



City Council Meeting Agenda Regularly Scheduled Meeting October 13, 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
545-8819
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
bmacynski@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) *9-22-2015 Special Meeting Minutes [Page 4](#)
 - b) *9-22-2015 Regular Meeting Minutes [Page 6](#)
- VII. REPORTS OF STANDING COMMITTEE**
 - a) Public Safety and Transportation Commission
 - b) Port Commission
 - c) Planning Commission
 - d) Parks, Recreation, Aquatic Health And Safety Center Committee
 - e) Finance Committee
 - f) Energy Committee
 - g) Public Works Committee
 - h) Non Standing Committee Reports
- VIII. SPECIAL ORDERS OF BUSINESS**
 - a) Review Canvass Board Certificate Of Election, October 6, 2015 (Mayor Robb) [not available until after the canvass board October 8, 2015]
 - b) Resolution 15-16: Certifying The Results Of The City Of Bethel, Regular Municipal Election Held October 6, 2015 (Mayor Robb) [not available until after the canvass board October 8, 2015]
 - c) Oath Administered To Newly Elected Council Members (Mayor Robb)
 - d) Proclamation Commemorating The End Of WWII And Recognizing The Alaska Territorial Guard Members For Their Efforts In WWII (Council Member Maczynski) [Page 27](#)
 - e) Liquor License Applicant's Opportunity To Defend Their Application Before The Governing Body As Per 3 AAC 304.145 – AC Quickstop Package Store License # 5418 (Mayor Robb) [Page 28](#)
- IX. UNFINISHED BUSINESS**
 - a) Public Hearing Of Ordinance 15-29: Amending Bethel Municipal Code Chapter 4.08, Acquisition And Disposal Of Land (City Manager Capela) [Referred to Planning Commission on 9-22-2015] [Page 41](#)

Agenda posted on October 7, 2015, at City Hall, AC Co., Swanson's, and the Post Office.


Lori Strickler, 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 October 22, 2015**)



**City Council Meeting Agenda
Regularly Scheduled Meeting
October 13, 2015 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

- b) Public Hearing Of Ordinance 15-30: Amending Bethel Municipal Code 5.20.110, Denial, Suspension Or Revocation Of License Or Permit-Taxicab (Public Safety And Transportation Commission) [Page 45](#)
- c) Public Hearing Of Ordinance 15-31: Adding Bethel Municipal Code Section 10.02.465, Operation Of Low Speed Vehicles (Mayor Robb) [Referred to Public Safety and Transportation Commission on 9-22-2015] [Page 49](#)
- d) Public Hearing Of Ordinance 15-32: Amending Bethel Municipal Code Section 5.08, Alcoholic Beverages (Council Member Fansler) [Referred to Public Safety and Transportation Commission, Planning Commission and Finance Committee on 9-22-2015] [Page 51](#)
- e) Resolution 15-14: Requesting Small Flight Passenger Carriers To Begin Conducting Baggage Checks On Flights To Bethel (Council Member Maczynski) [Page 76](#)

X. NEW BUSINESS

- a) AM 15-43: Appointing Six Members To The Marijuana Advisory Committee (Mayor Robb) [Page 78](#)
- b) *AM 15-44: Appointing Lorin Bradbury To The Planning Commission (Mayor Robb) [Page 95](#)
- c) *AM 15-45: Appointing Eileen Henrikson To The Public Safety And Transportation Commission (Mayor Robb) [Page 96](#)
- d) AM 15-46: Approve Sole Source Justification For The Purchase Of Wind Turbine Maintenance And Repair Services From Northern Power Systems (Acting City Manager Williams) [Page 97](#)
- e) AM 15-47: Authorizing The City Manager To Enter Into A Contract With Wilson Agency For The City's Brokerage Services (Vice-Mayor Albertson)

XI. MAYOR'S REPORT

XII. MANAGER'S REPORTS

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

XV. ADJOURNMENT

Agenda posted on October 7, 2015, at City Hall, AC Co., Swanson's, and the Post Office.


Lori Stickler, City Clerk

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Approval of the Meeting Minutes

I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on September 22, 2015 at 5:30 p.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 5:55 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"/> Vice-Mayor Leif Albertson
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Mark Springer
Also in attendance were the following:	
<input checked="" type="checkbox"/> City Manager Ann Capela	
<input checked="" type="checkbox"/> City Clerk Lori Strickler	<input checked="" type="checkbox"/> City Attorney Patty Burley
Members Absent:	
<input checked="" type="checkbox"/> Council Member Heather Pike	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Council Member Byron Maczynski	

IV. PEOPLE TO BE HEARD

V. APPROVAL OF THE AGENDA

Main Motion: Approve the Agenda

Moved by:	Springer
Seconded by:	Herman
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Herman
Opposed:	-0

VI. NEW BUSINESS

Item A – Presentation by Wilson Agency, For Health Insurance Brokerage Services As Required By Recent Request For Proposal.

VII. ADJOURNMENT

Main Motion: Adjourn

Moved by: Springer

Seconded by: Herman

Action: Motion carries by a vote of 4-0

In favor: Robb Albertson Fansler Springer Herman

Opposed: -0

Council adjourned at 6:22 p.m.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

I. CALL TO ORDER

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

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III. ROLL CALL

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<input checked="" type="checkbox"/> Vice-Mayor Leif Albertson	<input checked="" type="checkbox"/> Council Member Chuck Herman
<input checked="" type="checkbox"/> Council Member Mark Springer	
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	
Council Members Absent:	
<input checked="" type="checkbox"/> Council Member Byron Maczynski	<input checked="" type="checkbox"/> Council Member Heather Pike

IV. PEOPLE TO BE HEARD

Kathy Hanson –

Provided suggestion to the City Council and the City Manager, a report from the City Manager be provided in the newspaper.

Spoke in favor of the proposed Complete Streets Ordinance 15-28.

As a member of the Planning Commission, spoke in opposition to Ordinance 15-29.

Mary Nanauwaic –

Would like to be reconsidered for a candidate for the 2015 City Election. She stated her Declaration of Candidacy was denied due to residency requirements.

Stated she has applied for the Marijuana Advisory Committee and would like to know when the Council will be considering the appointments to the Committee.

Ana Hoffman –

Provided unfavorable feedback to the Council on a few of the whereas statements in Resolution 15-15.

Stated Ordinance 15-32, is an attempt for the Council to try to further restrict legal sales of alcohol in the community.

Ben Barns –

Spoke in favor of Ordinance 15-31.

Stated there were bootleggers in the past, there are bootleggers now, there will always be bootleggers.

Dave Trantham –

State he believes a lot of effort has been put towards the protesting of legal sales of alcohol and too little time put forth in the efforts of ending illegal sales.

Is sad to learn, the City Council has not put any money into the budget to provide salary increases to the City employees however, there is \$5,000 in the budget for the Council’s travel budget.

Does not feel the utility corridor will be sustaining.

Shelly Andrews –

Provided concerns regarding the maintenance of the City’s roads due to the Administration’s attempt to save money in overtime however, upper level management positions are being provided raises.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by: Fansler

Seconded by: Albertson

Action: Motion carries by a vote of 5-0

In favor: Robb Albertson Springer Fansler Herman

Opposed: -0

Removal from the Agenda:

Ordinance 15-29, 15-30, 15-31, 15-32 and Resolutions 15-14 and 15-15.

Moved by: Springer

VI. APPROVAL OF THE MEETING MINUTES

Item A- 9-08-2015 Regular Meeting Minutes

Item B- 9-10-2015 Special Meeting Minutes

Approved on the consent agenda.

VII. REPORTS ON STANDING COMMITTEES

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

The commission considered the Ordinances referred to them and will be recommending the Council not adopt the suggested modifications to code.

Port Commission

Port Director, Pete Williams –

A quorum of the body was not established.
The small boat harbor will be closing October 1.

Planning Commission

No one available to provide the report.

Parks and Recreation Committee

Council Representative, Richard Robb –

A meeting of the body has not yet been held.

Finance Committee

Council Representative Leif Albertson –

A meeting has not been held since the last city council meeting.

Public Works Committee

No one present to provide a report.

Energy Committee

Council Representative, Zach Fansler –

Thanked Mary Weiss for her service to the Committee.
The Committee is looking for volunteers for the committee.

VIII. SPECIAL ORDER OF BUSINESS

Item A – Proclamation Commemorating The End Of WWII And Recognizing The Alaska Territorial Guard Members For Their Efforts In WWII.

Postponed.

Main Motion: Postpone Proclamation and Resolution 15-14 until the next meeting.

Moved by:	Springer
Seconded by:	Fansler
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Maczynski
Opposed:	—0

Item B- United Pools Presentation.

Raunicka Ray provided a report to the City Council. Suggested having a special purchase package for PFD time.

IX. UNFINISHED BUSINESS

Item A - Public Hearing On Ordinance 15-28: Amending The Bethel Municipal Code Title 12 To Include 12.10 Complete Streets.

Mayor Robb opened the public hearing.

No one present to be heard.

Mayor Robb closed the public hearing.

Main Motion: Adopt Ordinance 15-28.

Moved by:	Albertson
Seconded by:	Herman
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Amend to insert under 12.10.020 Application
“The provisions of this chapter do not apply to the ordinary maintenance activities designed to keep assets in serviceable condition (e.g., spot repair and surface treatments or interim measures on detour or haul routes.)” at the end of the section.
 Amend to strike out under 12.10.040 Exemptions number 6 ~~“Ordinary maintenance activities designed to keep assets in serviceable condition (e.g., spot repair and surface treatments or interim measures on detour or haul routes).”~~

Main Motion:

Moved by:	Fansler
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

X. NEW BUSINESS

Item A – Introduction Of Ordinance 15-29: Amending Bethel Municipal Code Chapter 4.08, Acquisition And Disposal Of Land.

Main Motion: Introduce Ordinance 15-29.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Main Motion: Postpone until October 13.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Primary

Amendment: Refer to the Planning Commission for consideration.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Item B – Introduction Of Ordinance 15-30: Amending Bethel Municipal Code 5.20.110, Denial, Suspension Or Revocation Of License Or Permit-Taxicab.

Main Motion: Introduce Ordinance 15-30.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Item C – Introduction Of Ordinance 15-31: Adding Bethel Municipal Code Section 10.02.465, Operation Of Low Speed Vehicles.

Main Motion: Introduction of Ordinance 15-31.

Moved by:	Springer
Seconded by:	Albertson
Action:	Postponed

Main Motion: Postpone until the Next regular meeting.

Moved by: Fansler
Seconded by: Herman
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Primary

Amendment: Refer to the Public Safety and Transportation Commission.

Moved by: Herman
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Subsidiary

Motion: Ten minute break.

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Suspend the rules to move New Business Item J, AM 15-39 to the next item of business.

Main Motion:

Moved by: Springer
Seconded by: Fansler
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Item J – AM 15-39: Approving The Agreement Between The University Of Alaska, Fairbanks, School Of Natural Science And Extension.

Main Motion: Approve AM 15-39.

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Main Motion: Postpone until the next regular meeting.

Moved by:	Fansler
Seconded by:	Springer
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Item D - Introduction Of Ordinance 15-32: Amending Bethel Municipal Code Section 5.08, Alcoholic Beverages.

Main Motion: Introduce Ordinance 15-32.

Moved by:	Fansler
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Refer to the Public Safety and Transportation Commission, the Finance Committee and the Planning Commission.

Main Motion:

Moved by:	Springer
Seconded by:	
Action:	Motion does not carry due to a lack of a second.
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Refer to the Public Safety and Transportation Commission, the Finance Committee and the Planning Commission at their next regular meeting.

Main Motion:

Moved by:	Fansler
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Item E- Resolution 15-14: Requesting Small Flight Passenger Carriers To Begin Conducting Baggage Checks On Flights To Bethel.

Postponed until the next regular meeting.

Item F – Resolution 15-15: Protesting The Issuance Of A Package Store License To North West Company, AC Quickstore - License #5418, Located At 131 Akakeek Street, Bethel.

Main Motion: Adopt Resolution 15-15.

Moved by: Herman
 Seconded by: Fansler
 Action: Motion carries by a vote of 5-0
 In favor: Robb Albertson Springer Fansler Herman
 Opposed: –0

Amend to insert in the 12th Whereas:

Whereas, “the sobering center intake numbers for 2014 totaled 1,686 and...”

Insert after the 12th Whereas statement:

Whereas, a review of the statistics kept by the Alaska Court System revealed that Driving While Intoxicated (DUI's) has remained steady both before and after going wet, however, bootlegging appears to have increased significantly;

Whereas, determining just how much bootlegging goes on in Bethel is a figure that cannot be ascertained to any degree of certainty, all that can be stated with any certainty is that bootlegging does occur both in Bethel and more greatly impacts the villages surrounding Bethel;

Whereas, the Bethel WAANT unit indicates that since going wet, rates of bootlegging in Bethel appear to have remained steady while bootlegging to the surrounding communities appears to have increased, this is supported by the statistics obtained from the Bethel courthouse;

Whereas, in 2009, the year Bethel went wet, there were 53 importation (bootlegging) convictions, these offenses are typically attempts to take alcohol from Bethel to the surrounding dry communities, the 2009 figure was a stark increase from the damp years of 2007 (1 conviction) and 2008 (12 convictions), following 2009, the figures remained high: 91 in 2010, 93 in 2011, 52 in 2012 and 67 in 2013, these figures would appear to support the City Council’s concerns that the more readily available alcohol is in Bethel, the more of it that will flow to the surrounding villages to feed its bootlegging/importation businesses;

Primary Amendment:

Moved by: Herman
 Seconded by: Albertson
 Action: Motion carries by a vote of 5-0
 In favor: Robb Albertson Springer Fansler Herman
 Opposed: –0

Primary Amendment: Amend the 12th Whereas statement by inserting "residents of"...Bethel, and striking "~~the other half from surrounding villages.~~"

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 2-3
In favor: Springer Fansler
Opposed: Robb Albertson Herman

Primary Amendment: Amend the 14th Whereas statement to insert "two elementary schools and the high school" and strike "~~the school~~" and strike "~~teenagers~~" and insert "children."

Moved by: Springer
Seconded by: Herman
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Primary Amendment: Amend the 17th Whereas to strike "~~install~~" and insert "offer."

Moved by: Fansler
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Secondary Amendment: Amend the 17th Whereas to insert "often times."

Moved by: Herman
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Primary Amendment: Amend the 18th Whereas statement to strike "~~if alcohol were easily accessible at a lower cost than that provided by bootleggers, there will be an~~" and insert "the more easily accessible alcohol is in Bethel the more..."

Moved by: Fansler
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Fansler Herman
Opposed: -0

Council Member Springer departed the meeting at 10:30 p.m.

Item G – AM 15-36: Appointing Mary Weiss To The Parks, Recreation, Aquatic Health And Safety Center Committee.

Passed on the consent agenda.

Item H – AM 15-37: Appointing Kathy Hanson To The Parks, Recreation, Aquatic Health And Safety Center Committee .

Passed on the consent agenda.

Item I – AM 15-38: Appointing Michelle DeWitt To The Parks, Recreation, Aquatic Health And Safety Center Committee.

Passed on the consent agenda.

Item K – AM 15-40: Approval Of The Purchase Of City Sand Shed Insulation From T&H Leveling, Inc.

Main Motion: Approve AM 15-40

Moved by:	Albertson
Seconded by:	Fansler
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Item L – AM 15-41: Approving The Appointment Of Deborah White To The Public Safety And Transportation Commission.

Passed on the consent agenda.

Item M – AM 15-42: Approval Of The City Of Bethel Employee Handbook.

Main Motion: Approve AM 15-40

Moved by:	Herman
Seconded by:	Albertson
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Subsidiary

Motion: Extend the meeting to 11:30 p.m.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Main Motion: Postpone to the November 23, Regular Meeting.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

XI. MAYOR’S REPORT

XII. MANAGER’S REPORT

XIII. CLERK’S REPORT

XIV. COUNCIL MEMBER COMMENTS

Council Member Zach Fansler –

This is the last meeting before the election, hope that there is a large turnout for this election, now is the time to exercise your right to be heard. The more information you have the more informed you will be when voting.

Traveled to Kotzebue to defend the City’s position in the Dimitri’s Restaurant liquor license application. While in Kotzebue, was also able to tour the Kotzebue liquor establishments. Hope to have some type of public forum to provide feedback on the information obtained while in Kotzebue.

The Energy Committee is looking for volunteers.

Council Member Chuck Herman –

No comment.

Vice-Mayor Albertson –

Two years on Council is coming to a close, believe it is time well spent. On the 26th and the 29th there will be council candidate forums. Be sure to get out and vote on October 6. It is getting dark outside, now is the time to get the reflectors out and clean the chimneys.

Mayor Robb –

City Council forum is this Thursday at noon, all six candidates have confirm attendance. Next Tuesday will be the candidate forum for KYUK.

October 6, is Election Day, encourage everyone to vote. This is the last time this body in this formation will sit together. For the past few years, it has been an honor and privilege to work with the Council, City Staff and the public. Honored and humbled to be elected Mayor for the last year.

XV. EXECUTIVE SESSION

Item A- Executive Session To Discuss The Annual Evaluation Of The City Attorney As Per Alaska Statutes 44.62.310: Personnel Matters (Unless the Person Has Requested To Have The Subjects Discussed In Public) Or Subjects That Tend To Prejudice The Reputation And Character Of A Person.

Move into executive session To Discuss The Annual Evaluation Of The City Attorney As Per Alaska Statutes 44.62.310: Personnel Matters (Unless the Person Has Requested To Have The Subjects Discussed In Public) Or Subjects That Tend To Prejudice The Reputation And Character Of A Person. Those participating in the Executive session will be the City Attorney and the Council.

Main Motion:

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Subsidiary

Motion: Extend the meeting to 10:45 p.m.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

XVI. ADJOURNMENT

Provide the City Attorney with a 3% raise per her contractual agreement with the City of Bethel.

Main Motion:

Moved by:	Albertson
Seconded by:	Fansler
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Main Motion: Adjourn.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	—0

Council adjourned due to lack of a quorum at 12:15 a.m.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Reports of Standing Committees

City of Bethel, Alaska

Public Safety & Transportation Commission

September 1st, 2015

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on September 1st, 2015 in the Bethel City Hall Council Chambers.

This meeting was called to order at 7:04PM

II. ROLL CALL

Present: Joan Dewey *Chair*
 Alisha Welch *Vice Chair*
 Chuck Herman *Council Representative*
 Naim Sabani

Ex-Officio Present: Bill Howell *Fire Chief*
 Andre Achee *Chief of Police* (via telephone conference)
 Christina Him *Recorder and Transportation Inspector Designee*

Other Present: Patty Burley *City Attorney*

III. PEOPLE TO BE HEARD

Frank Mazzaro – Kusko Cab Driver: *Wanted clarification on what a Public Hearing is, specifically agenda item (VI) BMC 5.40.080 Carrying Alcoholic Beverages. Doesn't want to speak in "People to be Heard", but would speak when topic is brought up later on in the meeting.*

IV. APPROVAL OF AGENDA

MOVED:	Herman	Motion to approve the agenda.
SECONDED:	Welch	
VOTE ON MAIN MOTION	All in favor.	

V. APPROVAL OF MINUTES

MOVED:	Herman	Motion to approve the minutes from the regular meeting of June 2 nd , July 7 th , and August 10 th , 2015.
SECONDED:	Sabani	

VOTE ON MAIN MOTION	All in favor.
----------------------------	---------------

VI. SPECIAL ITEM OF BUSINESS

- A. Public Hearing:** On the price and quality of service provided by all regulated vehicles, chauffeurs and dispatch services.

Frank Mazzaro – Kusko Cab Driver: *Would like to know if there is anything specific PSTC will be talking about.*

Per Bethel Municipal Code 5.20.030 C: The Public Safety and Transportation Commission is required to hold two Public Hearing meetings to investigate the quality of services rendered by regulated vehicles, permittees, chauffeurs and dispatch services and shall make such recommendations to the city council as it deems necessary for the improvement of such services.

This is an open discussion, and the public can attend and say what they need to say. This is the first Public Hearing, and another will probably be conducted before the year is over.

VII. CHIEFS' COMMENTS

Chief Bill Howell- *The good news is, the Fire Department is fully staffed for all of the allotted positions, however it is still down one position that was eliminated by fiscal year '15. The department is attempting to seek grant funding through a federal safer grant that was previously awarded to get a position restored.*

Currently the department is training three people, one of which is a local hire, and two are from out of state. The trainees are doing great, and the most recent hire was here on August 21st; it is exciting and nice to have some help.

One ambulance is out of service and is getting repaired at the City Shop; however it should be repaired hopefully this week.

The Fire Department is gearing up for Fire Prevention and are in the process of purchasing fire hats, lollipops, and rulers for the kids, as well as scheduling the schools for fire prevention visits. This is done every October, so there are a lot of on-going preparations.

The EMT-1 course will begin on Sept 21st through December 4th. If anyone is interested in volunteering as an EMT and would like to take the course, it would be a great way to serve the community. Recruitment is encouraged and if qualified applicants are obtained, there will be incentives (hat, buttons, supporter t-shirt) for the referral.

The department will be getting a new pick up/plow truck that should be coming in on the last barge. Hoping the plow won't be a cooler for the snow coming this year, trying to stay optimistic and hope that we do have some snow.

Chief Andre Achee – *See Report in Commission Packet*

VIII. TRANSPORTATION INSPECTOR REPORT

See Report in Commission Packet

IX. COUNCIL MEMBER’S COMMENTS

Council Member Herman –*Met with the Department of Transportation (DOT) officials along with the city manager in regards to Ridgecrest Drive. The City is trying to revamp the whole roadway in front of the high school, however it is unclear which way council is going on financially, as the City would have to come up with \$260,000.00 for a \$3 million dollar project. Essentially, revamping the big stretch of road would help in reducing traffic congestion, dust, and pedestrian walkways as well as help the kids around the area. Also spoke with Senator Sullivan about board walks during his visit in Bethel and how important boardwalks are for the community. Currently boardwalks are classified as under “recreation” by the federal government, which means that money from the transportation budget cannot be spent on board walks. In Bethel, boardwalks are used for transportation to get around. He will continue to look at this issue with Council.*

X. UNFINISHED BUSINESS

A. Drug Screening Policy for Chauffeurs

Discussed, no action taken. Commission member Sabani – will speak to Bethel Family Clinic or other agencies in regards to random drug testing services.

B. Taxi Permit Number and Vehicle Numbers

Taxi permit numbers will match its corresponding vehicle numbers and will be implemented with the next scheduled semi-annual inspection of Alaska Cab. A drafted letter notifying cab owners of the change of permit numbers to match their vehicle numbers will be sent out. Schedule of fees for BMC approved decals will need to be sent over to finance department before implementation of selling the decals at the police department.

C. Revocation of Vehicle Permit (BMC 5.20.110)

Per last PSTC meeting, the commission successfully passed the motion to recommend proposed changes of the amended language of BMC 5.20.110 to strike 45 consecutive and 90 consecutive days and add 180 days in a 12 month period, to Council. This will be forwarded to Council before the next Council meeting.

XI. NEW BUSINESS

A. BMC 5.40.080 Carrying Alcoholic Beverages (Commission Member Sabani)

Please see (B). Council Recommendations for BMC Changes as this matter is directly related.

B. Council Recommendations for BMC Changes

(i). Ordinance #15-19 / Ordinance #15-20

MOVED:	Herman	Motion to not recommend Ordinance #15-19 – An ordinance amending Bethel Municipal Code Chapter 5.40.070, Chauffeurs, Alcoholic Beverages and Controlled Substances and repealing 5.40.080, Chauffeurs Carrying Alcoholic Beverages. This motion also simultaneously voids Ordinance #15-20, An Ordinance by the Bethel City Council Amending Bethel Municipal Code Chapter 5.20.120F, Penalties and Remedies.
SECONDED:	Sabani	
VOTE ON MAIN MOTION	All in favor.	

(ii). Ordinance #15-21

MOVED:	Welch	Motion to not recommend Ordinance #15-21, An Ordinance by the Bethel City Council Amending Bethel Municipal Code, Chapter 5.30, Taxicab, River Taxi, Limousine and Global Positioning System Capabilities.
SECONDED:	Herman	
VOTE ON MAIN MOTION	All in favor.	

C. Community Preparedness – PFD (Chair Dewey)

The Public Safety and Transportation Commission discussed ways in which the commission can assist with community preparedness during PFD (Permanent Fund Dividend) season, as there is a significant increase of intoxicated individuals and child welfare situations during the month of October. This includes the opening of the Winter House, which should be fully staffed for the homeless and the Sobering Center for inebriates who are unable to care for themselves. Additionally with the support of the Bethel Police Department’s CSP (Community Service Patrol) Program, the police department is confident that they will have sufficient staffing to handle the work load during PFD season. Other resources include the Fire Department, which have in the past helped with providing transportation of intoxicated individuals to protective custody or a safe residence.

Providing a safe haven for inebriates during this time of the year is important. The public have in the past been helpful and continue to do so by notifying the police department of intoxicated individuals. Inebriates are not always transferred to the jail or the sobering center first; typically if they have a safe residence to go to, they are transported there. It is a preference that they go home to their families, however the reality at times, they have to be taken into protective custody.

One of the CSP protocols includes asking the intoxicated individuals if they have somewhere to go to, a friend or a relative that can help take care of them. CSPs are typically cross trained, and the next EMT class starts in September, most of the time they take advantage of it. The Fire Department is fully staffed with firefighters and EMT personnel. There are 38

total volunteers, and about half of the volunteers are medics. There are also two ambulances available.

D. City Council Candidacy (Vice Chair Welch)

Vice Chair Welch is running for City Council, and if elected would not be able to be a part of PSTC. However, she is encouraging someone who is interested in applying to be a part of the commission. She will continue to encourage people to apply, so that meetings can continue.

I. COMMISSION MEMBER COMMENTS

Joan Dewey- *Would like all commission members to think about and keep promoting the service aspect of being on a committee. Values PSTC in terms of the issues that come here for of the community. Hopes that commission members can think of other candidates that might be able to help. Also hopes that the community has a safe PFD season, as too many kids feel the effect.*

Naim Sabani- *Good luck and congratulations to Alisha. She will be missed here if she gets elected.*

Chuck Herman- *First Tuesday of October is Election Day, which is also the next scheduled PSTC meeting. Proposes to change the next meeting to Monday, October 5th, 2015 at the same time.*

Alisha Welch- *No comments.*

MOVED:	Herman	Move to change the date of the next meeting from October 6 th to October 5 th at 7:00pm.
SECONDED:	Sabani	
VOTE ON MAIN MOTION	All in favor.	

II. ADJOURNMENT

MOVED:	Welch	Motion to adjourn.
SECONDED:	Herman	
VOTE ON MAIN MOTION	All in favor.	

Meeting adjourned at 9:48pm

APPROVED THIS _____ DAY OF _____, 2015.

Christina Him, Recorder

Joan Dewey, Chair



Planning Commission Meeting Agenda

Regular Meeting Thursday, October 8, 2015 – 6:30PM
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

MEMBERS

Joy Shantz
Chair
Term Expires
12/2015

John Guinn
Vice-Chair
Term Expires
12/2015

Council Rep.
Term Expires

Kathy Hanson
Committee Member
Term Expires
12/2016

Cliff Linderoth
Committee Member
Term Expires
12/2016

Vacant
City Planner
Ex-Officio Member

Betsy Jumper
Recorder

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (5 Minute Limit)
- IV. APPROVAL OF THE AGENDA
- V. APPROVAL OF THE MINUTES OF AUGUST 13 AND SEPTEMBER 10, 2015
- VI. NEW BUSINESS
 - A. Alaska Marine Lines renewal of the lease for the warehouse located at the city dock--formerly the Northland warehouse ; (ACTION ITEM)
 - B. Transfer of Title for United States Survey No. (USS) 4117, lot 15—the old Readiness Center location—located approximately across from the “Q-2”; transfer the Title back to the City of Bethel from the Bureau of Land Management (BLM); (ACTION ITEM)
 - C. Orutsararmuit Native Council (ONC) would like for the City to make a road, so ONC can have access to their land, Lot 13, USS 4117, near Lot 15, USS 4117, for a possible future housing development; (DISCUSSION)
 - D. Introduction of Ordinance 15-29: Amending the Bethel Municipal Code BMC Chapter 4.08—Acquisition and Disposal of Land; (ACTION ITEM)
 - E. Request by City Attorney to look into/review/discuss: tall towers ordinance; city-wide zoning; nuisance properties; abandoned properties; site plan permits; easements; subdivisions; conditional use/special use permits; and property taxes
- VII. COMMISSIONER’S COMMENTS
- VIII. ADJOURNMENT

Special Order of Business

City of Bethel

Canvass Board Certificate of the October 6, 2015 Regular Election Canvass
Board Certificate of Election, October 8, 2015

Advisory Questions

Advisory Questions:	Day of Election Poll Count		+	*Canvass Board Count		=	Total Votes	
	YES	NO		YES	NO		YES	NO
Advisory Question No. 1: Should the City of Bethel support a liquor license application for a liquor store within the City of Bethel?	410	311	+	68	49	=	478	360
Advisory Question No. 2: Should the City of Bethel support a liquor license application for a bar within the City of Bethel?	281	443	+	41	73	=	322	516
Advisory Question No. 3: Should the City of Bethel support a liquor license application for a restaurant or eating establishment within the City of Bethel?	339	383	+	54	61	=	393	444
Advisory Question No. 4: Should the City of Bethel support a liquor license application for a club license within the City of Bethel?	348	372	+	58	59	=	406	431
Advisory Question No. 5: Should the City of Bethel support a liquor license application for any other types of licenses within the City of Bethel?	315	406	+	56	60	=	371	466

**Absentee In-Person, By-Mail, Special Needs, Questioned Ballot and hand count ballots.*

City of Bethel

Canvass Board Certificate of the October 6, 2015 Regular Election Canvass
Board Certificate of Election, October 8, 2015

Bethel City Council Candidates

Candidate:	Day of Election		+	*Canvass Board Count		=	Total Votes	
	Poll Count			YES	NO		YES	NO
Welch, Alisha R.	417		+	70		=	487	
Smith, Jason D.	402		+	67		=	469	
Albertson, Leif E.	437		+	70		=	507	
Hoffman, Nikki C. "Cirun"	425		+	66		=	491	
Springer, Mark E.	318		+	52		=	370	
Robb, Richard	475		+	71		=	546	

Propositions

Proposition Questions:	Day of Election		+	*Canvass Board Count		=	Total Votes	
	YES	NO		YES	NO		YES	NO
Proposition No. 1: Shall the City of Bethel establish a 12% alcohol tax on the sales of alcoholic beverages in the City of Bethel?	472	269	+	77	44	=	549	313
Proposition No. 2: Shall the City of Bethel establish a 15% marijuana retail sales tax on the sales of marijuana in the City of Bethel?	510	227		90	32		600	259

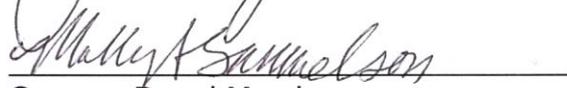
City of Bethel

Canvass Board Certificate of the October 6, 2015 Regular Election Canvass Board Certificate of Election, October 8, 2015

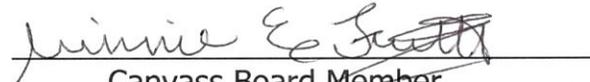
WE, the Canvass Board of the City of Bethel, jointly certify that the information listed herein is a true and accurate statement of votes for Bethel City Council Members cast in the Regular City Election of October 6, 2015.



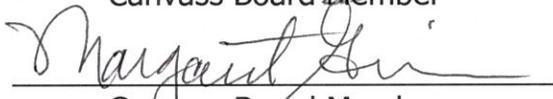
Canvass Board Member



Canvass Board Member



Canvass Board Member



Canvass Board Member

ATTEST: 

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

RESOLUTION #15-16

A RESOLUTION CERTIFYING THE RESULTS OF THE OCTOBER 6, 2015 REGULAR CITY ELECTION

WHEREAS, the Canvass Board of the City of Bethel met on October 8, 2015 and tallied the votes of Questioned, Special Needs and Absentee ballots. The Canvass Board results were added to the Accuvote results of regular ballots cast by voters on election night in the two precincts;

WHEREAS, the results of the Canvass Board of the City of Bethel are as follows:

Candidate:	Poll	Absentee in person	Absentee by mail	Questioned & Special Needs	Hand Count Ballots	Total
Welch, Alisha R.	417		70			487
Smith, Jason D.	402		67			469
Albertson, Leif E.	437		70			507
Hoffman, Nikki C. "Cirun"	425		66			491
Springer, Mark E.	318		52			370
Robb, Richard	475		71			546

Proposition Question:		Poll	Absentee in person	Absentee by mail	Questioned & Special Needs	Hand Count Ballots	Total
Proposition No. 1 Shall the City of Bethel establish a 12% alcohol tax on the sales of alcoholic beverages in the City of Bethel? (Ordinance No. 15-08)	YES	472		77			549
	NO	267		44			313
Proposition No. 2 Shall the City of Bethel establish a 15% marijuana retail sales tax on the sales of marijuana in the City of Bethel? (Ordinance No. 15-17)	YES	510		90			600
	NO	227		32			259

Introduced by: Mayor Robb
 Date: October 13, 2015
 Action:
 Vote:

Proposition Question:		Poll	Absentee in person	Absentee by mail	Questioned & Special Needs	Hand Count Ballots	Total
Advisory Question No. 1 Should the City of Bethel support a liquor license application for a liquor store within the City of Bethel? (Ordinance No. 15-06)	YES	410		68			478
	NO	311		49			360
Advisory Question No. 2 Should the City of Bethel support a liquor license application for a bar within the City of Bethel? (Ordinance No. 15-06)	YES	281		41			322
	NO	443		73			516
Advisory Question No. 3 Should the City of Bethel support a liquor license application for a restaurant or eating establishment within the City of Bethel? (Ordinance No. 15-06)	YES	339		54			393
	NO	383		61			444
Advisory Question No. 4 Should the City of Bethel support a liquor license application for a club license within the City of Bethel? (Ordinance No. 15-06)	YES	348		58			406
	NO	372		59			431
Advisory Question No. 5 Should the City of Bethel support a liquor license application for any other types of licenses within the City of Bethel? (Ordinance No. 15-06)	YES	315		56			371
	NO	406		60			466

	TOTAL BALLOTS ISSUED	TOTAL BALLOTS PROPERLY CAST
Poll Ballots	843	771
Absentee In-Person Ballots	66	65
Absentee By-Mail Ballots	1	0
Questioned Ballots	73	48
Special Needs Ballots	2	1
Total Ballots	910	885

WHEREAS, there are four-2 year term seats up for election, two proposition questions and five advisory questions;

NOW, THEREFORE, BE IT RESOLVED, by the Bethel City Council, that the October 6, 2015, Regular Election was held valid to the best of our knowledge; and

BE IT FURTHER RESOLVED, that the results are certified as follows:

Election of City Council Members:

1. Richard Robb was elected to a two year term ending October 2017.
2. Leif E. Albertson was elected to a two year term ending October 2017.
3. Nikki C. "Cirun" Hoffman was elected to a two year term ending October 2017.
4. Alisha R. Welch was elected to a two year term ending October 2017.

Adoption of Propositions:

Proposition No. 1 passed with an effective date on the proposition, December 1, 2015.

Proposition No. 2 passed with an effective date on the proposition, December 1, 2015.

Advisory Questions:

No. 1 Should the City of Bethel support a liquor license application for a liquor store within the City of Bethel? A majority of the voters voted YES.

No. 2 Should the City of Bethel support a liquor license application for a bar within the City of Bethel? A majority of the voters voted NO.

No. 3 Should the City of Bethel support a liquor license application for a restaurant or eating establishment within the City of Bethel? A majority of the voters voted NO.

No. 4 Should the City of Bethel support a liquor license application for a club license within the City of Bethel? A majority of the voters voted NO.

No. 5 Should the City of Bethel support a liquor license application for any other types of licenses within the City of Bethel? A majority of the voters voted NO.

ENACTED THIS 13TH DAY OF OCTOBER 2015, BY 0 IN FAVOR AND 0 OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

WHEREAS, there are four-2 year term seats up for election, two proposition questions and five advisory questions;

NOW, THEREFORE, BE IT RESOLVED, by the Bethel City Council, that the October 6, 2015, Regular Election was held valid to the best of our knowledge; and

BE IT FURTHER RESOLVED, that the results are certified as follows:

Election of City Council Members:

1. Richard Robb was elected to a two year term ending October 2017.
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Advisory Questions:

No. 1 Should the City of Bethel support a liquor license application for a liquor store within the City of Bethel? A majority of the voters voted YES.

No. 2 Should the City of Bethel support a liquor license application for a bar within the City of Bethel? A majority of the voters voted NO.

No. 3 Should the City of Bethel support a liquor license application for a restaurant or eating establishment within the City of Bethel? A majority of the voters voted NO.

No. 4 Should the City of Bethel support a liquor license application for a club license within the City of Bethel? A majority of the voters voted NO.

No. 5 Should the City of Bethel support a liquor license application for any other types of licenses within the City of Bethel? A majority of the voters voted NO.

ENACTED THIS 13th DAY OF OCTOBER 2015, BY 0 IN FAVOR AND 0 OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk



City of Bethel Proclamation

Recognizing the Alaska Territorial Guards men and women and commemorating Victory in the Pacific Day

WHEREAS, WWII was a tremendously difficult time for the United States and the world;

WHEREAS, the City of Bethel wishes to thank the 6,368 Alaska Territorial Guards men and women who served a vital role in protecting our country from foreign aggressors;

WHEREAS, in the absence of organized military services, men and women from communities all over the great State of Alaska came together in force;

WHEREAS, the City of Bethel wishes to thank the ATG for their vigilance in protecting American interests as we commemorate the conclusion of WWII, one of the most brutal conflicts the world has ever known;

WHEREAS, we are thankful to the ATG, as well as all military service personnel, for bringing an end to the war and allowing for a new era of peace and cooperation between former adversaries;

THEREFORE, the City of Bethel, City Council, does hereby recognize the Alaska Territorial Guards men and women in their protection of the nation and further commemorate the end of WWII, Victory in the Pacific Day.

Signed this 22nd day in September 2015.

Richard Robb, Mayor

Lori Strickler, City Clerk

Alcoholic Beverage Control Board
 550 West 7th Avenue, Suite 1600
 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>2015-2016</u>	License Type: PACKAGE STORE	Statute Reference Sec. 04.11.150	12673 License Fee: \$1,500.00 Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$ Fingerprint: \$ <i>(\$49.75 per person)</i> TOTAL \$1,600.00
<i>Office Use:</i> License #: <u>5418</u>			
Local Governing Body: (City, Borough or Unorganized) BETHEL		Community Council Name(s) & Mailing Address: N/A	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): THE NORTH WEST COMPANY (INTERNATIONAL) INC.		Doing Business As (Business Name): AC QUICKSTOP	Business Telephone Number: (204) 934-1756 (204) 934-1705 Fax Number: (204) 934-1317
Mailing Address: 77 MAIN STREET ATTENTION: LEGAL DEPARTMENT		Street Address or Location of Premises: 131 AKAKEEK STREET BETHEL, ALASKA 99559	Email Address: license@northwest.ca
City, State, Zip: WINNIPEG, MANITOBA R3C 2R1 CANADA			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: BETHEL REGIONAL HIGH SCHOOL 0.4 miles	<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 checked="" type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Not applicable	
Distance to closest church: BETHEL COMMUNITY ASSEMBLY 0.4 miles	<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			

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
The North West Company (International) Inc.	Alaska Commercial Company	Package Store	100 Main Street Sand Point	Alaska
The North West Company (International) Inc.	Alaska Commercial Company	Package Store	175 Main Street McGrath	Alaska
The North West Company (International) Inc.	Alaska Commercial Company	Package Store	106 Nicholoff Way Cordova	Alaska
The North West Company (International) Inc.	AC Express	Package Store	11012 Rezanof Drive West Kodiak	Alaska
The North West Company (International) Inc.	Thompson House	Package Store	1300 Craig Klawock Highway Craig	Alaska
The North West Company (International) Inc.	Nome Liquor Store	Package Store	205 Front Street Nome	Alaska
The North West Company (International) Inc.	Nome Liquor Store	Package Store	303 Front Street Nome	Alaska
The North West Company (International) Inc.	AC Value Liquor	Package Store	908 Nome-Teller Highway Nome	Alaska
The North West Company (International) Inc.	The Bottle Stop	Package Store	East Bank of Eskimo Creek King Salmon	Alaska

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.

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): THE NORTH WEST COMPANY (INTERNATIONAL) INC.		Telephone Number: (204) 934-1756	Fax Number: (204) 934-1317
Corporate Mailing Address: 77 MAIN STREET	City: WINNIPEG	State: MANITOBA	Zip Code: R3C 2R1
Name, Mailing Address and Telephone Number of Registered Agent: JOHN SEDOR 500 L STREET, SUITE 500, ANCHORAGE, ALASKA 99501		Date of Incorporation OR Certification with DCED: DECEMBER 16, 2008	State of Incorporation: DELAWARE
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> 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
NWC (U.S.) HOLDINGS INC.		100	550 WEST 64 TH AVENUE, SUITE 200 ANCHORAGE, ALASKA 99518-1720	(204) 934-1756	
WALTER E. PICKETT	VP & GENERAL MANAGER		19211 UPPER SKYLINE DRIVE EAGLE RIVER, ALASKA 99577-7936	(907) 273-4642 (907) 440-0610	NOV 27, 1960

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

Alcoholic Beverage Control Board
 550 West 7th Avenue, Suite 1600
 Anchorage, AK 99501

New Liquor License

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

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: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	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) Signature <i>Walter E. Pickett</i> Signature _____ Name & Title (Please Print) Walter E. Pickett Vice President & General Manager, Alaska Commercial Company Subscribed and sworn to before me this <i>2nd</i> day of <i>July</i> , 2015 Notary Public in and for the State of <i>Alaska</i> <i>03/27/19</i> My commission expires: <i>Elizabeth Wojtacha</i>	Signature of Licensee(s) Signature _____ Signature _____ Name & Title (Please Print) _____ Subscribed and sworn to before me this _____ day of _____, _____ Notary Public in and for the State of _____ My commission expires: _____
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THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

August 4, 2015

Lori Stickler VIA EMAIL: lstickler@cityofbethel.net

The North West Company (International), Inc. d.b.a. AC Quickstore – License #5418

- 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.

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.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

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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 104.145, 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.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

Introduced by: Council Member Herman
Date: September 22, 2015
Action: Passed
Vote: 5-0

CITY OF BETHEL, ALASKA

Resolution # 15-15

A RESOLUTION BY THE CITY OF BETHEL PROTESTING THE ISSUANCE OF A STATE OF ALASKA ALCOHOLIC PACKAGE STORE LICENSE FOR AC QUICKSTOP; LOCATED AT 131 AKAKEEK STREET; OWNED BY NORTH WEST COMPANY INC.; LICENSE ID# - 5418

- WHEREAS,** in 2010, the City held an advisory vote and asked the following question to the citizens of Bethel: "Should the City of Bethel support a liquor license application for a liquor store within the City of Bethel?;"
- WHEREAS,** in response to the question, 498 citizens (63%) voted no, they did not want the City Council to support the issuance of a liquor license application for a liquor store within the City and 287 (37%) voted in favor;
- WHEREAS,** public policy dictates the Bethel City Council represent the will, desires and opinions of the voters and citizens of Bethel, Alaska Administrative Code 3 AAC 304.145 states, "the board will not substitute its judgment for that of the local governing body on matters of public policy that have reasonable factual support;"
- 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 with 37 of those individuals, or 73% speaking 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 the Anchorage Police Department 2013, Annual Statistical Report (the 2014 report was not available on the Municipal website), 4.58% of the calls for service were for Drunken Problems/Drunken Transports;
- Whereas,** in contrast to Anchorage's statistics, the Bethel Police Department reports show that in 2014, thirty-three (33%) percent of the calls for service were in response to Intoxicated Pedestrians;
- WHEREAS,** State Trooper's calls for service in the community of Bethel for the years 2013 and 2014 totaled 242 with 29.3% being alcohol related;

Introduced by: Council Member Herman
Date: September 22, 2015
Action: Passed
Vote: 5-0

- WHEREAS,** the Yukon Kuskokwim Juvenile Detention Facility's statistics show over 19% of their referrals involved alcohol;
- WHEREAS,** over a three year period, 2012 through 2014, the State of Alaska Court System reports an average of 127 Minor Alcohol Related cases per year;
- WHEREAS,** the Yukon Kuskokwim Health Corporation (YKHC) Sobering Center Program provides sleep-off and other services to intoxicated individuals through close collaboration with the Bethel Police Department, Yukon Kuskokwim Correctional Center, YKHC Emergency Department and YKHC Behavioral Health, YKHC reports;
- WHEREAS,** the sobering center intake numbers for 2014 totaled 1n686 and the YKHC Sobering Center reports that half of the people served were residents of Bethel, indicating the impacts of alcohol in Bethel are not limited to citizens of this community;
- WHEREAS,** a review of the statistics kept by the Alaska Court System revealed that Driving While Intoxicated (DUI's) has remained steady both before and after going wet, however, bootlegging appears to have increased significantly;
- WHEREAS,** determining just how much bootlegging goes on in Bethel is a figure that cannot be ascertained to any degree of certainty, all that can be stated with any certainty is that bootlegging does occur both in Bethel and more greatly impacts the villages surrounding Bethel;
- WHEREAS,** the Bethel WAANT unit indicates that since going wet, rates of bootlegging in Bethel appear to have remained steady while bootlegging to the surrounding communities appears to have increased, this is supported by the statistics obtained from the Bethel courthouse;
- WHEREAS,** in 2009, the year Bethel went wet, there were 53 importation (bootlegging) convictions, these offenses are typically attempts to take alcohol from Bethel to the surrounding dry communities, the 2009 figure was a stark increase from the damp years of 2007 (1 conviction) and 2008 (12 convictions), following 2009, the figures remained high: 91 in 2010, 93 in 2011, 52 in 2012 and 67 in 2013, these figures would appear to support the City Council's concerns that the more readily available alcohol is in Bethel, the more of it that will flow to the surrounding villages to feed its bootlegging/importation businesses;

Introduced by: Council Member Herman
Date: September 22, 2015
Action: Passed
Vote: 5-0

- WHEREAS,** while the AC Quickstop is not located within three (300) feet of a school, it is located on a heavily traveled access road utilized by school children;
- WHEREAS,** AC Quickstop's proximity to two elementary schools and the high school, and located on a main thoroughfare will mean that large numbers of vulnerable children will have to travel in front of the package store daily;
- WHEREAS,** the legislative intent behind AS 04.11.410 is to protect children attending school from direct exposure to some of the demoralizing circumstances which, by the authority of common knowledge, are incident to the traffic in intoxicating liquor. *Application of Wakefield*, 10 Alaska 599 (D. Alaska 1975);
- WHEREAS,** the Lower Kuskokwim School District (LKSD) tends to and addresses the impact of alcohol on its students daily;
- WHEREAS,** alcohol abuse is prevalent for some of the children's families and has caused the school to offer showers, laundry facilities and extra meals in order to help provide some of the basic needs of its students, needs are not being met at home, often times due to significant alcohol abuse;
- WHEREAS,** the more easily accessible alcohol is in Bethel the more influx of people from surrounding dry communities traveling to Bethel to not casually drink but binge drink causing more strain on the Police Department and interrupting the peaceful enjoyment of community members;
- WHEREAS,** AC Quickstop is applying for a package store license, to be located in the Housing Subdivision, which is primarily made up of Alaska Housing Finance Corporation, State subsidized housing;
- WHEREAS,** the Housing Subdivision is approximately one square mile;
- WHEREAS,** between May 11, and July 31, 2015, 41 of the 141 (30%) calls for service to the Housing Subdivision were alcohol related;
- WHEREAS,** a study by Rutgers, Center of Alcohol Studies, titled, *Varying Impacts of Alcohol Outlet Densities on Violent Assaults: Explaining Differences Across Neighborhoods*, states,
"Assaults were related to outlet densities in local and surrounding areas, the mix of outlet types, and neighborhood characteristics. The addition of one outlet per square mile was related to a small 0.23% increase in assaults. A 10% greater proportion of bars in a ZIP code was related to 7.5% greater assaults, whereas a 10% greater proportion of bars in surrounding areas was related to 6.2% greater

Introduced by: Council Member Herman
Date: September 22, 2015
Action: Passed
Vote: 5-0

assaults. The impacts of bars were much greater in areas with low incomes and dense populations. Conclusion - The effect of bar density on assault injuries was well supported and positive, and the magnitude of the effect varied by neighborhood characteristics. Posterior distributions from these models enabled the identification of locations most vulnerable to problems related to alcohol outlets;"

WHEREAS, the conclusion of this study as well as the statistical information from the Bethel Police Department, specific to the neighborhood, provide reasonable factual support that the impacts to the surrounding neighborhood if alcohol sales was available would be significant;

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council opposes the issuance of a package store license for the AC Quickstop.

ENACTED THIS 22 DAY OF SEPTEMBER, 2015 BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk

Unfinished Business

Referred to the Planning Commission 9-22-2015. The Planning Commission will meet on 10-10-2015 to consider the Ord. A suggested modification to the Ord. was presented to the City Manager from the City Clerk which is not yet approved for the packet.

Introduced by: Council Member Maczynski
Introduction Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-29

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE 4.08, ACQUISITION AND DISPOSAL OF LAND

WHEREAS, the City's Planning Commission has a vital role in all the City's land use planning and regulations;

WHEREAS, the City of Bethel, City Council recognizes and values the role of the Planning Commission in developing and recommending the City's 2035 Comprehensive Plan as well as numerous other land use documents, and

WHEREAS, SEC. 4.08.050(C) Lease procedures, a notice to renew the lease must be provided by the lessee to the City Clerk's Office at least 180 days prior to the expiration of a lease agreement made between the City of Bethel and the Lessee; and

WHEREAS, the requirement to have the Planning Commission approve all lease renewals by a vote of the Planning Commission and the City Council creates a redundancy in these procedures, and

WHEREAS, the requirement to have the Planning Commission's recommendation on any sale, lease or exchange of city land could negatively impact the city's ability to timely engage in property transfer due to the Planning Commissions quorum requirements;

NOW, THEREFORE BE IT ENACTED by the City Council of Bethel Alaska as follows:

SECTION 1. Classification. This ordinance is of permanent nature and shall be codified within the Bethel Municipal Code.

SECTION 2. Amendment. The Bethel Municipal Code Chapter 4.08 is amended as follows (new language is underlined and ~~old language is stricken out~~):

Chapter 4.08
ACQUISITION AND DISPOSAL OF LAND

4.08.010 Rights and powers of City.

The city shall have and may exercise all rights and powers in the acquisition, ownership, holding and disposal of any interest in real property not prohibited by law.

A. Any sale, lease or exchange or purchase of city land shall be approved by the city council by ordinance after consideration of the recommendations of the planning commission.

B. Any lease, lease renewal or exchange of city land shall be approved by the city council by ordinance.

4.08.020 Acquisition.

A. The city may acquire any interest in real property by purchase, lease, exchange, transfer, donation or any other method. All acquisitions not otherwise provided for by law shall be by ordinance enacted by a majority vote of the city council.

B. Real property shall be held in the name of the "city of Bethel."

4.08.030 Disposal.

A. Property No Longer Necessary for Municipal Purposes. The city council may, by ordinance, provide for the disposal of an interest in any real property which is no longer necessary for municipal purposes. All such disposals shall be by sealed bid to the highest bidder and shall be made at least at current assessed value or at current appraised value unless otherwise determined by ordinance.

B. Disposal to Entity Providing Necessary Public Service. The city council may, by ordinance, provide for the disposal of an interest in real property to a municipal, borough, state, or federal or other appropriate entity providing a necessary public service without seeking bids and for less than the current assessed value or current appraised value of that interest in real property. All disposals made pursuant to this subsection for less than the current assessed value or current appraised value shall include a condition requiring that the interest of the city being disposed of shall revert to the city in the event the real property disposed of is not being used to provide the necessary public service justifying the original disposal.

C. Disposal in Furtherance of Development of Local Trade or Industry. The city council may, by ordinance, provide for the disposal of an interest in real property to any person or entity in furtherance of the development of local trade or industry without seeking competitive bids but not for less than the current assessed value or current appraised value, whichever is higher, of that interest in real property. All disposals made pursuant to this subsection shall include a condition requiring that the interest of the city being disposed of revert to the city in the event that the real property disposed of is not being used in furtherance of the development of local trade or industry justifying the original disposal.

D. Disposal to Compromise Claim. The city council may, by ordinance, compromise disputed claims of litigation by authorizing disposal of an interest in real property.

E. Disposal to Individual With Equitable Claim. The city council may, by ordinance, provide for the disposal of an interest in real property to an individual with an equitable claim of an interest in the property by reason of their occupancy of the property as their principal place of residence prior to January 1, 1963, and their continued occupancy of the property as their principal place of residence after its transfer to the city by the federal townsite trustee without seeking bids and for less than the current assessed value or current appraised value of that property.

F. Disposal to Native Tribal Council. All disposals made by the city to a native tribal council shall include a requirement that the native tribal council waive any immunity from suit for the purpose of enforcing any conditions attached to the disposal of the city's interest in the real property to the native tribal council.

4.08.040 Notice of disposal.

A notice of the proposed disposal of any interest in real property shall be posted in three (3) conspicuous public places within the city for not less than thirty (30) days and published in a newspaper with general circulation for three (3) weeks before the date of the bid opening or not less than thirty (30) days before the date of the passage of the ordinance authorizing the disposal. The notice shall include:

- A. A legal description of the property including the square footage contained therein;
- B. A description of the city's interest being disposed of;
- C. The method of disposal;
- D. The value of the city's interest being disposed of, according to current assessment or current appraisal;
- E. The date of the proposed disposal; and
- F. The time, place and manner in which the proposed disposal shall occur.

4.08.050 Lease procedures.

A. General Regulations. In addition to the regulations governing disposal of property, the following regulations shall apply specifically to leases. The city may renew a lease without public bid and during the renewal process, the city may change any term or condition contained in the original lease.

B. Expiration. Unless the lease is terminated beforehand, or renewed as stated above, the lessee shall peaceably and quietly leave, surrender and yield up to the lessor all the leased land on the last day of the term of that lease.

C. Renewal. If the lessee wishes to renew the lease, the lessee shall make written application to the city clerk for renewal of the lease at least one hundred eighty (180) days prior to the expiration of the lease. The written renewal application shall contain terms of the proposed renewal. The city manager shall, upon majority vote of the ~~planning commission and~~ city council after a public hearing, issue a renewal of the lease to the lessee.

D. Subdivision Regulations. All leased property shall be subject to the land use and subdivision regulations of the city.

4.08.055 Use permit procedures.

In addition to the regulations governing disposal of property, the following regulations shall apply specifically to the issuance of use permits:

A. Use Permits. The city may issue revocable use permits allowing for short term or seasonal uses of city property not to exceed six (6) months. The use permit shall include a provision that it is revocable by the city at any time during the term of the permit without liability to the city save for a pro-rata refund of any prepaid permit fees.

B. Land Use Regulations. All property disposed of by use permit shall be subject to the land use regulations of the city. All property disposed of by use permit shall not be subject to the subdivision regulations of the city.

4.08.060 Definitions.

In this chapter, unless otherwise provided or the context otherwise requires:

A. Appropriate Entity. A determination shall be made by the city council as to whether or not the entity in question will further the public interest.

B. "Interest in real property" includes, but is not limited to, fee simple ownership, a lease, an easement, and the possibility of reverter.

C. "Necessary public service" includes, but is not limited to, police protection; fire protection; public health and safety; public education; electric, water and sewer utilities; and marine, land or air transportation.

D. "Shall" is considered mandatory.

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

ENACTED THIS ___ DAY OF SEPTEMBER 2015, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Introduced by: Public Safety and
Transportation Commission
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-30

AN ORDINANCE BY THE PUBLIC SAFETY AND TRANSPORTATION COMMISSION AMENDING BETHEL MUNICIPAL CODE SECTION 5.20.110 DENIAL, SUSPENSION OR REVOCATION OF LICENSE OR PERMIT

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. Amending BMC Title 5.20.110 The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

5.20.110 Denial, suspension or revocation of license or permit

A. The transportation inspector shall have the power to suspend or revoke a chauffeur's license.

1. The transportation inspector shall immediately suspend or revoke a chauffeur's license if a chauffeur is convicted by a court of competent jurisdiction of an offense set forth in BMC 5.40.030;

2. The transportation inspector shall suspend or revoke a chauffeur's license upon receipt of evidence sufficient to cause the transportation inspector to conclude that it is more likely than not that a chauffeur is incapable of controlling a motor vehicle safely;

3. The transportation inspector shall deny, suspend, or revoke the chauffeur's license of any chauffeur failing or refusing to take a drug and/or alcohol test in accordance with BMC 5.20.085.

B. Upon a request by the transportation inspector or on its own initiative, the commission shall have the power to suspend or revoke a taxicab, river taxi, and limousine or bus permit.

Introduced by: Public Safety and
Transportation Commission
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

1. The commission shall suspend or revoke a taxicab, river taxi, limousine or bus permit upon finding after a hearing that:

- a. A permittee has not operated pursuant to the permit for ~~forty-five (45) consecutive days or for ninety (90) days~~ one hundred eighty (180) days in any twelve- (12-) month period; provided, that such failure to operate is not caused by strike, public catastrophe, or other act beyond the control of the permittee but not including insolvency;
- b. A permittee has sold or otherwise lost the use of the vehicle which was being operated pursuant to the permit and has failed to replace it within sixty (60) days after the date of such sale or loss;
- c. A permittee has failed to make any payments required under Chapters 5.20 through 5.50 BMC or to make any payments (including but not limited to business license fees and sales taxes) or remit any fees required by any other provisions of this code;
- d. A permittee has submitted a false or misleading inspection report from a designated inspection station.

2. The commission may suspend or revoke a taxicab, river taxi, limousine or bus permit upon finding after a hearing that a permittee has violated any provision of Chapters 5.20 through 5.50 BMC. The commission may suspend or revoke a chauffeur's license upon finding after a hearing that a licensee has violated any provision of Chapters 5.20 through 5.50 BMC;

3. The transportation inspector shall immediately suspend or revoke a taxicab, river taxi, limousine or bus permit upon being provided with appropriate notice that a permittee has been convicted by a court of competent jurisdiction of an offense set forth in BMC 5.30.040;

4. The transportation inspector may immediately revoke a permit under this subsection if the transportation inspector determines that continued operation of the permit will result in substantial risk to the public health or welfare. If the transportation inspector revokes a permit based upon such determination, the revocation action shall expire in ten (10) days, unless within this time the

Introduced by: Public Safety and
Transportation Commission
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

commission holds a hearing and determines that a continued emergency revocation is warranted until such time as the commission makes a decision on an appeal to the revocation, should such an appeal be filed by the permittee.

C. The commission may suspend or revoke a dispatch service permit upon a finding after a hearing that:

1. Such dispatch service has not commenced operation within ninety (90) days after issuance of the permit;
2. Such dispatch service has failed to provide dispatch services for a period of ninety (90) consecutive days; provided, that such failure to operate is not caused by strike, public catastrophe or other act beyond the control of the dispatch service other than insolvency; or
3. Such dispatch service does not have a valid radio station license issued by the Federal Communications Commission ("FCC") or such dispatch service is not in compliance with any terms and conditions imposed on it by the FCC.

D. Violation of any of the terms and conditions of a suspension or revocation imposed by this section is a separate violation.

E. Upon suspension or revocation of a chauffeur's state driver's license, his or her chauffeur's license shall simultaneously and automatically become void. A chauffeur shall surrender his or her chauffeur's license to the transportation inspector and cease operating a regulated vehicle immediately upon suspension or revocation of the chauffeur's state driver's license. Such a chauffeur shall not thereafter operate a vehicle for which a chauffeur's license is required unless he or she is first (1st) issued a new chauffeur's license in accordance with BMC 5.40.030.

F. A permittee or licensee must surrender his or her permit or license to the transportation inspector immediately upon suspension or revocation.

G. A permittee or licensee may appeal a suspension or revocation by the transportation inspector to the commission in accordance with BMC 5.20.100. A permittee or licensee may appeal a suspension or revocation by the commission to the Superior Court in accordance with BMC 5.20.100.

Introduced by: Public Safety and
Transportation Commission
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

H. Unless provided otherwise in Chapters 5.20 through 5.50 BMC, a permit or license that is revoked shall become void and revert to the commission.

SECTION 3. Effective Date. This ordinance shall become effective immediately, upon passage by the City Council.

ENACTED THIS ____ DAY OF _____ 2015, BY A VOTE OF ___IN FAVOR AND ___OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Referred to the Public Safety and
Transportation Commission on 9-22-2015. As
of 10-7-2015, the City Clerk had not received
recomendation from the Commission. LS

Introduced by: Mayor Robb
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-31

AN ORDINANCE BY THE CITY OF BETHEL AMENDING BETHEL MUNICIPAL CODE CHAPTER 10.02.465, MOTOR VEHICLE AND DRIVING OFFENSES, OPERATION OF LOW SPEED VEHICLES

- Whereas,** people of Bethel use multiple forms of transportation;
- Whereas,** in 2010 the Alaska Legislature passed a provision to allow off-road municipalities to permit use of mini trucks and other low speed vehicles;
- Whereas,** mini trucks are potentially a low cost, low fuel, method of transportation;
- Whereas,** the people of Bethel have traditionally supported multiple forms of transportation;

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. Amending BMC Title 10.02 The Bethel Municipal Code is amended as follows (new language is underlined):

10.02.465 Operation of low-speed vehicles.

A. The operator of a low-speed vehicle is subject to all the traffic and other laws applicable to operators of passenger vehicles.

B. The operator of a low-speed vehicle may operate that vehicle on a highway with a maximum speed limit of 45 miles an hour.

SECTION 3. Effective Date. This ordinance shall become effective immediately, upon passage by the City Council.

Introduced by: Mayor Robb
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

**ENACTED THIS ____ DAY OF _____ 2015, BY A VOTE OF ____ IN FAVOR AND
____ OPPOSED.**

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Referred to the Public Safety and Transportation Commission, Planning Commission and the Finance Committee on 9-22-2015. As of 10-7-2015, the City Clerk had not received recommendation from the Public Safety and Commission. The Planning Commission will meet on 10-10-2015 to consider the Ord. The Finance Committees Recommendation has been provided. LS

Introduced by: Council Member Fansler on behalf of the City Attorney
Date: September 22, 2015
Public Hearing: October 13, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-32

AN ORDINANCE BY THE BETHEL CITY COUNCIL, REPEALING AND REPLACING BETHEL MUNICIPAL CODE 5.08, ALCOHOLIC BEVERAGES

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. Amendment. Bethel Municipal Code Chapter 5.08 is repealed and replaced, (old language is stricken):

Chapter 5.08 ALCOHOLIC BEVERAGES

Sections:

~~5.08.010~~ Defined.

~~5.08.011~~ Consumption, sale and service of alcoholic beverages prohibited.

~~5.08.020~~ Closing hours.

~~5.08.030~~ Bringing liquor to licensed premises — Leaving partial containers.

~~5.08.040~~ Maintenance of order.

~~5.08.050~~ Liquor handler permit — Required.

~~5.08.060~~ Liquor handler permit — Issuance — Revocation.

~~5.08.070~~ Liquor handler permit — Cost.

~~5.08.080~~ Sunday and holiday sales.

~~5.08.090~~ Election day sales.

~~5.08.100~~ Minors.

~~5.08.110~~ Permitting violation.

~~5.08.120~~ Inspection of premises.

~~5.08.130~~ Violation — Penalty.

~~5.08.010~~ Defined.

For the purpose of this chapter, "intoxicating liquors" and/or "alcoholic beverages" mean all spirituous, vinous, salt and other fermented and/or distilled liquors intended, City of Bethel, Alaska

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- 40 ~~or used, for human consumption and containing more than one (1) percent alcohol by~~
41 ~~volume.~~
- 42 ~~5.08.011 Consumption, sale and service of alcoholic beverages prohibited.~~
- 43 ~~A. No person may sell or offer to sell any alcoholic beverage in package stores or bars~~
44 ~~within three hundred (300) feet of a church building or within three hundred (300) feet~~
45 ~~of any school grounds.~~
- 46 ~~B. No person may sell or offer to sell any alcoholic beverage in or within two hundred~~
47 ~~(200) feet of a church building or within two hundred (200) feet of any school grounds.~~
- 48 ~~C. Any person or business that is behind in taxes to the city of Bethel is prohibited from~~
49 ~~receiving alcoholic beverage licenses.~~
- 50 ~~D. As used in this section, the terms "school building," "school," "school grounds" or~~
51 ~~"educational building" shall apply only to state, county, city, or church school buildings~~
52 ~~and to such buildings at such other schools in which are taught subjects commonly~~
53 ~~taught in the common schools, and which are public schools or private schools as~~
54 ~~defined by the state of Alaska. The terms "school building" and "educational building"~~
55 ~~include only those structures in which instruction is offered, except colleges and~~
56 ~~universities. The term "school grounds" shall apply only to the parcel or parcels of land~~
57 ~~on which a school, school building or educational building is located, except colleges~~
58 ~~and universities.~~
- 59 ~~E. The term "church building" as used herein shall mean the main structure used by any~~
60 ~~religious organization for purposes of worship.~~
- 61 ~~F. The requirements for minimum distance from a church building located in a shopping~~
62 ~~center shall not apply to any license for retail package or retail consumption.~~
- 63 ~~G. For purposes of this section, distance shall be measured by the most direct route of~~
64 ~~travel on the ground and shall be measured in the following manner:~~
- 65 ~~1. From the main parking lot entrance of the establishment from which alcoholic~~
66 ~~beverages are sold or offered for sale;~~
- 67 ~~2. In a straight line, regardless of obstructions, to the nearest public sidewalk,~~
68 ~~walkway, street, road or highway by the nearest route;~~

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69 ~~3. To the main entrance of the church building or to the nearest portion of the~~
70 ~~school grounds.~~

71 ~~5.08.020 Closing hours.~~

72 ~~No person shall consume, sell, offer for sale, give, furnish, or deliver from an authorized~~
73 ~~licensee, any intoxicating liquor by the drink on any licensed premises between the~~
74 ~~hours of 12:00 midnight and 12:00 noon each day, except on those days when the~~
75 ~~licensed establishment is required to be closed for the entire day by this chapter or any~~
76 ~~other law. The package liquor store shall close at 6:30 p.m.~~

77 ~~5.08.030 Bringing liquor to licensed premises—Leaving partial containers.~~

78 ~~A. No person shall have in his immediate possession on a licensed premises any~~
79 ~~container which contains any alcoholic beverage which was not furnished to him by the~~
80 ~~licensee, or his agent or employee, of that premises.~~

81 ~~B. No person shall exit from a licensed premises, or a licensed building or enclosure, if~~
82 ~~there is any open or partially empty container which contains any alcoholic beverage~~
83 ~~which was furnished to him by the licensee, or his agent or employee.~~

84 ~~5.08.040 Maintenance of order.~~

85 ~~Each licensed premises, except private clubs, shall employ at least one (1) person,~~
86 ~~licensed as required in BMC 5.08.050, who shall be on duty between 8:00 p.m. and the~~
87 ~~closing hour of the licensed premises. This person shall not be the bartender on duty,~~
88 ~~manager, owner or co-owner of the establishment and shall be on duty for the express~~
89 ~~purpose of maintaining order within the establishment and assuring compliance, by the~~
90 ~~clientele, with the provisions of this chapter.~~

91 ~~5.08.050 Liquor handler permit—Required.~~

92 ~~No person in the employment of any retail liquor outlet in the city dispensing liquor to~~
93 ~~the public shall remain in that employment or handle intoxicating liquors unless such~~
94 ~~person is in possession of a liquor handler's permit. Such permit shall be immediately~~
95 ~~available to the permittee during all working hours for the licensee, and shall be~~
96 ~~displayed to any peace officer upon demand of the officer.~~

97 ~~5.08.060 Liquor handler permit—Issuance—Revocation.~~

98 ~~All liquor handler permits shall be prepared and issued by the city clerk. These permits~~
99 ~~issued under BMC 5.08.050 shall be marked with the word "Security" in addition to all~~
100 ~~other present wording and shall be issued only after approval of the chief of police. All~~

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101 ~~permits issued under this chapter may be cancelled, suspended, or revoked, for cause,~~
102 ~~at any time by the chief of police. All such cancelled, suspended, or revoked permittees~~
103 ~~shall have the right to appeal to the city council within twenty one (21) days of the~~
104 ~~decision by the chief of police.~~

105 ~~5.08.070 Liquor handler permit—Cost.~~

106 ~~The cost of each permit issued under this chapter shall be twenty five dollars (\$25)~~
107 ~~except that those permits issued to waitresses shall be ten dollars (\$10).~~

108 ~~5.08.080 Sunday and holiday sales.~~

109 ~~A. No person may consume, sell, offer for sale, give, furnish or deliver, from an~~
110 ~~authorized licensee, any intoxicating liquor on any licensed premises on any Sunday, or~~
111 ~~on the following holidays:~~

- 112 ~~1. New Year's Day (January first (1st));~~
- 113 ~~2. Lincoln's Birthday;~~
- 114 ~~3. Washington's Birthday;~~
- 115 ~~4. Memorial Day;~~
- 116 ~~5. Independence Day (July Fourth (4th));~~
- 117 ~~6. Labor Day (first (1st) Monday in September);~~
- 118 ~~7. Thanksgiving Day (fourth (4th) Thursday in November);~~
- 119 ~~8. Christmas Day (December twenty fifth (25th)).~~

120

121 ~~B. For the purpose of this chapter, the holidays set out in subsection A of this section~~
122 ~~shall be observed according to the federal designation for their observation. For the~~
123 ~~purpose of determining Sundays and holidays as prescribed in this section, they shall~~
124 ~~commence at the closing hour of the business hours for the preceding day and shall~~
125 ~~terminate at the opening hour of the day following the Sunday or holiday.~~

126 ~~5.08.090 Election day sales.~~

127 ~~It is unlawful to give, barter, sell, or in any licensed premises to dispose of, any~~
128 ~~intoxicating liquor upon a day upon which a general, special or primary election is held~~
129 ~~in the state at large, until the polls have closed, or to so dispose of liquor in the city~~
130 ~~when an election is being held therein until the polls are closed.~~

131 ~~5.08.100 Minors.~~

132 ~~No person shall give, barter, sell, furnish or deliver any intoxicating liquor to any~~
133 ~~intoxicated person or to any minor.~~

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134 ~~5.08.110 Permitting violation.~~

135 ~~It is unlawful for the owner of any licensed premises or any other person to direct,~~
136 ~~request, cause, or permit any violation of this chapter.~~

137 ~~5.08.120 Inspection of premises.~~

138 ~~The premises of licensees authorized to sell or distribute intoxicating liquor shall be~~
139 ~~easily accessible for inspection by peace officers during all regular hours of the~~
140 ~~transaction of business upon the premises, and at any other time with reasonable~~
141 ~~notice by the officer.~~

142 ~~5.08.130 Violation—Penalty.~~

143 ~~Any person, firm, or corporation convicted of a violation of any provision of this chapter~~
144 ~~shall be punished pursuant to Chapter 1.08 BMC.~~

145

146 5.08.010 Definitions

147 5.08.020 Procedure for Administrative Review of License Applications

148 5.08.030 City Council Review of License

149 5.08.040 Council Action on Liquor License Applications

150 5.08.050 Special Use Permit Required

151 5.08.060 Restriction on Location of Alcohol Sales

152 5.08.070 Licensee Responsible for Employees' Actions on Premises

153 5.08.080 Hours and Days of Operation

154 5.08.090 Obligation to Enforce Restrictions within Licensed Premises

155 5.08.100 Alcohol Server Training Course Requirement

156 5.08.110 Operation of Licensed Premises

157 5.08.120 Restrictions on Purchase and Sale of Alcoholic Beverages

158 5.08.130 Sale to Intoxicated Persons

159 5.08.140 Eviction of Patrons

160 5.08.150 Permitting Consumption on Premises

161 5.08.160 Open Container

162 5.08.170 Transportation of Alcohol

163 5.08.180 Keg Registration

164 5.08.190 Inspection of Premises

165 5.08.200 Access for Enforcement

166 5.08.210 Alcohol Offenses

167 5.08.220 Penalties

168

169

170

171

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172 **5.08.010 Definitions.**

- 173 A. "Alcoholic Beverages" mean all spirituous, vinous, malt or other fermented or
174 distilled whatever the origin, that is intended for human consumption as a
175 beverage and that contains one-half of one (1) percent or more of alcohol by
176 volume, whether produced commercially or privately.
177
- 178 B. "Board" means the Alcoholic Beverage Control Board established under AS
179 04.06.010.
180
- 181 C. "Intoxicated Person" means a person whose physical or mental conduct is
182 substantially impaired as a result of the introduction of an alcoholic beverage
183 into the person's body and who exhibits those plain and easily observed or
184 discovered outward manifestations of behavior commonly known to be produced
185 by the overconsumption of alcoholic beverages.
186
- 187 D. "Licensed Premises" means any or all designated portions of a building or
188 structure, rooms or enclosures in the building or structure, or real estate leased,
189 used, controlled, or operated by a licensee in the conduct of business for which
190 the licensee is licensed by the ABC Board and the City at the specific address for
191 which the license is issued.
192
- 193 E. "Liquor License" means any of the licenses or permits described in AS 04.11.080
194
- 195 F. "Open containers" means any original container or package without the Internal
196 Revenue Service strip stamp intact upon such container or package; any
197 container or package that has been opened at least once since purchase or
198 manufacture; or any container or package containing an alcoholic beverage
199 other than the original container or package.
200
- 201 G. "Person" means an individual, partnership, cooperative, association, joint
202 venture, corporation, estate trust, business, receiver, or any entity, group or
203 combination acting as a unit.
204
- 205 H. "School" means the physical building and/or grounds of an educational facility
206 operated either publicly or privately in which are taught subjects commonly
207 taught in throughout the State of Alaska.
208
209

210

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211 **5.08.020 Procedure for Administrative Review of License Applications.**

- 212 A. Upon receipt of notice from the Board of an application for the issuance,
213 renewal, transfer of location or transfer to another person of a liquor license for
214 a license location in the City, the clerk shall as soon as practicable distribute
215 copies of the notice to the city manager, the city council and the city attorney.
216
- 217 B. The city manager shall immediately refer the application for review as follows:
218
- 219 1. To the planning director or their designee to determine if the applicant has
220 complied with the Special Use provisions of BMC 16.20;
221
 - 222 2. To the finance director or their designee to determine whether the licensee or
223 license transferee is delinquent in paying to the City any tax, assessment,
224 business license fee, or fee or charge for utility service for the business
225 and/or affiliate (as defined in 3 AAC 304.990) that operates or will operate,
226 under the liquor license.
 - 227 3. To the police and fire chiefs to determine whether, in their opinion there have
228 been excessive calls for service, excessive numbers of convictions or arrests
229 for unlawful activity at the license location, police or ambulance reports,
230 reports of unlawful activity at the license location, or police, fire or ambulance
231 dispatches to the license location.
232
- 233 C. The fire chief, police chief, planning director and finance director shall forward
234 written statements to the city manager within fourteen (14) calendar days after
235 the application was referred by the city manager.
236
- 237 D. The city manager shall provide a written report to the city council, with a copy to
238 the applicant, listing any objections to the Board's issuance of the application.
239 The city manager's report is due not less than twenty (20) days but not more
240 than thirty (30) days after the date of receipt of notice from the city clerk.
241
- 242 E. An applicant who believes the city manager's report contains factual errors shall
243 file a written protest outlining, with specific, the sections of the report believed to
244 be factually incorrect. Such protest must be filed to the city manager not later
245 than ten (10) calendar days after issuance of the city manager report.
246
- 247 F. The city manager shall investigate the applicant's protest and shall issue a
248 written decision no later than ten (10) calendar days after receipt of the protest.
249

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250 G. The city clerk shall place the matter of the application upon the city council
251 agenda not less than thirty (30) and not more than forty (40) calendar days
252 after the date of receipt from the Board;

253 **5.08.030 City Council Review of License.**

254 The city council shall determine whether to protest the issuance, renewal or transfer
255 of a liquor license application and shall consider the following factors it believes are
256 pertinent. Such factors shall include, but not be limited to:

- 257 1. City records indicating whether the applicant and/or transferor is in violation
258 of the city sales tax ordinances or regulations, has failed to comply with any
259 of the filing, reporting or payment provisions of the city ordinances or
260 regulations, or has any unpaid balance due on tax accounts for which the
261 applicant and/or transferor is liable;
- 262 2. The character and public interests of the surrounding neighborhood;
- 263 3. Actual and potential law enforcement problems;
- 264 4. Whether the applicant can demonstrate prospective or continued compliance
265 with a liquor server awareness training program approved by the Board, such
266 as or similar to the program for techniques in alcohol management (T.A.M.);
- 267 5. The concentration of other licenses of the same and other types in the area;
- 268 6. Whether the surrounding area experiences a high rate of alcohol abuse, crime
269 or accidents in which the abuse of alcohol is involved;
- 270 7. The adequacy of parking facilities;
- 271 8. The safety of ingress to and egress from the premises;
- 272 9. Compliance with state and local fire, health and safety codes;
- 273 10. The degree of control the licensee has or proposes to have over the conduct
274 of the licensed business. In determining the applicant's demonstrated ability
275 to maintain order and prevent unlawful conduct, the city council may consider
276 police reports, the appearance of a readily identifiable pattern or practice of
277 recurring violent acts or unlawful conduct on the licensed premises.
278 testimony presented before the council, written comments, or other evidence
279 deemed to be reliable and relevant to the purpose of this subsection;
- 280 11. Whether the applicant can demonstrate prospective or continued compliance
281 with operations procedures for licensed premises set forth in BMC section
282 5.08.110.

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- 283 12. The proximity to a school or church, senior citizen apartment
284 housing/facilities, alcohol inpatient or outpatient treatment;
- 285 13. Any history of convictions of the applicants and affiliates of the applicants for:
286 (a) Any violation of AS Title 04;
287 (b) Any violation of city ordinances;
- 288 14. If application is made for the renewal or transfer of location or transfer of
289 ownership of a license, the City shall consider whether the operator has
290 engaged in a pattern of practices injurious to public health or safety, such as
291 providing alcohol to minors or intoxicated persons, committing serious
292 violations of state law relevant to public health or safety, or other actions
293 within the knowledge and control of the operator which place the public
294 health or safety at risk. In determining if a pattern or practices injurious to
295 public health or safety exists, the city council may consider criminal
296 convictions, credible proof of illegal activity even if not prosecuted, police
297 reports, testimony presented before the council, or other evidence deemed to
298 be reliable and relevant to the purpose of this subsection.
- 299 15. Any other factor the city council determines is relevant to a particular
300 application.

301 **5.08.40 Council Action on Liquor License Applications.**

- 302 A. At the date and time set for consideration of the proposed application, the city
303 council shall determine whether to protest the issuance, renewal, relocation or
304 transfer of a license.
305
- 306 B. If a majority of the city council votes to protest the application, a resolution shall
307 be prepared and introduced at the next regularly scheduled council meeting or
308 earlier if necessary to meet the requirements of AS 04.11.480.
309
- 310 C. At least seven (7) calendar days prior to the council meeting, the city clerk shall
311 provide the applicant with:
312
- 313 1. A copy of the proposed resolution; and
 - 314 2. Notice of the date and time when council will consider the resolution; and
 - 315 3. Notice the applicant will have an opportunity, pursuant to 3 AAC
316 304.145(d), to appear before the council to defend the application.
317

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318 D. A protest by the council under this section cannot be based in whole or in part
319 on police reports or other written materials available to the City but which were
320 not provided to the affected applicant before the public hearing on that protest.
321

322 E. At the conclusion of the public hearing, and any deliberation of the council, the
323 council may choose to:

- 324
- 325 1. Pass the resolution protesting to the Board the issuance, transfer or
326 renewal of the liquor license application; or
 - 327 2. Recommend the license be approved with conditions; or
 - 328 3. Take no action on the application.
- 329

330 **5.08.050 Special Use Permit Required.**

331 Unless exempt, any use that includes the retail sale or dispensing of alcoholic beverages
332 is permitted only by a special use permit as outlined in BMC section 16.20. The special
333 use requirement applies only to the retail sale or dispensing of alcoholic beverages and
334 not to related principal or accessory uses.

335 **5.08.060 Restriction on Location of Alcohol Sales.**

336 A. No beverage dispensary or package store licensee may sell or offer to sell any
337 alcoholic beverage within three hundred (300) feet of a church building or within
338 three hundred (300) feet of any school grounds.
339

340 B. No other type of premises licensed under AS 04.11.080 may sell or offer to sell
341 any alcoholic beverage in or within two hundred (200) feet of a church building,
342 school grounds, senior housing facility, or alcohol treatment facility.
343

344 C. For purposes of this section, distance shall be measured by the most direct route
345 of travel on the ground and shall be measured in the following manner:

- 346
- 347 1. From the main parking lot street entrance off of an established roadway of
348 the establishment from which alcoholic beverages are sold or offered for
349 sale;
 - 350 2. In a straight line, regardless of obstructions, to the nearest public
351 sidewalk, walkway, street, road or highway by the nearest route;
 - 352 3. To the main entrance of the church building, senior housing facility,
353 alcohol treatment facility or to the nearest portion of the school grounds.

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354 **5.08.070 Licensee Responsible for Employees' Actions on Premises.**

- 355 A. A licensee may neither knowingly allow agents or employees to violate this
356 chapter or AS Title 04 or regulations adopted thereunder, or to recklessly or with
357 criminal or civil negligence fail to act in accordance with the duties prescribed
358 under AS 04.21.030 with the result that an agent or employee of the licensee
359 violates a law, regulation or ordinance.
360
- 361 B. The licensee shall be responsible for all acts or omissions of the licensee's
362 employees on the licensed premises. The licensee may be cited and prosecuted
363 for all acts or omissions of employees which are committed on the licensed
364 premises and which are in violation of this chapter; provided, however, that the
365 prosecution of the licensee shall not prohibit the prosecution of the employee for
366 acts or omissions committed by the employee in violation of any provision of this
367 chapter.

368 **05.08.080 Hours and Days of Operation.**

- 369 A. Premises licensed under AS 4.11.080 for the service and consumption of
370 alcoholic beverages shall be closed for the sale, service and consumption of
371 alcoholic beverages between the hours of 10:00 p.m. and 11:00 a.m. Monday
372 through Friday, and between the hours of 11:00 p.m. and 11:30 a.m. on
373 Saturday or Sunday or on a legal holiday recognized by the state under AS
374 44.12.010 with the exception of New Year's Day during which the establishment
375 shall close at 1:00 am.
376
- 377 B. All other retail premises licensed under AS 4.11.080 shall be closed for the sale
378 of alcoholic beverages between the hours of 12:00 a.m. and 12:00 p.m. Monday
379 through Friday, between the hours of 2:00 a.m. and 3:00 p.m. on Saturday, and
380 between the hours of 2:00 a.m. and noon on Sunday.
381
- 382 C. A person may not sell, offer for sale, give, furnish, deliver or consume an
383 alcoholic beverage on premises licensed under AS 04.11 during the hours of
384 closure set forth in this section.
385
- 386 D. A licensee, an agent, or employee may not permit a person to consume alcoholic
387 beverages on the licensed premises between the hours of closure set forth in this
388 section.
389
- 390 E. A licensee, an agent, or employee may not permit a person to enter and a
391 person may not enter premises licensed under AS 04.11 during the hours of

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392 closure set forth in this section. This subsection does not apply to common
393 carriers or to an employee of the licensee who is on the premises to prepare for
394 that day's or the next day's business.
395

396 F. As authorized by AS 04.16.070(b) the sale of alcoholic beverages on State and/or
397 City Election Days is not prohibited.

398 **5.08.090 Obligation to Enforce Restrictions within Licensed Premises.**

399 A licensee, their agent or employee may not permit the consumption of alcoholic
400 beverages by any person within the licensed premises unless it is permitted by the
401 license.

402 **5.08.100 Alcohol Server Training Course Requirement.**

403 A. A licensee, their agent or employee may not sell or dispense alcoholic beverages
404 to the public prior to the successful completion of a liquor server awareness
405 training program approved by the Board.
406

407 B. A licensee, their agent or employee who elects to take an approved program
408 online, must have the examination proctored at the City of Bethel offices by a
409 duly appointed employee of the City.
410

411 C. Licensees, their agents and employee who sell or dispense alcoholic beverages
412 must be able to show proof of completion of a liquor server awareness training
413 program approved by the Board upon request by a peace officer, the city
414 manager (or their designee) or the Board.

415 **5.08.110 Operation of Licensed Premises.**

416 A. Except as otherwise provided in this section, the operations procedures set forth
417 in subsection B of this section shall apply to all persons seeking the issuance,
418 renewal or transfer of any license issued by the Board by virtue of AS Title 4 and
419 other applicable provisions of law allowing the sale or service of alcoholic
420 beverages. Subsections B1. of this section shall not apply to persons seeking the
421 issuance, transfer or renewal of licenses issued under AS Title 4 which do not
422 authorize the sale or service of alcoholic beverages for consumption on the
423 premises licensed.

424 B. Persons seeking the issuance, transfer or renewal of licenses issued by the Board
425 under AS Title 4 and other applicable provisions of law shall comply with the
426 following operations procedures:

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- 427 1. *Happy Hours.* No licensee may:
- 428 i. Sell more than one (1) drink for the price of a single alcoholic drink,
429 or sell a drink with increased alcoholic content, or sell a multiple of
430 any number of drinks in a manner which has the effect of selling
431 more than one (1) drink for the price of a single drink.
- 432 ii. Advertise, promote or put in public notice the giving of free
433 alcoholic drinks to customers.
- 434 iii. Advertise, promote or put in public notice the sale of alcoholic
435 beverages at a reduced price at certain times of the day or days of
436 the week. Nothing in this subsection shall prohibit a licensee from
437 increasing prices during times when entertainment is provided.
- 438 iv. This subsection shall not be construed to prohibit licensees from
439 giving away or selling at a reduced price food items to customers
440 and patrons.
- 441 2. *Public Transportation.* Licensees shall make available to their patrons access
442 to means of public transportation to permit patrons to make arrangements for
443 transportation off the premises.
- 444 3. *Notice of Penalties.* Operators shall place, at conspicuous locations within
445 licensed premises, a clear and legible sign describing applicable penalties for
446 driving under the influence, and for service or sale of alcoholic beverages to
447 minors or intoxicated persons.
- 448 4. *Availability of Nonalcoholic Drinks.* Operators shall have nonalcoholic drinks
449 available for their patrons.
- 450 5. *Compliance Determination.* In order to determine whether applicants seeking
451 the issuance, renewal or transfer of alcoholic beverage licenses have
452 complied with the provisions of this chapter, applicants shall, at the request
453 of the City, submit to the city manager (or their designee) an alcoholic
454 beverage licensee compliance form. Upon request, operators shall also
455 provide the city manager with certificates from all current employees
456 demonstrating that those employees have successfully completed a liquor
457 service awareness training program such as the program for techniques in
458 alcohol management (T.A.M.) as approved by the Board.

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459 6. *Solicitation of Purchase of Alcoholic Beverages for Consumption by Employee.*
460 A person employed by a licensee shall not solicit or encourage any patron of
461 the licensed premises to purchase alcoholic beverages for consumption by the
462 employee or by any other employee. For the purposes of this subsection, the
463 term "employee" includes any contractual arrangement by which an individual
464 provides services to the licensee, whether compensation be in the form of
465 salary, commission, fee or otherwise.

466 7. *Warning Signs for impoundment and Forfeiture of Vehicles Seized Pursuant to*
467 *an Arrest for or Charge of Driving Under the Influence or Refusal to Submit to*
468 *Chemical Tests.* Operators shall display at conspicuous places in licensed
469 premises two (2) signs warning that vehicles are seized in cases of driving
470 under the influence or refusal to submit to chemical tests. One of these
471 warning signs shall be at least eleven (11") inches by fourteen (14") inches in
472 size, and must read, in lettering at least one-half (1/2") inch high and in
473 contrasting colors or black and white, "DRIVE UNDER THE INFLUENCE—LOSE
474 YOUR CAR." The sign described in the preceding sentence must carry a logo
475 or illustration approved by the chief of police or their designee which shows
476 an automobile being towed. The second warning sign shall be at least eleven
477 (11") inches by fourteen (14") inches and must read, in letters at least one-
478 quarter (1/4") inch high and in contrasting colors or black and white,
479 "WARNING: IF YOU DRIVE UNDER THE INFLUENCE OR LET ANYONE DRIVE
480 YOUR VEHICLE UNDER THE INFLUENCE, YOU WILL LOSE YOUR VEHICLE.
481 The police SEIZE cars and trucks driven by intoxicated drivers. A vehicle will
482 be IMPOUNDED for 30 days for the driver's first DUI offense. A vehicle will be
483 FORFEITED if the driver has been convicted of DUI in the past ten (10)
484 years."

485 C. *Mandatory identification check in the retail sale of alcoholic beverages:* Licensee
486 or licensee's employee or agent shall require any purchaser (and anyone
487 accompanying the purchaser) of alcoholic beverages to produce a current
488 government-issued identification with birth date and photograph for identification
489 check prior to any on-premises sale. The purpose of the identification check is to
490 verify age and eligibility to purchase alcoholic beverages. Failure to conduct the
491 mandatory identification check required by this section is a violation of code and
492 the licensee or licensee's employee or agent failing to conduct the mandatory
493 identification check shall be subject to the civil penalty provisions of this chapter.
494 For purposes of mandatory identification check required by this section:

495 1. "*Current government-issued*" means a state, federal or foreign government
496 picture identification in force and effect for a specified period stated within

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497 the identification, when presented prior to expiration of the period stated. A
498 state government identification with birth date and photograph issued by any
499 state of the United States is included within the meaning of "current
500 government-issued" if the period of validity is specified and the identification
501 is presented prior to expiration of the period stated.

502 2. The subsequent invalidation of the identification as a bona fide government-
503 issued identification does not invalidate the compliance.

504 3. An ongoing pattern of non-compliance with the mandatory identification
505 check required by this code may result in review of the conditions of use or
506 may result in the revocation of a special use permit previously approved by
507 the city council. Action by the city council on licensee's special use permit
508 under this section shall be in addition to any criminal or civil penalty
509 applicable to the individual making the sale without performing the
510 mandatory identification check.

511 D. *Security Personnel.* Package stores and bars shall have security personnel on
512 the premises at all times that the premises are open to the public.

513 E. *Security Cameras.* At least two (2) twenty-four (24) hour time lapse security
514 cameras are required to be installed and properly maintained on the exterior of
515 the building at locations licensed to sell and/or store alcoholic beverages. At
516 least two (2) additional twenty-four (24) hour time lapse security cameras are
517 required to be installed and properly maintained in the interior of the building at
518 all locations licensed to sell and/or store alcoholic beverages. At least one of the
519 interior cameras must be able to capture all sales transactions. All criminal and
520 suspicious activities recorded on the surveillance equipment must be reported to
521 law enforcement as soon as practicable. To the extent allowed by law, the
522 establishment operators may be required to provide any tapes or other recording
523 media from the security camera to the Police Department.

524 F. *Premises to be cleared Upon Closing.* Upon closing, licensees shall clear alcoholic
525 beverage establishment of all persons, other than necessary employees, within
526 fifteen (15) minutes after the closing hours.

527 G. *Age Limit Signs to be exhibited.* All licensees shall cause to remain displayed
528 upon the premises and in the entrance to the premises of their establishments a
529 conspicuous sign in a prominent place visible from outside the establishment,
530 which shall in substance state: "No person under the age of 21 years permitted.
531 Any such person will be prosecuted to the full extent of the law." Excepting that

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532 licensed establishments regularly serving meals may modify the sign in
533 accordance with the provisions of this chapter and AS 04.

534 **5.08.120 Restrictions on Purchase and Sale of Alcoholic Beverages.**

535 A. A person licensed under AS 04.11.090 (Beverage Dispensary), 04.11.100
536 (Restaurant or Eating Place), 04.11.110 (Club License), or 04.11.150 (Package
537 Store) may not purchase, sell, or offer for sale an alcoholic beverage unless the
538 alcoholic beverage being purchased, sold, or offered for sale was obtained from
539 a person licensed under:

540 1. AS 04.11.160 (wholesale licenses) as a primary source of supply for the
541 alcoholic beverage being purchased, sold, or offered for sale;

542 2. AS 04.11.150 (package store) and the alcoholic beverage being purchased,
543 sold, or offered for sale was obtained from a person licensed under AS
544 04.11.160 (wholesale) as a primary source of supply; or

545 3. AS 04.11.130 (licensed brewery), 04.11.140 (licensed winery), or 04.11.170
546 (licensed distillery).

547 **5.08.130 Sale to Intoxicated Persons.**

548 A. A licensee, his agent or employee may not knowingly or negligently:
549 1. Sell, give or barter alcoholic beverages to an intoxicated person;
550 2. Allow another person to sell, give or barter an alcoholic beverage to an
551 intoxicated person within the licensed premises;
552 3. Allow an intoxicated person to enter and remain within the licensed
553 premises or to consume an alcoholic beverage within the licensed
554 premises; or
555 4. Permit an intoxicated person to sell or serve alcoholic beverages.

556 **5.08.140 Eviction of Patrons.**

557 The licensee and employees of the licensee are expressly permitted to evict any person
558 suspected of being under the age of twenty-one (21) or intoxicated and failure of such
559 person to leave after oral request is unlawful and an offense on the part of that person.

560 **5.08.150 Open Container.**

561 A. It shall be unlawful to carry, transport or possess an open container of alcoholic
562 beverages on the public streets, sidewalks, alleys, parks, or other public places

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563 throughout the city; except that an open container of alcoholic beverages may
564 be carried in a vehicle in a locked trunk or other secured location inaccessible to
565 the driver and passengers within the vehicle.
566 B. Open containers are permitted on private residential property, with the consent
567 of the owner or legal occupant of the property.

568 **5.08.160 Transportation of Alcohol.**

569 The transportation of alcoholic beverages by common carrier or commercial
570 carrier within the City of Bethel to a residential home or non-licensed alcohol
571 distribution facility is strictly prohibited except as expressly authorized by AS 04.

572 **5.08.170 Keg Registration.**

573 A. Obligations of seller. Any person who sells or offers for sale kegs or other
574 containers containing four (4) gallons or more of alcoholic beverages, or leases
575 kegs or other containers capable of holding four (4) gallons or more of alcoholic
576 beverage to consumers who are not licensed under AS 04.11 shall, prior to
577 surrendering physical possession of the keg or other container:

578 1. Require the purchaser of the alcoholic beverages to sign a declaration and
579 keg registration form for the keg or other container on a form approved by
580 the chief of police. The form shall contain:

581 i. The name and address of the seller and the purchaser;

582 ii. The type and identifying number of the identification presented by
583 the purchaser pursuant to AS 04.21.050

584 iii. A sworn statement, signed by the purchaser under penalty of
585 perjury, stating that the purchaser is twenty-one (21) years of age
586 or older; will not allow persons under twenty-one (21) years of age
587 to consume the alcoholic beverages purchased pursuant to AS
588 04.16.051, will not remove or obliterate or allow the removal or
589 obliteration of the temporary registration tag affixed to the keg or
590 other container, and will return the keg to the seller within the time
591 constraints set by the seller;

592 iv. The return date specified by the seller;

593 v. The particular address or addresses where the alcoholic beverages
594 will be consumed, and the date on which it will be consumed;

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- 595 vi. A warning that it is illegal to obscure or remove the registration
596 tag; and
- 597 vii. The unique identifier of the temporary tag attached to the keg or
598 container as required under this section.
- 599 2. Affix an approved temporary tag with a unique identifier to all containers over
600 four (4) gallons or more of an alcoholic beverage prior to surrendering
601 possession or control thereof to a consumer; and
- 602 3. Require the purchaser to separately and prominently display a copy of the
603 keg registration form within five (5) feet of the keg or other container while
604 the keg or other container is in the purchaser's possession or control.
- 605 4. Upon return of the keg or other container, the seller shall note the date
606 thereof and the initials of the person who accepts the return.
- 607 5. The licensee shall retain a copy of the keg registration form and receipt,
608 which shall be retained on the licensed premises for a period of one (1) year.
609 The records shall be available for inspection and copying by any peace
610 officer, the city finance director or their designee, the Alcohol Beverage
611 Control Board investigator or agent.
- 612 B. Obligations of purchaser. Any person who purchases or leases kegs or other
613 containers containing four (4) gallons or more of alcoholic beverages shall:
- 614 1. Sign a declaration and keg registration form for the keg or other container on
615 a form provided by the seller pursuant to subsection A. of this section;
- 616 2. Provide identification pursuant to AS 04.21.050;
- 617 3. Be of legal age to purchase, possess, or use alcoholic beverages;
- 618 4. Not allow any person under the age of 21 to consume the beverage except as
619 provided by AS 04.16.051;
- 620 5. Not remove, obliterate, or allow to be removed or obliterated, the
621 identification required under subsection C. of this section;
- 622 6. Return the keg or other container to the place of purchase no later than the
623 date indicated on the identification tag required under this section;

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- 624 7. Not move, keep, or store the keg or its contents, except for transporting to
625 and from the distributor, at any place other than that particular address
626 declared on the keg registration form; and
- 627 8. Separately and prominently display a copy of the keg registration form within
628 five (5) feet of the keg or other container during the time that the keg or
629 other container is in the purchaser's possession or control.

630 C. Identification of containers.

- 631 1. A keg registration form provided by licensees and approved by the Bethel
632 police chief shall be properly completed by the licensee for sales and leases
633 of kegs or other containers holding four (4) or more gallons of alcoholic
634 beverages for off-premises consumption, and shall contain:
- 635 2. The keg registration form affixed to the keg or container may serve as the
636 purchaser's receipt.
- 637 3. Kegs or other containers holding four (4) gallons or more of alcoholic
638 beverages shall have a properly completed keg registration form affixed
639 thereon when sold for off-premises consumption. Possession of a keg or
640 other container which holds four (4) gallons or more of alcoholic beverages,
641 other than on the seller's premises, without a properly completed registration
642 and declaration form either affixed thereon or in possession of the person
643 with the keg(s) or other container holding four (4) or more gallons of
644 alcoholic beverages shall be a violation of this chapter.

645 **5.08.180 Inspection of premises.**

- 646
- 647 A. The premises of licensees authorized to sell or distribute intoxicating liquor shall
648 be easily accessible for inspection by police officers during all regular hours of
649 the transaction of business upon the premises, and at any other time with
650 reasonable notice by the officer.
651
- 652 B. The police department may inspect any premises with an alcoholic beverage
653 license for compliance with conditions on the license. Upon discovering a
654 violation of such conditions, the police department shall submit a written report
655 of the violation to the city clerk for review by the city council and provide a copy
656 thereof to the licensee.
657

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- 658 C. If at any time there appears to be a readily identifiable pattern or practice of
659 recurring violent acts or unlawful conduct in a licensed premise, the City may
660 send notice of possible protest to the licensee that he or she must submit and
661 implement a plan for remedial action or be in jeopardy that a protest will be filed
662 to any renewal, transfer of location or transfer of ownership sought by the
663 licensee.
664
- 665 D. Upon receiving a report of conditions violation, the city council may:
666
- 667 1. Revoke the premise's conditional use permit;
 - 668
 - 669 2. Protest the issuance, renewal, transfer, relocation or continued operation of
670 the license;
 - 671 3. Recommend imposition of conditions on the state liquor license pursuant to
672 AS 04.11.480(c); or
673
 - 674 4. Notify the Board that a licensee has violated conditions and request that an
675 accusation pursuant to AS 04.11.370 be brought against the licensee.
676
- 677 E. Prior to taking any of the actions listed in subsection c) of this section, the City
678 shall give the permittee or licensee notice and an opportunity to be heard on the
679 accusation(s) at a publicly noticed council meeting.

680 **5.08.190 Access for Enforcement.**

- 681 A. The public entrance of licensed alcoholic beverage establishments shall be open
682 and unlocked before and after the closing hour of such establishment if there are
683 any patrons in the establishment.
684
- 685 B. Licensees of licensed alcoholic beverage establishments, their employees and all
686 patrons in such establishments shall permit and aid the entry of any law
687 enforcement officer during all hours of operation and at any other time when
688 there are two or more persons in such licensed alcoholic beverage establishment.
- 689 C. Lack of knowledge, lack of intent and absence from the premises shall not be
690 defenses to any action brought under this section against any such employee in
691 charge of such establishment or such licensee.
- 692 D. The following evidence shall constitute a prima facie case of violation of this
693 section in any action under this section against any such employee in charge of
694 such establishment or against any licensee:

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- 695 1. A law enforcement officer knocked heavily at the public entrance of a licensed
696 beverage dispensary or licensed alcoholic beverage establishment and such
697 entrance was not opened within one minute thereafter to permit his
698 entrance; plus
- 699 2. Evidence of sound emanating from the licensed alcoholic beverage
700 establishment, heard by such officer, and his opinion that he concluded that
701 two or more persons were in such establishment.
- 702 E. Licensees shall provide the Police Chief with their current hours of operation. Any
703 changes to the hours of operation shall be communicated, in writing, to the
704 Police Chief, at least three (3) business days prior to the change being
705 implemented.

706 **5.08.200 Alcohol Offenses.**

- 707 A. Violation of any section of this chapter shall be an infraction.
708 B. The Bethel Police Department shall have the authority to write and serve
709 citations for violations of the provisions of any portion of this chapter.

710 **5.08.210 Penalties.**

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
Premises Open during non-permissible hours	5.08.080A & B	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Premises Open during on non-permissible days	5.08.080A & B	No	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Selling, Offering for Sale, Giving, Furnishing, Delivering or Consuming Alcohol on Premises during hours of Closure	5.08.080C	No	\$300
Allowing person to consume alcohol on premises during hours of closure	5.08.080D	No	\$300
Allowing non-employee onto premises during hours of closure	5.08.080E	No	\$300

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Allowing consumption on premises in violation of license	5.08.090	No	\$500
Selling or dispensing alcohol prior to successful completion of a liquor server awareness training program	5.08.100A	Yes	\$1,000
Allowing employee to sell or dispense alcohol prior to their successful completion of a liquor server awareness training program	5.08.100A	Yes	\$1,000
Failure to show proof of successful completion of a liquor server awareness training program	5.08.100C	Correctable	\$300
Violation of Happy Hour rules	5.08.110B1	No	\$300
Failure to provide access to means of public transportation to patrons	5.08.110B2	No	\$150
Failure to permit patron to arrange for transportation off premises	5.08.110B2	No	\$500
Failure to post clear and legible signs describing applicable penalties for DUI and for service of alcoholic beverages to minors or intoxicated persons	5.08.110B3	No	\$250
Failure to have non-alcoholic drinks available	5.08.110B4	No	\$150
Failure to submit an alcoholic beverage compliance form upon request	5.08.110B5	No	\$300
Solicitation by employee of the purchase of an alcoholic beverage for personal consumption by the employee	5.08.110B6	Yes	\$500
Failure to post warning signs for impoundment and forfeiture of vehicles seized pursuant to an arrest or charge of DUI or Refusal	5.08.110B7	No	\$250

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Improper sized warning signs for impoundment and forfeiture of vehicles seized pursuant to an arrest or charge of DUI or Refusal	5.08.110B7	No	\$150
Failure to check identification of purchaser	5.08.110C	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Acceptance of non-conforming identification for purchase of alcoholic beverage	5.08.110C	Yes	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Failure to have security personnel on premises during hours of operation	5.08.110D	No	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Failure to install or maintain security equipment	5.08.110E	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Failure to report suspicious activity from security cameras to law enforcement	5.08.110E	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Interior camera not positioned to capture sales transactions	5.08.110E	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Failure to clear premises after closing	5.08.110F	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Failing to post age limit signs	5.08.150	No	\$300
Sale of alcoholic beverages improperly obtained	5.08.120	Yes	\$700
Sale of alcohol to an intoxicated person	5.08.130	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000

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Providing alcohol to an intoxicated person	5.08.130	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Allowing another person to sell or provide alcohol to an intoxicated person	5.08.130A2	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Allowing an intoxicated person to enter and remain within licensed premises	5.08.130A3	Yes	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Permitting intoxicated person to consume alcoholic beverage within a licensed premise	5.08.130A3	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Permitting an intoxicated person to sell or serve an alcoholic beverage	5.08.130A4	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Carrying, transporting or possessing an open container in public	5.08.150	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Transportation of alcohol by common carrier	5.08.160	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Transportation of alcohol by commercial carrier	5.08.160	Yes	1 st Offense: \$500 2 nd Offense: \$700 3 rd & subsequent offenses: \$1,000
Failure to Require or complete keg registration form	5.08.170	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Incomplete keg registration form	5.08.170	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700

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Failure to tag or improperly tagged keg	5.08.170	No	1 st Offense: \$150 2 nd Offense: \$300 3 rd & subsequent offenses: \$700
Removal or damaging of tag on keg	5.08.170	No	\$500
Failure to display keg registration form	5.08.170	No	\$300
Failure to affix keg declaration form to keg	5.08.170	No	\$300
Failure to retain keg declaration forms for one (1) year	5.08.170	No	\$500
Failure to make premises easily accessible for inspection by police officers	5.08.180A	Yes	\$700
Failing to maintain premises unlocked while patrons are on premises	5.08.190A	Yes	\$1,000
Failure to permit or aid the entry of law enforcement during hours of operation	5.08.190B	Yes	\$700
Failure to permit or aid the entry of law enforcement any time there are two (2) or more persons on the premises	5.08.190B	Yes	\$700

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

ENACTED THIS ____ DAY OF (MONTH) 2015, BY A VOTE OF ___ IN FAVOR AND OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk
City of Bethel, Alaska

Ordinance # 15-32
25 of 25

Suggested modifications to Ordinance 15-32 from the City Clerk

Under 5.08.100 insert permittee to include those applying for a Caterer's permit, Special events permit, and Conditional contractor's permit

5.08.100 Alcohol Server Training Course Requirement.

- A. A licensee/permittee, their agent or employee may not sell or dispense alcoholic beverages to the public prior to the successful completion of a liquor server awareness training program approved by the Board.
- B. A licensee/permittee, their agent or employee who elects to take an approved program online, must have the examination proctored at the City of Bethel offices by a duly appointed employee of the City.
- C. Licensees/permittee, their agents and employee who sell or dispense alcoholic beverages must be able to show proof of completion of a liquor server awareness training program approved by the Board upon request by a peace officer, the city manager (or their designee) or the Board.

Suggested amendments to Ordinance
15-32 from Mayor Robb

Proposed amendment #1 definition of school

5.08.010 H

School means the physical building and/or grounds of an educational facility operated either publicly or privately open to the public in which are taught subjects commonly taught in throughout the State of Alaska, from which children regularly travel freely and may be exposed to the sale of alcohol, and which is recognized as a school by the State of Alaska.

#2 Conditional Use permit

5.08.020 B 1.

To the planning director or their designee to determine if the applicant has compiled with the Special Use provisions of BMC ~~16.20~~ 18.60 if necessary

#3 Council actions

5.08.40 E 2

Recommend the license to be approved with or without conditions; or...

#4

5.08.050 Special Use Permit

delete entire section

#5 Restrictions on Locations of sales

5.08.060 C 1.

From the main parking lot ~~street entrance off of an established roadway~~ entrance of the establishment from which alcoholic beverages are sold or offered for sale

#6

5.08.080 Hours and days of operation

... shall be closed for the sale, service and consumption of alcoholic beverages between the hours of ~~10:00pm and 11:00am~~ 1 am and 10 am Sunday through Thursday, , and between the hours of ~~11:00pm and 11:30 am~~ 2 am and 10 am on Friday or Saturday or on a legal holiday...

#7

5.08.170 Keg registration: delete entire section

Recommendation from the Finance Committee

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5.08.100 Alcohol Server Training Course Requirement.

- A. A licensee, their agent or employee may not sell or dispense alcoholic beverages to the public prior to the successful completion of a liquor server awareness training program approved by the Board.
- B. A licensee, their agent or employee who elects to take an approved program online, must have the examination proctored at the City of Bethel offices by a duly appointed employee of the City.
- C. Licensees, their agents and employee who sell or dispense alcoholic beverages must be able to show proof of completion of a liquor server awareness training program approved by the Board upon request by a peace officer, the city manager (or their designee) or the Board.

