII. ADJOURNMENT

Main Motion: Adjourn

Moved by: Albertson

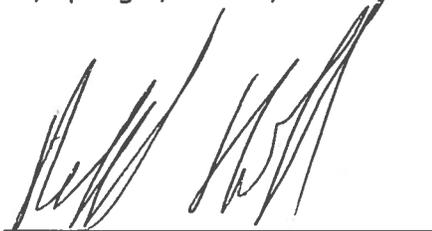
Seconded by: Pike

Action: Motion carried unanimously by a vote of 7-0

In favor: Albertson, Maczynski, Pike, Springer, Fansler, Robb and Herman

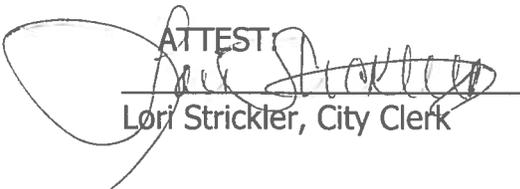
Opposed: None

Council adjourned at 10:50.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk