

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on January 9, 2018 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:	
Mayor Rick Robb	Council Member Mark Springer
Vice-Mayor Fred Watson	Council Member Mitchell Forbes
Council Member Leif Albertson	Council Member Thor Williams
Council Member Naim Shabani (arrived 7:02 p.m)	
Members Absent:	
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler
City Attorney Patty Burley	

IV. PEOPLE TO BE HEARD

Dan Winkelman, President/CEO of Yukon Kuskokwim Health Corporation, presented a letter to the Council from the YKHC Board stating concerns related to the sale of alcohol in Bethel and how the sale in Bethel has had a negative effect on the surrounding communities. Requests the Council consider ways of restricting the sale of inexpensive vodka and whiskey.

John Sargent, spoke in opposition of the Introduction of Ordinance 18-01, as the community voted for the community to be wet and the City should support economic Development.

Beth Tressler, spoke in opposition to the proposed park in Kasayuli Subdivision as there are a number of residents of the subdivision that signed a petition opposing the development of a park at the proposed location.

Reyne Athanas, thanked the City Attorney and the council members for working with her on the amendments reflected in Ordinance 18-02 related to the changes of isolated sales.

Eileen Arnold, Tundra Women's Coalition Director, Spoke in opposition to liquor sales in the community. Additionally, requested the Council to provide an exemption to the TWC Thrift Store on the 6% sales tax requirements. Stated that it is difficult for a non-profit agency to fund the thrift store. The 6% tax would be a burden to the continued operation of the store.

Michael Stovarsky, spoke in support to the sales tax exemption for the thrift store. Clothing, food, and shelter are essential. The thrift store is able to provide clothing for those who are in need.

Lorin Bradbury, spoke in support of Ordinance 18-01, and would be in support of some form of Local Option. Spoke in support of extending the number of isolated sales as proposed in Ordinance 18-02. Additionally, looks forward to the Council's consideration of the exemption for landlords in the sales tax payment of the utility for their tenants.

Walter Jim, ONC Chair, The ONC tribe supports AVCP's resolutions presented to the Council and encourages the Council to establish a task force to address alcohol.

Susan Taylor, spoke in opposition to the taxation of the Saturday market and other flea market sales. Additionally, stated support to the tax exemption for TWC's thrift store. Stated the problems in the community caused by alcohol are not going to be resolved by the City selling alcohol.

Council Member Shabani arrived at 7:02 p.m.

Raymond Watson, AVCP Council President, Spoke in favor to AVCP's Resolution requesting the establishment of a task force on alcohol. AVCP also opposes the issuance of any liquor license in Bethel.

Benjamin Charles, stated opposition to the sales tax that is being placed on the Saturday markets and flea markets. Requested the council consider that there may be a number of people who will have difficulty completing the

required paperwork as well. Requested the Council explore other avenues for the nonprofits.

David E. Trantham Jr., Spoke in opposition to Ordinance 18-01.

Cezary Maczynski, Spoke in opposition to Ordinance 18-01.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by:	Forbes
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

Primary Amendment: Move Item VII, Reports of Standing Committees, to follow Item VIII, Special Order of Business.

Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

Secondary Amendment: Move Item B under Special Order of Business to first under Special Order of Business.

Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

Removal from

Consent: Ordinance 18-01 and 18-02 and 17-24 (f) from the consent agenda.

Moved by: | Robb

VI. APPROVAL OF THE MEETING MINUTES

Item A – 12-12-2017 Regular Meeting Minutes
Passed on the Consent Agenda

Item B – 12-28-2017 Special Meeting Minutes
Passed on the Consent Agenda

VII. SPECIAL ORDER OF BUSINESS

Item B – Fiscal Year 2016 Audit Report / Review With The City’s Auditing Firm, Altman, Rogers & Co.

Altman Rogers Representative, Brian Kupilik, gave a summary of the Audit Report.

Item A – Invitation To AVCP To Address Their Concerns Presented In AVCP Resolution 170903 and The Effect of Alcohol In The Region.