Comment [c1]: Wants to add in: "Licensee, and/or permittee"

5.08.110 Operation of Licensed Premises.

Security Cameras. At least two (2) twenty-four (24) hour time lapse security cameras are required to be installed and properly maintained on the exterior of the building at locations licensed to sell and/or store alcoholic beverages. At least two (2) additional twenty-four (24) hour time lapse security cameras are required to be installed and properly maintained in the interior of the building at all locations licensed to sell and/or store alcoholic beverages. At least one of the interior cameras must be able to capture all sales transactions. All criminal and suspicious activities recorded on the surveillance equipment must be reported to law enforcement as soon as practicable. To the extent allowed by law, the establishment operators may be required to provide any tapes or other recording media from the security camera to the Police Department.

Comment [c2]: Insert "Security footage shall be retained by the operator for thirty days."

5.08.170 Keg Registration.

- A. Obligations of seller. Any person who sells or offers for sale kegs or other containers containing four (4) gallons or more of alcoholic beverages, or leases kegs or other containers capable of holding four (4) gallons or more of alcoholic beverage to consumers who are not licensed under AS 04.11 shall, prior to surrendering physical possession of the keg or other container:
 - 1. Require the purchaser of the alcoholic beverages to sign a declaration and keg registration form for the keg or other container on a form approved by the chief of police. The form shall contain:

Recommendation from the Finance Committee

- 38 i. The name and address of the seller and the purchaser;
- 39 ii. The type and identifying number of the identification presented by
40 the purchaser pursuant to AS 04.21.050
- 41 iii. A sworn statement, signed by the purchaser under penalty of
42 perjury, stating that the purchaser is twenty-one (21) years of age
43 or older; will not allow persons under twenty-one (21) years of age
44 to consume the alcoholic beverages purchased pursuant to AS
45 04.16.051, will not remove or obliterate or allow the removal or
46 obliteration of the temporary registration tag affixed to the keg or
47 other container, and will return the keg to the seller within the time
48 constraints set by the seller;
- 49 iv. The return date specified by the seller;
- 50 v. The particular address or addresses where the alcoholic beverages
51 will be consumed, and the date on which it will be consumed;
- 52 vi. A warning that it is illegal to obscure or remove the registration
53 tag; and
- 54 vii. The unique identifier of the temporary tag attached to the keg or
55 container as required under this section.
- 56 2. Affix an approved temporary tag with a unique identifier to all containers over
57 four (4) gallons or more of an alcoholic beverage prior to surrendering
58 possession or control thereof to a consumer; and
- 59 3. Require the purchaser to separately and prominently display a copy of the
60 keg registration form within five (5) feet of the keg or other container while
61 the keg or other container is in the purchaser's possession or control.
- 62 4. Upon return of the keg or other container, the seller shall note the date
63 thereof and the initials of the person who accepts the return.
- 64 5. The licensee shall retain a copy of the keg registration form and receipt,
65 which shall be retained on the licensed premises for a period of one (1) year.
66 The records shall be available for inspection and copying by any peace
67 officer, the city finance director or their designee, the Alcohol Beverage
68 Control Board investigator or agent.
- 69 B. Obligations of purchaser. Any person who purchases or leases kegs or other
70 containers containing four (4) gallons or more of alcoholic beverages shall:
- 71 1. Sign a declaration and keg registration form for the keg or other container on
72 a form provided by the seller pursuant to subsection A. of this section;

Comment [c3]: Strike this. Not necessary.

Comment [c4]: Strike this.

Recommendation from the Finance Committee

- 73 2. Provide identification pursuant to AS 04.21.050; Comment [c5]: Strike This. It's already understood that they would provide identification as they would be purchasing alcohol.
- 74 3. Be of legal age to purchase, possess, or use alcoholic beverages; Comment [c6]: Strike this.
- 75 4. Not allow any person under the age of 21 to consume the beverage except as
76 provided by AS 04.16.051; Comment [c7]: Strike this.
- 77 5. Not remove, obliterate, or allow to be removed or obliterated, the
78 identification required under subsection C. of this section;
- 79 6. Return the keg or other container to the place of purchase no later than the
80 date indicated on the identification tag required under this section; Comment [c8]: Strike this.
- 81 7. Not move, keep, or store the keg or its contents, except for transporting to
82 and from the distributor, at any place other than that particular address
83 declared on the keg registration form; and
- 84 8. Separately and prominently display a copy of the keg registration form within
85 five (5) feet of the keg or other container during the time that the keg or
86 other container is in the purchaser's possession or control. Comment [c9]: Strike This. This is a duplicate of line 602.

Failure to display keg registration form	5.08.170	No	\$300
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Comment [c10]: Remove

87

Introduced by: Council Member Maczynski
Date: September 22, 2015
October 13, 2015

Action:
Vote:

CITY OF BETHEL, ALASKA

RESOLUTION #15-14

A RESOLUTION REQUESTING SMALL PASSENGER FLIGHT SERVICES TO BETHEL TO BEGIN HAVING BAG INSPECTIONS ON FLIGHTS TO BETHEL

WHEREAS, while it is not an FAA requirement for passenger flights with less than 50 seats to perform bag inspection, the Bethel City Council requests consideration of this process for all passenger flights to Bethel to assist in the elimination of drug transports to the region;

WHEREAS, the Yukon Kuskokwim Region is facing an increase in drug related offences;

WHEREAS, as provided in the 2014 Alaska State Troopers, Annual Drug Report, the number of heroin related charges/arrests reported by the State of Alaska Troopers was 118 in 2011, 146 in 2012, 151 in 2013 and 209 in 2014 showing a 77% increase in the number of related charges/arrests over a period of four years;

WHEREAS, the Annual Drug Report also indicated, the use of heroin is no longer a problem for just the urban areas of Alaska, more and more rural communities are showing significant increases in illicit drug activity;

WHEREAS, all businesses within this community should hold responsibility for the health and safety of the public and region they serve;

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council requests business operating small passenger flight to Bethel, begin conducting bag inspections.

PASSED AND APPROVED THIS 22nd DAY OF SEPTEMBER 2015, BY A VOTE OF ___ IN FAVOR AND ___ IN OPPOSITION.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

City of Bethel, Alaska

Resolution #15-14
Page 1 of 1

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New Business

City of Bethel Action Memorandum

Action memorandum No.	15-43		
Date action introduced:	October 13, 2015	Introduced by:	Mayor Robb
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

SUBJECT/ACTION:

Approve Mayor's appointment of members to the Marijuana Advisory Committee.

Route to:	Department/Individual:	Initials:	Remarks:
X	Acting City Manager Williams		

Attachment(s): Applications

Amount of fiscal impact		Account information:
X	No fiscal impact	

Action memorandum 15-43 is sponsored by the Mayor at the request of the City Clerk.

Six people submitted applications for the Marijuana Advisory Committee. If appointed each individual would serve until term expiration, December 31, 2017. Applications were submitted in the following order and meet all of the minimum requirements for appointment:

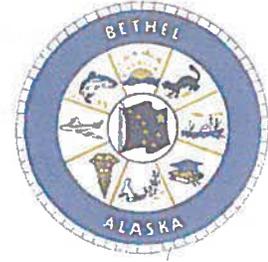
Raymond G. Pete
 Mary C. Nanawaic
 Ryan Shore
 Kerri Fox
 Maggie Ryan
 Pat Jennings

The Committee would be responsible for:

- Monitoring the progress of any state, federal or municipal legislative and or regulatory action pertaining to Ballot Measure 2/AS 17.38.
- Reviewing the current Bethel Municipal Code (BMC) and identifying those sections of the code that may be affected by Ballot Measure 2/AS 17.38.
- Reporting and making recommendations to the City Council related to the implementation of Ballot Measure 2/AS 17.38 at the local municipal level including, but not limited to, recommendations pertaining to possible changes and/or additions to the BMC, zoning and regulation changes.

The draft regulations from the State's Marijuana Control Board are finalized and will be available for the public within the next week or so.

Office of the City Clerk
City of Bethel
300 State Highway
Bethel, AK 99559-1388
Phone: (907)-543-1384
Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO A COMMITTEE OR COMMISSION

Committee(s)/Commission(s) of interest:

- Energy Committee
- Parks and Recreation Committee
- Finance Committee
- Public Works Committee
- Port Commission
- Public Safety and Transportation Commission
- Planning Commission

← Marijuana ~~ETOH~~
Advisory Committee

All Planning Commissioners are required to provide a Financial Disclosure Statement to the City Clerk's Office within 30 days of appointment. Commissioners are also required to update those statements only when changes occur that would require an amendment to their statement.

NAME: Mary C. NANLUWAI C

MAILING ADDRESS: Gen. Delivery; Bethel, AK 99559

RESIDENCE ADDRESS: [Redacted]

HOME PHONE: [Redacted]

WORK PHONE:

CELL PHONE: [Redacted]

E-MAIL: - Text cell

OCCUPATION: Retired

EMPLOYER:

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel? If so please provide the name and the type of business.

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

3. Do you currently have a direct or indirect financial or business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

4. Are you a resident of the City of Bethel? Yes ___ No If so, for how long? *March 15, 2015*

5. Does your schedule permit you to regularly attend required meetings: Yes ___ No

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant: <i>Mary C. Harwood</i>	Date: <i>12 August 2015</i>
---	--------------------------------

FOR OFFICE USE ONLY

Date Received: *8 / 15*

Date of Council Approval: _____ Action Memorandum Number: *15-43*

Date Applicant Notified: _____

Term Expiration: _____

Registered voter of the City ___ Yes ___ No

Name: NANUCWAK, Mary C

Questions for marijuana advisory board applicant.

1. Do you support legalized marijuana? Why or why not?

Yes, & no. I support the legalization of marijuana for medical reasons (for those who choose to), & for responsible individuals [but those should be identified ahead of time. No, I do not support the legalization of marijuana for those who have other addictions, & for repeated, identified law-breakers. Same would apply to any abuser.

2. As advising on policy and regulations, would you favor more restrictive regulations or more lenient regulations.

As advising on policy, & regulations, I would favor both. Again this would be based on the reasons given in question #1.

3. Should there be a legal market in Bethel?

Here I might sound like (based on #'s 1, & 2) I am sounding controversial, however, being aware of the health, psychological, educational, monetary, & abuse of all sorts I would say no. But this issue should really be up to voters.

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City of Bethel
300 State Highway
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Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO THE MARIJUANA ADVISORY COMMITTEE

NAME: Ryan Shore

MAILING ADDRESS: [Redacted]

RESIDENCE ADDRESS: [Redacted]

HOME PHONE: [Redacted] WORK PHONE: [Redacted]

CELL PHONE: [Redacted] EMAIL: Rya

OCCUPATION: On Air Host EMPLOYER: KYUK

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel? If so please provide the name and the type of business.

NO.

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

No

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

No.

4. Why are you interested in applying for the Marijuana Advisory Committee and what qualifications do you possess to assist the committee in their tasks?

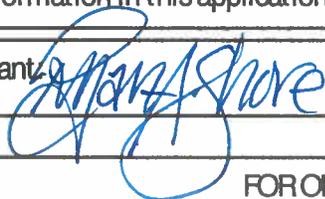
I'm interested in advising and discussing the potential regulations & laws of marijuana in our community.

I lived in Michigan during the conversion to a medical marijuana state, and closely monitored that decision-making process

5. Are you a resident of the City of Bethel? Yes ___ No If so, for how long? Approx. 5 years

6. How much time in a month would you be able to provide to meetings and necessary research on marijuana laws and regulations? Available most evenings; depending on KYUK special coverage plans

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.
I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.
I certify that the information in this application is true and accurate.

Signature of Applicant:  Date: 8/31/2015

FOR OFFICE USE ONLY
Date Received: September 1, 2015
Date of Council Approval: _____ Action Memorandum Number: 15-43
Date Applicant Notified: _____
Term Expiration: _____
Registered voter of the City Yes ___ No

Ryan Shore

1. I support legalized marijuana, because the state of Alaska has already voted and already legalized recreational use of marijuana.

I am not too shy to admit that I voted for that legalization, because I truly believe that the marijuana industry is about to become an even more booming industry than it already has shown in Oregon and Colorado. The tax-revenue that could be raised could bring Bethel closer to a balanced, or possibly a surplussed budget.

Marijuana is the third most popular recreational drug in America (behind only alcohol and tobacco), and has been used by nearly 100 million Americans. According to government surveys, about 25 million Americans have smoked marijuana in the past year, and more than 14 million do so regularly despite harsh laws against its use. Our public policies should reflect this reality, not deny it.

Marijuana is far *less* dangerous than alcohol or tobacco. Around 50,000 people die each year from alcohol poisoning. Similarly, more than 400,000 deaths each year are attributed to tobacco smoking. By comparison, marijuana is nontoxic and cannot cause death by overdose.

2. I would favor more lenient restrictions. The amount of people currently incarcerated for marijuana-related is astonishing, and the costs incurred on the tax-payers in America is beyond ridiculous, and terribly unfortunate.

Enforcing marijuana prohibition costs American taxpayers an estimated \$10 billion annually and results in the arrest of more than 693,000 individuals per year -- far more than the total number of arrests for all violent crimes combined, including murder, rape, robbery and aggravated assault.

3. Absolutely.

This references back to the tax revenue that could be raised. Each time marijuana is sold on the "black market" it's a lost chance for the City of Bethel to collect taxes, as well as a loss on the ability to regulate **who** is buying marijuana, and **how** much marijuana that person is buying.

I think it's time that we step out of the shadows that "Reefer Madness" created during the FDR presidency. It's time to take a holistic view of the marijuana industry, and apply it's possibilities to a Bethel-sized market.



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Fax: (907)-543-3817

APPLICATION FOR APPOINTMENT TO THE MARIJUANA ADVISORY COMMITTEE

NAME: KERRI FOX

MAILING ADDRESS: PO BOX 5 [REDACTED] BETHEL

RESIDENCE ADDRESS: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

CELL PHONE: [REDACTED] E-MAIL: [REDACTED]

OCCUPATION: Program Director - EMPLOYER: TWC

Bethel Juvenile Alcohol Safety
Action Program (ASAP)

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel? **NO**
If so please provide the name and the type of business.

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business. **NO**

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business. **NO**

4. Why are you interested in applying for the Marijuana Advisory Committee and what qualifications do you possess to assist the committee in their tasks? I work with children + young adults who are using alcohol + other drugs. I see the effects of substance use + abuse on individuals + families. My interest is providing input regarding safety + consequences of substance use. I have 15 years sobriety. I've worked as an RN in PA + MT for about 9 years.

5. Are you a resident of the City of Bethel? Yes ___ No If so, for how long? 15 yrs

6. How much time in a month would you be able to provide to meetings and necessary research on marijuana laws and regulations? 20-24 An hour/day weekdays, plus some evenings.

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant: Kerri Fox Date: 9/2/15

FOR OFFICE USE ONLY

Date Received: 9/2/2015

Date of Council Approval:

Action Memorandum Number: 15-43

Date Applicant Notified:

Term Expiration:

Registered voter of the City ___ Yes ___ No

Kerri Fox

1. Do you support legalized marijuana? Why or why not? **No. I think it's going to cause more harm than good.**
2. As advising on policy and regulations, would you favor more restrictive regulations or more lenient regulations. **More restrictive**
3. Should there be a legal market in Bethel? **No!**

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APPLICATION FOR APPOINTMENT TO THE MARIJUANA ADVISORY COMMITTEE

NAME: Raymond G. Pete

MAILING ADDRESS: [Redacted]

RESIDENCE ADDRESS: [Redacted]

HOME PHONE: [Redacted] WORK PHONE: _____

CELL PHONE: _____ E-MAIL: _____

OCCUPATION: P/T janitorial EMPLOYER: Kagista Janitorial Service

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel? If so please provide the name and the type of business. no

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business. no

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business. no

4. Why are you interested in applying for the Marijuana Advisory Committee and what qualifications do you possess to assist the committee in their tasks?

Yes, I see marijuana to fit medical needs, many people use narcotic pills in a form of medicine. It is also ~~legal~~ legal. Provision has never worked. Legal sales tax would help the city.

5. Are you a resident of the City of Bethel? Yes No If so, for how long? _____

6. How much time in a month would you be able to provide to meetings and necessary research on marijuana laws and regulations? As need

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant:

Raymond J. Pitts

Date:

8-31-15

FOR OFFICE USE ONLY

Date Received: *Aug. 31, 2015*

Date of Council Approval:

Action Memorandum Number: *15-43*

Date Applicant Notified:

Term Expiration:

Registered voter of the City Yes No

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City of Bethel
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Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO THE MARIJUANA ADVISORY COMMITTEE

NAME: PAT JENKINGS

MAILING ADDRESS: [Redacted]

RESIDENCE ADDRESS: [Redacted]

HOME PHONE: [Redacted] WORK PHONE: [Redacted]

CELL PHONE: [Redacted] E-MAIL: [Redacted]

OCCUPATION: RETIRED EMPLOYER: [Redacted]

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel?
If so please provide the name and the type of business.

no

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

no

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

no

4. Why are you interested in applying for the Marijuana Advisory Committee and what qualifications do you possess to assist the committee in their tasks?

Public Safety has always been a concern

I have served on various committees & commissions for over 10 yrs.

5. Are you a resident of the City of Bethel? Yes ___ No If so, for how long? 40 yrs

6. How much time in a month would you be able to provide to meetings and necessary research on marijuana laws and regulations? 20 hrs

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant:

Date:

9/16/15

FOR OFFICE USE ONLY

Date Received: Sept. 17, 2015

Date of Council Approval:

Action Memorandum Number:

15-43

Date Applicant Notified:

Term Expiration:

Registered voter of the City Yes ___ No

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City of Bethel
300 State Highway
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Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO THE MARIJUANA ADVISORY COMMITTEE

NAME: Maggie Ryan

MAILING ADDRESS: [Redacted]

RESIDENCE ADDRESS: [Redacted]

HOME PHONE: _____ WORK PHONE: _____

CELL PHONE: [Redacted] E-MAIL: [Redacted]

OCCUPATION: Public Health Nurse EMPLOYER: State of Alaska

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel?
If so please provide the name and the type of business.

No.

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

No.

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

No.

4. Why are you interested in applying for the Marijuana Advisory Committee and what qualifications do you possess to assist the committee in their tasks?

As a public health nurse, I have a vested interest in improving our community's health, increasing access to unbiased and factual health information, and advocating for health and social policies that are supported by sound scientific evidence. Over the past few months I have worked on a statewide marijuana work-group that has worked to implement regulations that will promote the health of Alaskans without promoting abstinence-based education. While I do not speak for the state, I already have experience on the topic and believe I can offer a perspective that focuses on creating local regulations that will promote health, particularly in our adolescent populations, while also recognizing the economic benefits that come from the legal sales of marijuana.

5. Are you a resident of the City of Bethel? Yes No If so, for how long? 1.5 years
6. How much time in a month would you be able to provide to meetings and necessary research on marijuana laws and regulations? 10 hours

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant:

M. Myam

Date:

9/15/15

FOR OFFICE USE ONLY

Date Received: *9/15/2015*

Date of Council Approval:

Action Memorandum Number: *15-43*

Date Applicant Notified:

Term Expiration:

Registered voter of the City Yes No

Maggie Ryan- Marijuana Advisory Committee Applicant

1) Last year I personally voted for the legalization of marijuana for two major reasons. I believe that there are many benefits states and local municipalities can garner through the sales of marijuana. Increased tax revenue from the sales can only benefit the community by providing increased money for desperately needed services in the city including water, roads, and public safety. I also believe that legalizing marijuana is an important step in reducing racial disparities that plague our legal system, in large part due to how we handle non-violent drug offenses. That being said, as a public health professional, I also see the potential for harm that could occur with increased access to marijuana, particularly among youth and believe that we must find a way to assure that the benefits will outweigh the potential negatives.

2) As stated above, I see the potential for significant harm to our youth through the legalization of marijuana. Evidence has shown that increased access does increase youth use. While the long term effects of chronic use of marijuana in adults is still ambiguous, what we do know is that marijuana, without a doubt, has a huge impact on the development of teenage brains. If we allow the sales of marijuana in Bethel, it is our duty to help curtail these harms as much as possible. In order to achieve this, I favor more restrictive regulations.

3) I believe that marijuana has the potential to be as contentious of an issue as alcohol, and that the people of Bethel deserve a right to have a say in the matter. While I voted for legal sales, the majority of people in Bethel did not and this should definitely be taken into consideration. I believe it should be up to the people through some kind of vote on whether or not sales become legal in Bethel.

City of Bethel Action Memorandum

Action memorandum No.	15-44		
Date action introduced:	October 13, 2015	Introduced by:	Mayor Robb
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

SUBJECT/ACTION:

Approve Mayor's appointment of Lorin L. Bradbury to the Planning Commission.

Route to:	Department/Individual:	Initials:	Remarks:
X	Acting City Manager Williams		

Attachment(s): Application

Amount of fiscal impact		Account information:
X	No fiscal impact	

Action memorandum 15-44 is sponsored by the Mayor at the request of the City Clerk.

Lorin Bradbury has requested appointment to the Planning Commission. If appointed, he would be appointed to a term of three years with a term expiration of December 31, 2018.

City of Bethel Action Memorandum

Action memorandum No.	15-45		
Date action introduced:	October 13, 2015	Introduced by:	Mayor Robb
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

SUBJECT/ACTION:

Approve Mayor's appointment of Eileen Henrikson to the Public Safety and Transportation Commission.

Route to:	Department/Individual:	Initials:	Remarks:
X	Acting City Manager Williams		
X	Police Chief Achee		

Attachment(s): Application

Amount of fiscal impact		Account information:
X	No fiscal impact	

Action memorandum 15-45 is sponsored by the Mayor at the request of the City Clerk.

Eileen Henrikson has requested appointment to the Public Safety and Transportation Commission. If appointed, she would be appointed to a term of three years with a term expiration of December 31, 2017.

City of Bethel Action Memorandum

Action memorandum No.	15-46		
Date action introduced:	10-13-2015	Introduced by:	Ann K. Capela, City Mgr.
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

Action

Approve the bid selection and arrangement with four professional planning firms for a term of five years, such that the rank-ordered firms are available for City use.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Finance	<i>AKM</i>	Budget Mod ^{may be necessary}
<input checked="" type="checkbox"/>	Public Works	<i>AKM</i>	P. works has NO objection to this offer.
<input checked="" type="checkbox"/>	Administration	<i>AKM</i>	Approved
<input type="checkbox"/>			
<input type="checkbox"/>			

Attachment(s): Sole Source Justification for Northern Power Systems to Provide Wind Turbine Monitoring, Maintenance, and Repair Service.

Amount of fiscal impact:	Account information:	
	No fiscal impact	
\$9,200 est. annually	Funds are budgeted for.	40-50-662
	Funds are not budgeted. Budget modification is required.	

The City of Bethel went out to bid twice without success in its effort to hire a company to perform wind turbine maintenance services. The City has an unmet responsibility to provide annual maintenance service on the turbine on or about each July 1 in order to meet the two-year warranty requirements.

Northern Power Systems (NPS) should be accorded sole source vendor status to meet the City's needs for the following reasons:

1. NPS manufactured the Northwind 100 wind turbine and is intimately familiar with its design, operation, and maintenance/repair requirements.
2. NPS uses its proprietary SmartView remote monitoring service for the first two years of turbine ownership to ensure proper functioning.
3. NPS is ostensibly the only company that provides remote monitoring service after the two-year monitoring service.
4. NPS personnel are the only personnel who can reset faults, either remotely or in-person.

Sole Source Purchase Justification
For the City of Bethel to Purchase
Wind Turbine Monitoring, Maintenance, and Repair Service from
Northern Power Systems

Background

The City of Bethel hired Project Development Associates to manage the construction of the Yukon Kuskokwim Regional Aquatic Health and Safety Center (hereafter “YK Fitness Center”). The City hired Bethel Services, Inc. (BSI) in conjunction with Unit Company to construct the facility. Subcontractor STG, Inc. was hired by BSI to purchase and install one Northwind 100 wind turbine as part of the project. The wind turbine was installed, commissioned, and put into service providing power to the building on or about July 1, 2014.

The 100 kW wind turbine was manufactured by Northern Power Systems, a company based in Barre, Vermont. Northern Power is one of the few companies that produce and sell small commercial wind turbines at or near the 100 kW capacity.

Current Situation

The sales agreement between Northern Power Systems and the City of Bethel required the City to establish and maintain a communications connection from the turbine to the YK Fitness Center. BSI ran CAT 5E cable from the turbine to the facility and the City purchased and installed a cable modem. The communications connection allowed Northern Power to monitor the performance of the turbine from Barre, Vermont.

The sales agreement provided the City with a two-year limited warranty, which began July 1, 2014. During that two-year warranty period, Northern Power monitors the performance of the turbine. When inverter status, alarms, and faults are activated, Northern Power personnel will correct it remotely or contact the City to service or maintain the turbine.

There are no warranty extensions beyond the initial two-year period. The City will be responsible for repairs and repair payments thereafter.

The warranty requires the City to provide annual wind turbine maintenance, which should have been done July 2015. Northern Power is aware of the City’s lack of success with its two attempts to hire a company through the use of Requests for Proposals. Although Northern Power is extending the City latitude, the City has an immediate need to maintain its wind turbine or face cancellation of its warranty.

Need for Monitoring, Maintenance, and Repair Service

The City must secure a company to provide annual maintenance, five-year maintenance, and scheduled repair and emergency repair service to its wind turbine. The City went out to bid to

hire a company to perform maintenance services without success. The City issued a Request for Proposals for wind turbine maintenance services in December 2014 and received no responses. The City issued a Request for Proposals a second time in August 2015 and received two responses that were deemed ineligible and/or insufficient in content.

Northern Power Systems as Sole Source Service Provider

The City of Bethel owns and operates one Northwind 100 wind turbine manufactured by Northern Power Systems. The turbine was manufactured by Northern Power, shipped to Alaska, and installed on City land by STG, Inc. The turbine was commissioned and turned over to the City to operate in July 2014.

During the two-year warranty period, Northern Power Systems monitors the performance of the turbine from their office in Barre, Vermont. Northern offers a preventative maintenance package to new customers that includes annual scheduled maintenance.

At the end of two years (July 2016), Northern Power will present the City with contract options to allow them to continue to provide monitoring and support services. According to Northern Power management, every customer who purchased a Northwind 100 wind turbine over the last seven years signed an agreement to pay for continued monitoring service.

According to the Northern Power Technical Bulletin (July 2009, Page 2):

If any parameters exceed normal operating limits, a fault will occur and the controls will automatically stop the rotor and shut turbine down. Faults must be manually reset by a trained service technician after the event has been analyzed. Presently only Northern Systems service personnel may reset faults...Most faults may be reset remotely and the turbine can usually be brought back on-line within minutes of the fault.

Every Northwind 100 wind turbine comes with SmartView, Northern Power's proprietary SCADA (Supervisory Control and Data Acquisition) system. The SmartView system collects data every second from the system controller.

Upon expiration of the warranty period on July 1, 2016, Northern Power will no longer monitor the turbine unless a new monitoring agreement is in place. Five service options exist that include remote monitoring by Northern, remote terminal unit maintenance and software updates, and field training of industrial climbers. The City of Bethel would benefit from a preventive maintenance package that assures annual maintenance is performed by certified Northern Power service providers at a fixed annual cost.

The City of Bethel should authorize Northern Power Systems to provide monitoring, maintenance, repair, and emergency repair services on the City's Northwind 100 wind turbine for the foreseeable future and this authorization should be considered an approved sole source purchase.

Mayor's Report

DAN SULLIVAN
ALASKA



UNITED STATES SENATE
WASHINGTON, D.C. 20510

September 10, 2015

Mayor Richard Robb
City of Bethel
PO Box 1388
Bethel, AK 99559

Dear Mayor Robb,

Thank you for the invitation to visit Bethel for a special city council meeting. It was nice meeting with you, Administrator Capella and the Council to learn more about the issues facing your community and its infrastructure needs.

I also want to thank you for hosting the great reception. I really enjoyed it and look forward to working with you.

Best regards,

A handwritten signature in blue ink, appearing to read "Dan".

Dan Sullivan
United States Senator

City Manager's Report

Management Team Reports

PORT OF BETHEL

Post Office Box 1388
Bethel, Alaska 99559
Voice: 907-543-2310
Fax: 907-543-2311



TO: Ann Capela
FROM: Peter A. Williams- Port Director
SUBJECT: September, 2015 Managers Report
Out of the office Oct 11-18 ,2015

PORT ADMINISTRATION ACTION ITEMS AND ACTIVITIES

- **SMALL BOAT HARBOR-** Harbor personnel have started to de-mob the SBH for the winter and will be finished by October 15. The harbor will be open for those who wish to use it but harbor personnel will only be on patrol M-F from 8am-4:30pm. I think the SBH attendants deserve a shout out for their work in the harbor this summer. Attendance was way up and they worked well each other. We will picking up skiffs and putting them in *storage for twenty-five dollars a month* as the cold weather moves in.
- **City Dock-** AML's last barge of the season, *the Hawaii Trader*, arrived on 9-22 with 2200T and departed 9-28. Alaska Logistics last sailing has not been scheduled yet, originally due to arrive for Oct. 5, I expect it to be in Bethel by around Oct 15. There still is a large amount of coastal freight that AML will pick up. *AML's Warehouse Lease* expires Oct 15. AML would like to lease the warehouse out for two more years. Their request for renewal will be on Planning Comm. Agenda for Oct. 8th. A request too Affiliated Appraisers for a Building Assessment for this property, on the City Dock, has been made but hasn't been completed. This building is un-heated and has no insulation and AML was the only company willing to pay for 12 mos. a year. It is used during the summer for SPAM orders and in the winter time for storage. The two large wire cranes are hopefully will be removed this month after residing on the dock for 5 yrs. There is 10,000 sq ft of building material and equipment on Beach 1 , adjacent to the City Dock , that needs to to various Coastal Communities. This same area will be used later this month too store vessels for the winter in Bethel.
- **BBSP -Jung/Active Parcels-**Mr.Jung has signed off on the Plat and the Actives have agreed to sign it. This is in regards to ROW on East Ave and land needed for the Bethel Bank Stabilization Project
- **Brown Slough-** The two vessels moored in the slough will depart for freeze-up. Hopefully we will re-new our Permit to finish excavating the shallow spots alongside the dock.
- *Slough Shop* at 251 East Ave – a steel floor was finished and insulation an plywood for the walls are being installed with electrical wor to follow later this month. Except for the electrical work port personnel have completed all of the improvements. Once finished this will be the first shop the Port has had to perform work in during the winter months. *Sand Shed* -400 Chevron Rd. – The building was insulated with spray foam by

T&H Leveling. This building is being has been used for storing equipment during the winter. We hope to use too reconstruct the wooden floats in the SBH. We will be able to heat the building to 50 degrees on a” as needed “ basis, just enough to work inside during the winter months.

- **Beach 2-** (depending what era you are from are/is also known as Hospital Cove ,Mission Beach , Bootleggers Cove)- This the area is at the end of Standard Oil Rd. where you take a left turn and go down to the river. Recently a barge company have has delivered gravel to this landing and has staged the gravel on the upper portion of the property. The rates as prescribed in the Terminal Tariff are being applied for any commercial activity on this property. In USS Survey 400 there is approximately 10.29 acres that was passed via ANSCA & then was via Quit Claim Deed given to the City for the following uses some not all include; Port Facility (public use); Docks ,wharves, bulkheads, sea walls; combined port and ferry terminals; storing and staging; warehouse facilities and light industrial use.
- **Personnel-** Admin. Assistant Ed Flores is no longer employed and we have hired a new employee to take his place. The SBH attendants will be laid off by October 15th or sooner if they help is not required.
- **Petro-Port** –(Petroleum Dock)- Approximately 6.5 million gals was delivered over the petroleum dock in September. This represents 50% of what we projected FY-16. There is one more barge with a small amount that has not arrived yet. It appears that there is a few deliveries yet to be made to the surrounding villages



Peter Williams
Port Director

MEMORANDUM

DATE: 10/01/2015
TO: Ann Capela, City Manager
FROM: Muzaffar Lakhani, Public Works Director
SUBJECT: Manager's Report –

Utility Maintenance:

We finished repairing the lagoon discharge line and V&E repaired the engine on the lagoon discharge pump. We have been repairing things at the water treatment plant and preparing for the consultant to arrive 10/12/2015. Also working on sewer line in Bethel Height getting ready for winter. Lagoon discharge continues this month.

Hauled Utilities: for September we have pumped over 3,000,000 gallons of water, 2,700,000 of sewer, and hauled over 3000 cubic yards of garbage to the land fill. I have had a crew out and about to most of the dumpster sites cleaning up around the dumpsters. It seems that the more we clean the messier the public makes it. I believe we should have a spokesman do a radio sit in, and advise the general public not to place their old furniture and appliances around the dumpster sites. And for the last couple of months we have had a welder donating c w s hours to repair some of the rotted and damaged dumpsters. But this will have to stop for the season due to the fact we will have to start parking the water sewer and garbage trucks inside the shop due to the onset of the colder weather.

Property Maintenance:

We are still performing annual maintenance to our boilers and servicing all relative equipment. They have been fired up and running when the weather has cooled and we make adjustments when it warms up. I still worry lots about the Court House with only one source of heat there. I sure wish we had an agreement with A.V.E.C. on utilization of waste heat. **That is an important building in the community and an expensive fix if it were to freeze up with no backup plan, something to think about.**

With winter around the corner we have been finishing up some of our outside projects. With all the burials this summer the remainder of the cemetery plots on the civilian side was all staked. We should have a couple of three years left is all I'm guessing. Next year we might want to think of expansion of the cemetery over there. We have been maintaining all our buildings as problems come up with

doors, windows and plumbing. At the Public Works committee meeting of September 2015 boardwalks were talked about, how expensive and labor intensive they were to maintain. We should move to routing them around water and low areas. We could save a lot of time and money if we moved from the idea of boardwalks to 'Trails & Pathways', and stay away from anything out of wood or elevated. Thank you.

Parks and Recreation:

For the month of September we mowed and trimmed all the parks one last time before the season ends. We cleaned and organized the bus barn open area and discarded all broken things. We have got all the things taken care of before winter/freeze. Been reviewing all my notes from the season to better our plan for next year. We marked out the layout for the newest cemetery. We started painting inside the City Hall Hallway.

Road Maintenance:

Streets and Roads, has hauled in the last of the gravel from Knik to our gravel pile on the south side of the city shop. This is the last of the D-1 gravel from Knik this year, and we hauled it as soon as they got it in by barge from Platinum. We will use some of this to finish up a few road projects before freeze up and the rest will be used for the up keep on the roads this winter.

Streets and Roads, has also been doing a lot of grading this month due to the rain storms. This is an ongoing battle this time of the year to stay on top before it freezes so that the roads will freeze smooth as possible. I hope this winter stay frozen when it freezes and the snow will stay, not like last winter were it keep thawing out and raining all throughout the winter.

Streets and Roads, this month has replaced culverts in Larson Sub., Blue Berry Sub., 7th Ave., Hoffman Sub., and Tundra Ridge. This will help to keep the roads from washing out this coming spring, and also it will be much easy to thaw out with our steamers.

Streets and Roads has still been hauling in sand to our salt sand pile on the north side of the shop, as we have time to do so. This is what we use to mix our salt and sand for the sanders that we use during the winter time.

We have received the Sodium and Calcium Chloride on the last Northland barge of the year from Span Alaska this month. This is what we have been looking for, so that we can mix up our salt sand, for our road sanders this coming month in October.

Vehicles and Equipment: the V&E department has been very busy trying to winterize the police vehicles, as well as keeping up with the utility trucks, and road equipment, and the transit vehicles. This department is severely undermanned for the amount of rolling stock within the city. We really need at least 2 more mechanics with tools and experience, mechanic's certifications and Commercial Driver's Licenses. The Job has been posted for several months now, but no one qualified has applied to date. The current mechanics are doing the best they can.

Transit System:

In September we only averaged 76 riders per day. We had three buses down for two to two and a half weeks waiting for parts etc., and had to cancel the RED LINE, this played a large part in the ridership being down, along with the weather (wind and rain). Because of this our ridership for September 2015 is down about 18% from September of 2014). 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 and wind, for the bus that is late or never show up.

John Sargent, City Grant Manager, is working on the RFP's for the new buses and the Bus Stop Shelters. He has finished the Bus Shelter RFP and it should go to the Administration / City Council for approval this week. The State has just finished the draft of the RFP for Cut Away Buses and it should be finalized by the end of the month. In the mean time John is working on one, that parallels, the State's and he should be finished with it by next week and it should go to the Administration /City Council for their approval by mid month. The new Bus Stop Shelters will play a critical role in the increase in our ridership; it not only will provide protection from the weather for the ridership but it will also provide identification for the Transit System. The new buses will help in providing dependability and reliability for service.

DOT will have the FY 17 grant application available the first part of October and it's due back to them the first part of December. 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. We're in the process of contacting, ONC, AVCP, Calista, and YKHC to see if they'd be willing to help with part of the match amount. Money is really tight and it'll be difficult for "them" to help out.

Due to nonstop rains the roads are full of mud. I've had to wash the buses everyday and sometimes twice a day to keep them somewhat clean. Being able to house them in the Transit Bus Barn has helped us to provide routine maintenance and with all the vandalism it's a secure place for them.

Bethel Transit System goal for the 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.

Landfill / Recycle Center:

The landfill is still waiting on DEC's report on our landfill inspection. This past month I did another water sample from around the exterior of the landfill's surface water ponds. The land fill took in a total of 178 refrigerator/freezers this past year. 152 of those had the Freon removed this summer and were then crushed and buried.



Memorandum

DATE: October 5, 2015

TO: Peter Williams, Acting City Manager

FROM: Hansel L Mathlaw, Finance Director

SUBJECT: Manager's Report – October 2015

Finance Committee

.After a three month summer break, the finance committee meet on September 28, 2015. The agenda had three items for discussions: 1) FY16 Annual Budget 2) Business License Code and 3) Finance committee review of council ordinance 15-32. Our next scheduled meeting is October 26, 2015. The committee is seeking one more finance committee alternate.

Finance Department

The Finance Department is seeking a General Ledger Accountant and an Accounting Specialist focusing on payroll. The Accounting Specialist turned in his resignation September 28, 2015.

The FY15 audit is scheduled for November 9, 2015. It will be up to me to prepare audit journal entries.

Sales Tax

For the last two months, the Sales Tax Specialist has been aggressive on sending out assessments. Since my last report we received an additional \$19,000 in delinquent taxes. We are waiting for several more businesses to respond to assessments and demand for payments.

Finance Budget

Because of the departure of the General Ledger Accountant several line items are two months behind.



CITY OF BETHEL
Fire Department

William F. Howell III, Fire Chief
P.O. Box 1388, Bethel, Alaska 99559
Phone: (907)-543-2131
Fax: (907)-543-2702
bhowell@cityofbethel.net

Celebrating 50 Years of Service

DATE: October 1, 2015
TO: Pete Williams, Acting City Manager
FROM: Bill Howell, Fire Chief
SUBJECT: Management Report – Period of: 08-26-15 through 10-01-15

Current Events

- The Department is prepared for fire prevention visits this October. Captain Solesbee has prepared materials and schedules for these activities.
- A luncheon was held at the Fire Department on September 11th to honor first responders. Lunch was provided by AmeriCorps Vista volunteers and staff of Sackett Hall.

Bethel Fire Department responders are very appreciative of the recognition and attention brought to this day in remembrance of the 343 firefighters and many others who lost their lives on that tragic day. Our thoughts and prayers go out to the victims and their families.

- The Department is assisting the Public works department in fit testing respirators and compliance with a recent OSHA inspection.
- The Department continues transition into Electronic patient reporting. Two Panasonic Toughbook laptops were ordered with Code Blue grant funds solely administered through YKHC. No City match is required for this project.

Emergency Planning/Homeland Security

- The Department attended the monthly Homeland security teleconference on September 2nd
- The Department continues to work with DHS to schedule delivery of an ICS 300 in Bethel. Dates for the class will be announce soon.

- We are conducting final review of the Community Emergency operations plan.

Responses

- During the month of September, the Fire Department responded to a total of 7 Fire and 76 EMS incidents.
- On 9-5-15 at 4:05 p.m. Medics responded to the report of a bicyclist hit by a dump truck. Upon arrival, the patient was assessed, treated and transported to the hospital.
- On 09-14-15 at 2:03 p.m. medics responded to the YKHC Prematernal Home for the report of a person who had given birth. The patient and newborn baby were assessed and transported to the hospital.
- On 09-17-15 at 9:36 p.m. firefighters responded to Delapp Drive for the report of a chimney fire. Upon arrival, the homeowner had already extinguished the fire. Firefighters checked for hazards and returned to quarters.
- On 09-23-15 at 11:40 a.m. Firefighters responded to the area of Standard Oil road for the report of black smoke. On arrival firefighters found a pile of pallets on fire. Firefighters advised the person involved to extinguish the fire.
- On 09-24-15 at 7:00 p.m. medics responded to Sixth Avenue for a report of a person huffing gasoline. The patient was assessed and transported to the hospital.
- On 9-25-15 at 2:53 p.m. Medics responded to the AC Main Store for the report of a person who was experiencing a heart attack. Upon arrival, the patient was found unresponsive. Medics performed CPR and transported the patient to the hospital. The patient survived and is recovering in Anchorage.

Staffing/recruitment

- The Bethel Fire Department is fully staffed.
- The Department has one FF/EMT position that was defunded FY 15. We will be seeking grant and city funding to fill this position.
- We would like to offer congratulations to FF/EMT Dalton Beaver for passing his EMT -1 test. Dalton will be certified as an EMT-1 within the next few weeks. Dalton has completed a major hurdle in successfully passing probationary requirements.

Training

- FF-EMT Thomas Haviland and EMT Bruce Claypool are scheduled to attend EMT -1 instructor courses in November in Nome.
- An EMT Meeting was held on 09-01-15 at 7:00 p.m. at the fire station. Responders reviewed treatment guidelines, and then conducted multiple trauma and cardiac arrest treatment scenarios.
- An EMT Meeting was held on 09-15-15 at 7:00 p.m. at the fire station. Responders reviewed the ER Alert Policy and General Principles of Trauma Care and Extremity Trauma. Medics practiced various methods of splinting suspected extremity and pelvic fractures.
- A Fire Meeting was held on 09-10-15 at 7:00 p.m. at the fire station. Firefighters were introduced to new gas detection devices and practiced hazardous materials scenarios.
- A Fire Meeting was held on 09-24-15 at 7:00 p.m. at the fire station. Firefighters were provided an overview of Marine Firefighting principles and procedures. Practical exercises and a tour of the War Horse tugboat concluded the meeting.
- The EMT-1 course began on 09-21-15 with a total of fifteen recruits, who were given an introduction to EMS Systems and fire department policies. Other sessions included training on Hazard Communications, Infection Control, Bloodborne Pathogens, Respiratory Protection, Well-being of the EMT, the Human Body, Pathophysiology, and Life Span Development. This course will conclude with written and practical testing on December 4th and 5th.

Vehicles & Equipment

- The Department received its new pickup under State contract pricing on then September 23rd barge. The vehicle is being registered and licensed and will be in service soon. The Department appreciates the support of the Council and Manager to replace obsolete equipment and vehicles.
- M-4 our current frontline ambulance is being scheduled for emergency brake repairs.
- M5, normally a frontline ambulance is still in reserve waiting for repair by the V&E department. The department is working with V& E to schedule repairs.
- A work order has been put in to V&E to repair electrical and stuck valves.
- Truck - 1 our 1980 aerial was tested by UL on the 27th of July. A list of deficiencies was noted by the inspector and we have been directed to a new vendor for parts.

Budget/Financial

- The Department is transitioning to the new Purchase cards (P-cards) P-card training was attended by all Department staff during the week of the 15th.
- The Department is operating within FY16 budget guidelines.

Grants

- The Department received five gas detectors under a 2014 Homeland security grant. The City received approximately \$9000.00 dollars for this project with no matching requirement.
- 2013 FEMA Assistance to Firefighters Grant for Self Contained Breathing Apparatus (SCBA) is proceeding as planned. All matching funds were expended prior to the end of FY 15. We are waiting for delivery of the purchased equipment while we schedule training.
- The Department received \$9147.00 dollars from the State Volunteer Fire Assistance (VFA) grant. We are using these funds to purchase two additional SCBA



CITY OF BETHEL

Post Office Box 1388
Bethel, Alaska 99559
Phone: 907-543-2047

TO: City Manager
FROM: Human Resources
SUBJECT: September 2015 Manager Report

DATE: October 2, 2015

Position Descriptions:

Position Description revisions for the month included the City Planner, Safety Coordinator, and Administrative Assistant - Port. In process for an October hire is the Account Specialist position(s) specific to Accounts Payable and Payroll. Both functions are currently classified at a Range 5, allowing them, based on skill level, to be separated into two or maintained in a single budgeted position.

Benefits:

Have completed enrollment audits for both medical and life insurance coverage. All enrollments are now up to date; October's billing, in particular for the Guardian life insurance policy, will reflect coverage adjustments for employees based on their current annual salaries (coverage is equal to 250% of annual salary to a max. of \$150,000 and the City is billed based on each employee's resulting coverage amount.

Policies:

Completed P-card policies have been filed in the personnel record for employees issued an individual card.

OSHA:

Fines related to the March enforcement action were, in fact, reduced significantly. The purchase of safety gear made by Public Works will most likely offset the entire fine. Training and updates to the City's written plan are ongoing, overseen by the temporary Safety Coordinator.

Transit Program Drug and Alcohol Review:

Third quarter testing is complete and all documentation has been submitted to DOT in accordance with their follow-up requirements to this review (from August 2014). Final closeout of this issue should be forthcoming during the month of October.

Training

All staff have been assigned Workplace Violence and Sexual Harassment training through the City's online training system. The specific courses assigned are either geared towards an individual's level of supervisory responsibility, and HR has assigned the courses in accordance with an employee's role.

MEMORANDUM



DATE: October 6, 2015

TO: Ann K. Capela, City Manager

FROM: John Sargent, Grant Manager

SUBJECT: Grant Manager's Report – October 13, 2015 Bethel City Council Meeting

Sewage Lagoon Rehabilitation Project

Truck Dump Site

The City is still waiting to hear from USDA what percent of the funding for the truck dump site will be grant and what percent will be loan/match. USDA spoke to City-hired engineer firm DOWL and requested that the Preliminary Engineering Report contain one more alternative as a wastewater disposition site: the lift station near the old City Laundromat. The lift station would have to be retrofitted to accommodate truck deposits into the piped system and transport of the wastewater to the lagoon. If the life cycle cost of this alternative comes up less than \$3.2 million, then USDA will not fund the truck dump site repairs.

Dredging and Lagoon Rehab.

The City has been tasked with having an engineer produce a brief scope, budget, and timeline to account for the \$2.1 million in project funds proffered by EPA and DEC. The City is in contact with DOWL regarding the cost they would charge for this service. By breaking the project into phases, the City will be in a position to request additional funding after securing the \$2,300,000 (\$2,300,000 - \$200,000 (DEC admin. Costs) = \$2,100,000 project funds).

RFBs and RFPs

Wind Turbine Maintenance Service

I prepared the Action Memorandum and sole source justification for the City to purchase wind turbine maintenance services from Northern Power Systems. Per the BMC, the purchasing agent documents the sole source justification in writing and then submits it to the City Manager, who obtains City Council approval.

Bus Shelters

I prepared a Request for Bids to purchase 10-15 bus shelters and have them shipped to Bethel using the City's barge agreement with AML. The RFB was reviewed by the Purchase Agent and the State Transit Office thus far and will be reviewed by the attorney before being issued.

Grants Closed

The City completed the final report and closed the \$4 million State Designated Legislative grant that funded dredging and bank stabilization of the Bethel Small Boat Harbor.

The City completed the final report for the YKHC Diabetes Prevention and Control grant that funded the purchase and installation of exercise equipment for the YK Fitness Center.

Transit Grant

The State Transit Office is accepting SFY 2017 Alaska Community Transportation Grant applications now until December 11, 2015. These grants have provided funding for the City's Transit System since inception in 2010.

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

Preparing

Sponsor	Name	Products/Services	City Depts. (Partners)	Date	\$ Grant \$ City Match
Alaska Dept. of Transportation and Public Facilities	SFY 2017 AK Community Transportation Grant	Transit operations, admin., and capital.	PW- Transit	12/11/15	\$320,000 est. ??
Alaska Public Entity Insurance	Grant	Playground surface material	Parks & Rec.	Feb. 2015	\$10,000
Alaska Public Entity Insurance	Grant	Safety equipment/supplies	Public Works	Feb. 2015	\$1,000 0

Approved in Calendar Year 2015

Most recent first

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
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)
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	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					\$1,668,532

Not Approved in Calendar Year 2015

Sponsor	Name	Products/Services	City Depts. (Partners)	Date	\$ Grant \$ Match
AK Div. of Homeland Security & Emerg. Mgmt.	State Homeland Security Grant	Port: video cameras, portable light banks, cold water entry gear, road signs/barricades.	Port	5/29/15	\$141,180 0
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
Total					\$23,118,580

City Clerk's Report

Executive Session

Additional Information



City of Bethel Finance Department

Monthly City Council Financial Report

Period thru August 31, 2015

Note 1: When reviewing this report it is important to remember that sales tax revenues, including transient lodging tax and gaming fees, are due the month following the period collected; therefore, these revenues always appear to be lagging behind budget until the after the end of the fiscal year, when June revenue is remitted to the City in July.

Note 2: This report represents recorded revenues, expenditures, budget modifications and line items transfers with balance sheet account balances through August 31, 2015. It is possible that not all of the August 31, 2015 aforementioned transactions may be recorded by the date of this report. The unaudited figures in this report, especially the balance sheet accounts are subject to further modification and correction by the Finance Department, if necessary, and should not be considered final.



**CITY OF BETHEL
FINANCIAL REPORT**

Bank & Investment Accounts
As of August 31, 2015



CITY OF BETHEL
FINANCIAL REPORT
Bank and Investment Accounts

A. Introduction

The City of Bethel operates under a central treasury. A central treasury concentrates cash in order to maximize the return on the investments and to provide adequate liquidity for planned cash flows. Therefore, cash accounts do not correspond to “funds” in the City’s financial records. All transactions between funds are accounted for in interfund receivables and payables which are also called “Due To” and “Due From” accounts.

Cash and investments accounts marked with an asterisk are not part of the central treasury. These accounts are legally restricted from being part of the central treasury or segregated because of policy or purpose.

Investments in the Bethel Endowment Fund are physically segregated by ordinance. The assets of this fund are invested in accounts with Piper Jaffray Investments.

All investments are categorized as “Category 1” for credit risk according the categories described in Governmental Accounting Standards Board Statement No. 3, *Deposits with Financial Institutions, Investments [Including Repurchase Agreements], and Reverse Repurchase Agreements*. This means that the City’s investments are either insured or registered, or that the securities are held by the City or its agent in the City’s name. Category 1 investments contain less credit risk than other categories; therefore, City funds are invested with the lowest reasonable credit risk. The City’s investments are earning a competitive yield.

Summary of Cash and Investments as of August 31, 2015

1. Cash, Deposits, and Certificates of Deposit

<u>Description</u>	Balance 7/31/2015	Balance 8/31/2015	Year-to-Date Increase (Decrease)
Wells Fargo-General/Sweep Accounts	\$7,051,831	\$7,737,129	\$ 685,298
Wells Fargo-Payroll Account	(408,381)	(522,875)	243,071
Wells Fargo-Asset Forfeiture Account (Police) *	5,432	5,432	-
Wells Fargo-Evidence Holding Account (Police) *	8,671	8,671	-
First National Bank CD (Lease Revenue Bond Reserve) *	425,113	430,019	-
Petty Cash-Finance	250	250	-
Petty Cash-Police	300	300	-
Petty Cash-Port	50	50	-
Petty Cash-Youth Center	70	70	-
Petty Cash-Recycling	-	-	-
Petty Cash-Public Works	-	-	-
Total	<u>\$7,083,335</u>	<u>\$7,659,046</u>	<u>\$928,369</u>

* - Restricted Funds

CITY OF BETHEL
FINANCIAL REPORT
Bank and Investment Accounts

**2. Investments held in the Central Treasury:
As of August 31, 2015**

Description	Market Value 7/31/2015	Market Value 8/31/2015	Year-to-Date Increase (Decrease)
01-12700 Wells Fargo Investments	\$1,733,057	\$1,733,057	\$0
01-12800 Wells Fargo Investments (Lease Revenue Bond Pmt Acct)	\$319,184	\$319,186	3
01-12900 Time Value Investments	\$1,129,818	\$1,129,595	(223)
01-12500 Alaska Municipal League Investment Pool	\$154,792	\$154,794	1
Total	\$3,336,851	\$3,336,632	(\$219)

**3. Restricted Accounts *
As of August 31, 2015**

Description	Market Value 7/31/2015	Market Value 8/31/2015	Year-to-Date Increase (Decrease)
90-12600 Piper Jaffray Investments *	\$ 1,881,400	\$ 1,878,186	\$ (3,215)
40-12200 BATH Center Account *	4,681,173	4,803,446	122,273
52-12300 Deferred Seawall Maintenance Account *	1,870,578	1,871,114	536
52-12500 Pro Equities - Dock Deferred Maintenance *	482,248	482,395	147
Total	8,915,399	9,035,140	119,741

**TOTAL BANK AND INVESTMENT FUNDS ON HAND
As of August 31, 2015**

Description	Balance 7/31/2015	Balance 8/31/2015	Year-to-Date Increase (Decrease)
Cash, Deposits, and Certificates of Deposit	\$7,083,335	\$7,659,046	\$575,710
Investments	\$3,336,851	\$3,336,632	(\$219)
Restricted Accounts	8,915,399	9,035,140	\$119,741
Total	\$19,335,585	\$20,030,818	\$695,233

Total Central Treasury and Unrestricted Funds as of August 31, 2015:

\$ 10,551,556

Total Restricted Funds as of August 31, 2015:

9,479,262

\$ 20,030,818

* - Restricted Funds

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
TAXES	16,268.08	38,055.06	7,993,889.00	7,955,833.94	.5
STATE & FEDERAL REVENUES	.00	.00	1,848,284.00	1,848,284.00	.0
CHARGES FOR SERVICES	1,541.26	25,716.75	154,500.00	128,783.25	16.7
RENTAL INCOME	165.00	415.00	3,000.00	2,585.00	13.8
LICENSES, PERMITS & FEES	16,958.31	30,049.31	663,300.00	633,250.69	4.5
OTHER FINANCING SOURCES	.00	.00	5,000.00	5,000.00	.0
MISCELLANEOUS	5,095.00	7,185.75	40,700.00	33,514.25	17.7
TOTAL FUND REVENUE	40,027.65	101,421.87	10,708,673.00	10,607,251.13	1.0
<u>EXPENDITURES</u>					
ADMINISTRATION	57,629.60	86,595.66	516,778.00	430,182.34	16.8
CITY CLERKS OFFICE	15,172.37	23,886.14	179,696.00	155,809.86	13.3
FINANCE	96,276.18	134,516.01	858,246.00	723,729.99	15.7
PLANNING	8,398.53	13,118.25	315,679.00	302,560.75	4.2
TECHNOLOGY DEPARTMENTS	41,832.05	79,985.36	485,715.00	405,729.64	16.5
CITY ATTORNEY'S OFFICE	20,599.58	34,643.33	260,802.00	226,158.67	13.3
FIRE DEPARTMENT	80,382.30	179,060.98	1,159,078.00	980,017.02	15.5
POLICE	201,177.21	343,153.13	3,045,612.00	2,702,458.87	11.3
PUBLIC WORKS-ADMIN	11,853.95	24,026.98	148,457.00	124,430.02	16.2
PW-STREETS & ROADS	58,363.71	107,435.70	1,697,798.00	1,590,362.30	6.3
PROPERTY MAINTENANCE	52,952.67	88,237.17	723,954.00	635,716.83	12.2
PARKS & REC/BYC	19,860.77	45,688.39	377,718.00	332,029.61	12.1
COMMUNITY SERVICE	.00	.00	193,220.00	193,220.00	.0
IN KIND MATCH & TRANSFERS	.00	.00	745,828.00	745,828.00	.0
TOTAL FUND EXPENDITURES	664,498.92	1,160,347.10	10,708,581.00	9,548,233.90	10.8
NET REVENUE OVER EXPENDITURES	(624,471.27)	(1,058,925.23)	92.00	1,059,017.23	(11510)

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

PARKS DEVELOPMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
PARKS DEVELOPMENT	.00	.00	73,277.00	73,277.00	.0
TOTAL FUND EXPENDITURES	.00	.00	73,277.00	73,277.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	(73,277.00)	(73,277.00)	.0

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

YK REG AQUA HLTH & SAFETY CTR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
SOURCE 43	.00	.00	578,000.00	578,000.00	.0
TRANSFERS IN	.00	.00	570,833.00	570,833.00	.0
TOTAL FUND REVENUE	.00	.00	1,148,833.00	1,148,833.00	.0
<u>EXPENDITURES</u>					
LOCAL FUNDED EXPENDITURES	113,256.67	131,049.36	1,510,754.00	1,379,704.64	8.7
STATE FUNDED EXPENDITURES	3,000.00	3,000.00	.00	(3,000.00)	.0
TOTAL FUND EXPENDITURES	116,256.67	134,049.36	1,510,754.00	1,376,704.64	8.9
NET REVENUE OVER EXPENDITURES	(116,256.67)	(134,049.36)	(361,921.00)	(227,871.64)	(37.0)

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

E-911 SYSTEM/SURCHARGE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
E-911 SURCHARGE	9,452.00	23,533.88	233,000.00	209,466.12	10.1
TOTAL FUND REVENUE	9,452.00	23,533.88	233,000.00	209,466.12	10.1
<u>EXPENDITURES</u>					
E-911 SERVICES	14,285.08	22,124.51	316,852.00	294,727.49	7.0
TOTAL FUND EXPENDITURES	14,285.08	22,124.51	316,852.00	294,727.49	7.0
NET REVENUE OVER EXPENDITURES	(4,833.08)	1,409.37	(83,852.00)	(85,261.37)	1.7

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

SOLID WASTE SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE AND FEDERAL SOURCES	.00	.00	52,034.00	52,034.00	.0
SOLID WASTE & RECYLING	98,854.61	205,700.46	1,126,883.00	921,182.54	18.3
TOTAL FUND REVENUE	98,854.61	205,700.46	1,178,917.00	973,216.54	17.5
<u>EXPENDITURES</u>					
HAULED REFUSE	14,168.19	34,651.30	387,024.00	352,372.70	9.0
LANDFILL OPERATIONS	18,457.96	27,107.77	448,240.00	421,132.23	6.1
RECYCLING OPERATIONS	1,300.99	1,803.02	14,879.00	13,075.98	12.1
TOTAL FUND EXPENDITURES	33,927.14	63,562.09	850,143.00	786,580.91	7.5
NET REVENUE OVER EXPENDITURES	64,927.47	142,138.37	328,774.00	186,635.63	43.2

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

WATER & SEWER SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE FUNDING	.00	.00	252,751.00	252,751.00	.0
WATER	326,306.30	651,536.09	3,528,562.00	2,877,025.91	18.5
SEWER	217,934.89	440,358.41	2,735,097.00	2,294,738.59	16.1
MISCELLANEOUS	(337.20)	(739.95)	303,778.00	304,517.95	(.2)
MISCELLANEOUS	589.57	769.14	100.00	(669.14)	769.1
TOTAL FUND REVENUE	544,493.56	1,091,923.69	6,820,288.00	5,728,364.31	16.0
<u>EXPENDITURES</u>					
UTILITY BILLING	12,415.38	17,155.09	317,643.00	300,487.91	5.4
HAULED WATER	67,383.25	113,819.37	1,732,057.00	1,618,237.63	6.6
PIPED WATER	29,830.56	49,020.86	456,786.00	407,765.14	10.7
BETHEL HTS WTR TREATMENT	67,768.52	86,016.19	983,404.00	897,387.81	8.8
CITY SUB WTR TREATMENT	97,159.20	107,462.77	885,725.00	778,262.23	12.1
HAULED SEWER	90,061.85	148,290.02	1,639,239.00	1,490,948.98	9.1
PIPED SEWER	34,372.88	66,083.09	796,598.00	730,514.91	8.3
SEWER LAGOON	8,646.39	14,152.69	143,481.00	129,328.31	9.9
TOTAL FUND EXPENDITURES	407,638.03	602,000.08	6,954,933.00	6,352,932.92	8.7
NET REVENUE OVER EXPENDITURES	136,855.53	489,923.61	(134,645.00)	(624,568.61)	363.9

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

MUNICIPAL DOCK

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
INTEREST & PENALTIES	.00	.00	12,000.00	12,000.00	.0
STATE FUNDING	.00	.00	15,500.00	15,500.00	.0
CHARGES FOR SERVICES	190.50	1,150.50	928,500.00	927,349.50	.1
LEASE REVENUE	.00	.00	24,000.00	24,000.00	.0
MISCELLANEOUS	930.00	1,590.00	42,000.00	40,410.00	3.8
MISCELLANEOUS	.00	.00	6,000.00	6,000.00	.0
TOTAL FUND REVENUE	1,120.50	2,740.50	1,028,000.00	1,025,259.50	.3
<u>EXPENDITURES</u>					
DOCK EXPENDITURES	112,964.33	159,128.67	1,013,470.00	854,341.33	15.7
SMALL BOAR HARBOR	25,747.73	25,747.73	.00	(25,747.73)	.0
TOTAL FUND EXPENDITURES	138,712.06	184,876.40	1,013,470.00	828,593.60	18.2
NET REVENUE OVER EXPENDITURES	(137,591.56)	(182,135.90)	14,530.00	196,665.90	(1253.

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

LEASED PROPERTIES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
LEASE INCOME	.00	.00	662,488.00	662,488.00	.0
TRANSFERS	.00	.00	26,977.00	26,977.00	.0
MISCELLANEOUS	.00	.00	15,000.00	15,000.00	.0
TOTAL FUND REVENUE	.00	.00	704,465.00	704,465.00	.0
<u>EXPENDITURES</u>					
LEASED PROPERTIES-MISC	195.00	195.00	23,900.00	23,705.00	.8
LEASED PROP-COURT COMPLEX	86,677.03	86,729.44	606,347.00	519,617.56	14.3
TOTAL FUND EXPENDITURES	86,872.03	86,924.44	630,247.00	543,322.56	13.8
NET REVENUE OVER EXPENDITURES	(86,872.03)	(86,924.44)	74,218.00	161,142.44	(117.1)

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

EMPLOYEE GROUP HEALTH BEN.

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>REVENUE</u>					
EMP GROUP BENEFITS REVENUES	.00	.00	1,738,857.00	1,738,857.00	.0
TOTAL FUND REVENUE	.00	.00	1,738,857.00	1,738,857.00	.0
<u>EXPENDITURES</u>					
EMPLOYEE GROUP HEALTH BENEFITS	79,116.43	164,009.69	2,667,509.00	2,503,499.31	6.2
TOTAL FUND EXPENDITURES	79,116.43	164,009.69	2,667,509.00	2,503,499.31	6.2
NET REVENUE OVER EXPENDITURES	(79,116.43)	(164,009.69)	(928,652.00)	(764,642.31)	(17.7)

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

BETHEL PUBLIC TRANSIT SYSTEM

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
FEDERAL SOURCES	.00	.00	342,270.00	342,270.00	.0
CHARGES FOR SERVICES	2,124.00	6,006.00	33,000.00	26,994.00	18.2
TOTAL FUND REVENUE	2,124.00	6,006.00	375,270.00	369,264.00	1.6
<u>EXPENDITURES</u>					
TRANSIT SYSTEM EXPENDITURES	27,628.28	46,094.56	483,455.00	437,360.44	9.5
TOTAL FUND EXPENDITURES	27,628.28	46,094.56	483,455.00	437,360.44	9.5
NET REVENUE OVER EXPENDITURES	(25,504.28)	(40,088.56)	(108,185.00)	(68,096.44)	(37.1)

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

VEHICLES & EQUIP MAINTENANCE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE AND FEDERAL FUNDING	.00	.00	55,865.00	55,865.00	.0
CHARGES FOR SERVICES	.00	.00	1,162,631.00	1,162,631.00	.0
TOTAL FUND REVENUE	.00	.00	1,218,496.00	1,218,496.00	.0
<u>EXPENDITURES</u>					
VEHICLE & EQUIP MAINT	106,720.90	155,931.69	1,218,498.00	1,062,566.31	12.8
TOTAL FUND EXPENDITURES	106,720.90	155,931.69	1,218,498.00	1,062,566.31	12.8
NET REVENUE OVER EXPENDITURES	(106,720.90)	(155,931.69)	(2.00)	155,929.69	(77965

CITY OF BETHEL
 FUND SUMMARY
 FOR THE 2 MONTHS ENDING AUGUST 31, 2015

BETHEL ENDOWMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
TRANSFERS	.00	.00	(3,500.00)	(3,500.00)	.0
MISCELLANEOUS	.00	.00	5,000.00	5,000.00	.0
TOTAL FUND REVENUE	.00	.00	1,500.00	1,500.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	1,500.00	1,500.00	.0