Association of Village Council Presidents (AVCP) Chief Executive Officer, Vivian Korthius and Chairman Ray Watson addressed the Council.

Main Motion: Move New Business Item I, AM 18-05, to the next item on the agenda.

Moved by: Forbes
Seconded by: Shabani
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Williams Forbes
Opposed: -0

NEW BUSINESS

Item I – AM 18-05: Authorizing The City Manager To Enter Into A Memorandum Of Understanding With Bethel Friends Of Canines For Use Of The Dog Pound Facility.

Main Motion: Approve AM 18-05.

Moved by: Springer
Seconded by: Forbes
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Williams Forbes
Opposed: -0

Subsidiary Motion: Suspend the rules to hear from Theresa Quiner, Bethel Friends of Canine Representative.

Moved by: Watson
Seconded by: Williams
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Williams Forbes
Opposed: -0

VIII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission

Training was provided by the City Clerk.

Considered an ordinance to increase taxi rates and a potential change of language in the taxi cab camera regulation.

Port Commission

No one available to provide a report.

Planning Commission

A meeting will be held on January 11th at 6:30 p.m.

Parks, Recreation, Aquatic Health and Safety Center Committee

Considering Recommendations which will be presented to the Council in February concerning the purchase of a cherry picker.

The committee heard from members of the public on the development of phase 2 of the pool; the gym.

The Kasayuli Park development is on hold until another public meeting is held.

Requesting a status update on the renovation of the owl park.

Discussed the finances of the pool facility with the finance director and would like to continue the discussion further.

The Committee is generally supportive of the development of a gym space, the details haven't been established.

Finance Committee

The Finance Committee will meet January 22.

Energy Committee

A meeting will be held in a few weeks.

Public Works Committee

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

IX. UNFINISHED BUSINESS

Item A – Public Hearing Of Budget Ordinance 17-28(e): Amending The Adopted Annual FY 2018 Budget- Change To Park Development Fund.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Budget Ordinance 17-28(e).

Moved by: Forbes

Seconded by: Springer

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Watson Springer Shabani Williams Forbes

Opposed: -0

Item B – Introduction of Ordinance 17-48: Amending Fees And Charges Related To Alcohol Permit Applications And Major Subdivision Development.

Main Motion:	A motion to introduce on November 28, 2017 by
Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0
Primary Amendment:	Amend to insert "Special Event Permit \$50."
Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

X. NEW BUSINESS

Item A – Introduction Of Ordinance 18-01: A Ballot Proposition To Adopt Local Option, Alaska Statutes 04.11.491 (A)(3)(C), Prohibiting The Sale Of Alcoholic Beverages Except For A Package Store License Operated By The Municipality And Opt To Not Apply A Class C Felony To Violations Of Alaska Statutes 04.16.051, Furnishing Or Delivery Of Alcoholic Beverages To Persons Under The Age Of 21 AS 04.11.491(G)(3).

Main Motion:	Introduce Ordinance 18-01.
Moved by:	Forbes
Seconded by:	Albertson
Action:	Motion does not carry by a vote of 3-4
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer
Subsidiary Motion:	Call the question
Moved by:	Williams
Seconded by:	Springer
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Robb

Item B – Introduction Of Ordinance 18-02: Amending Chapter 4.16.160 Of The Bethel Municipal Code, Sales And Use Tax, Tax Exemptions For Isolated Sales.

Main Motion: Introduce Ordinance 18-02.

Moved by: Forbes
Seconded by: Springer
Action: Referred to Committee

Amend Subsection D and D. 1. To read:

Casual and isolated sales, services or rentals: Proceeds from the sale of personal goods or property at moving, garage, yard, food and bake sales, markets and festivals or fairs, the sale of private vehicles when the seller is not a dealer in used vehicles, or services such as babysitting or house-sitting provided the seller does not regularly engage in the business of selling such goods or services or rentals but only if:

1. The sales of goods and services are not made through a dealer, broker, agent or consignee; or
2. Holder of a City of Bethel Business License or;

Primary Amendment:

Moved by: Springer
Seconded by: Albertson
Action: Motion does not carry by a vote of 1-6
In favor: Springer
Opposed: Robb Albertson Watson Shabani Williams Forbes

Secondary Amendment:

Amend to strike "holder of a city of bethel Business License; or."

Moved by: Springer
Seconded by: Forbes
Action: Motion carries by a vote of 6-1
In favor: Albertson Watson Springer Shabani Williams Forbes
Opposed: Robb

Main Motion: Refer to the Finance Committee.

Moved by: Albertson
Seconded by: Williams
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Williams Forbes
Opposed: -0

Item C – Introduction Of Budget Ordinance 17-28 (f): Amending The Fiscal Year 2018 Budget To Move Funds From Finance Salaries To Auditing Expenses And Other Professional Services.

Main Motion: Introduce Budget Ordinance 17-28(f).

Moved by: Forbes
Seconded by: Springer
Action: Motion carries by a vote of 6-1

In favor: Robb Albertson Watson Springer Shabani Forbes
Opposed: Williams

Primary Amendment: Amend to insert 10-53-721, Insurance \$21,390
And Decrease 10-52-501, Salaries \$21,390

Moved by: Williams
Seconded by: Springer
Action: Motion does not carry by a vote of 1-6
In favor: Williams
Opposed: Robb Albertson Watson Springer Shabani Forbes

Item D – Review Administrative Report For The Bethel Spirits Package Store License Renewal.

Item E – AM 18-01: Appointment Of Grady Deaton To The Community Action Grant Technical Review Board.

Passed on the consent agenda.

Item F – AM 18-02: Appointment Of Benjamin Anderson-Agimuk To The Public Works Committee.

Passed on the consent agenda.

Item G – AM 18-03: Appointment of Elizabeth Williams to the Planning Commission as an Alternate Member for a term of three years.

Passed on the consent agenda.

Item H – AM 18-04: Direct Administration To Prepare And Submit An FFY 2018 State Homeland Security Program Grant Application.

Main Motion: Approve AM 18-04.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Williams Forbes
Opposed: -0

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

Mayor Richard Robb –

Wished everyone a Happy Slavic.
Congratulated the wrestling team.
Thanked the Bethel Search and Rescue for their continued work and efforts to rescue people.

Vice-Mayor Fred Watson –
Thanked the City water and sewer drivers for their hard work.

Council Member Leif Albertson –
Thankful that the new ambulance is in service.
Hoped that people will be safe out there.

Council Member Mark Springer –
Thanked the water and sewer crew as well as the road maintenance crew.
Travelers should be paying attention to the Search and Rescue updates.

Council Member Naim Shabani –
Wished everyone a Happy Slavic, and congratulated the Wrestling Team.

Council Member Thor Williams–
Wished everyone a Happy Slavic, and Happy New Year.
Raised a question to Council concerning legislative lobbying plans.
Congratulated the Bethel Wrestlers on their State win.

Council Member Mitchell Forbes–
Thanked everyone who came to the City Council Meeting to speak tonight.

EXECUTIVE SESSION

Item A– In Accordance With 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 City Of Bethel vs. Ben Barnes- Case #: 4BE-17-291-CI.

Move Into Executive Session-
In Accordance With 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 City Of Bethel vs. Ben Barnes- Case #: 4BE-17-291-CI. Those attending Item A were: City Attorney, City Manager, and the City Clerk.

Main Motion:

Moved by:	Forbes
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

*Council Member Shabani declared a conflict of interest due to Ben Barnes's employment by Kusko Cab.
Council Member Shabani stated that he could take action in a way that is fair and impartial.
Mayor Robb ruled Council Member Shabani does not have a conflict of interest.
Council Member Shabani departed the meeting at 10:40 p.m.
Council Member Springer departed the meeting at 10:55 p.m.*

XV. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Forbes
Seconded by:	Albertson
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Williams

Council adjourned at 10:55 p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk