

I. CALL TO ORDER

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

Vice-Mayor Albertson Robb called the meeting to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
<input checked="" type="checkbox"/> Mayor Rick Robb (telephonic)	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Leif Albertson	<input checked="" type="checkbox"/> Council Member Chuck Herman (telephonic)
<input checked="" type="checkbox"/> Council Member Mark Springer	<input checked="" type="checkbox"/> Council Member Byron Maczynski
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 Heather Pike	

IV. PEOPLE TO BE HEARD

Mary Nanauwaic - While attending the AVCP Convention last week, there was much discussion regarding alcohol and drug use in the region. With the use of these substances, the accidents, abuse and suicide will continue to increase. Considering the problems that already exist, she encouraged the Council to tax marijuana and alcohol to the highest amount allowed.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

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

Main Motion: Move Special Orders of Business items A, B, and C to follow the Approval of the Consent and Regular Agenda.

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

SPECIAL ORDERS OF BUSINESS

Item A – Review Canvass Board Certificate Of Election, October 6, 2015.

Item B – Resolution 15-16: Certifying The Results Of The City Of Bethel, Regular Municipal Election Held October 6, 2015.

Main Motion: Adopt Resolution 15-16.

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

Item C – Oath Administered To Newly Elected Council Members.

Richard Robb, Alisha Welch, Nikki Hoffman and Leif Albertson were administered their oath of office and took their place on the council bench.

Standing Council Members are:

*Richard Robb
Leif Albertson
Chuck Herman
Zach Fansler
Byron Maczynski
Nikki Hoffman
Alisha Welch*

VI. APPROVAL OF THE MEETING MINUTES

Item A – 9-22-2015 Regular Meeting Minutes

Item B – 9-22-2015 Special Meeting Minutes

Approved on the consent agenda.

VII. REPORTS ON STANDING COMMITTEE

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

The Commission discussed the alcohol ordinance however the Commission didn't provide a recommendation to the Council on the ordinance. The Commission also discussed the did not provide a recommendation on the

Port Commission

No one available to provide a report.

Planning Commission

Kathy Hanson, Planning Commission Member–

Approved the warehouse space with the City and Alaska Marine Lines.

Discussed the ONC housing development.

Discussed Ordinance 15-29 regarding the amendment to the acquisition and disposal of land, the Planning Commission does not support the proposed Ordinance.

Main Motion: Amend the agenda to move Ordinance 15-29 to follow Reports of Standing Committees.

Moved by:

Fansler

Seconded by:

Maczynski

Action:

Motion carries by a vote of 6-1

In favor:

Albertson Fansler Herman Maczynski Hoffman Welch

Opposed:

Robb

Parks, Recreation, Health, Safety and Aquatics Committee

Council Representative, Richard Robb –

A meeting of the Committee has not yet been held.

Finance Committee

Council Representative, Leif Albertson –

The Committee reviewed Ordinance 15-32 and provided recommendations to the City Council.

Public Works Committee

Council Representative, Byron Maczynski-

The Committee has not held a meeting since the last City Council Meeting.

Energy Committee

Council Representative, Zach Fansler –

Approved the resignation of Mary Weiss, thanked her for her service to the Committee.

Talked about tall towers and how that development may impact wind generation development in the community.

UNFINISHED BUSINESS

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

Vice-Mayor Albertson opened the public hearing.

No one present to be heard.

Vice-Mayor Albertson closed the public hearing.

Main Motion: Adopt Ordinance 15-29.

Moved by:	Fansler
Seconded by:	Maczynski
Action:	Postponed.

Main Motion: Amend 4.08.050 Lease procedures, by inserting "after the recommendation of the planning commission, if available," after "City Council after a public hearing"

Moved by:	Robb
Seconded by:	Maczynski
Action:	No action taken on the motion.

Main Motion: Suspend the rules to hear from Kathy Hanson, Planning Commission Representative.

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

Main Motion: Postpone to the November 24th Council Meeting.

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

VIII. SPECIAL ORDER OF BUSINESS

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

Item 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.

AC Quickstore, representative provided a summary of reasons for the Council to consider and requested the Council rescind the resolution protesting the application.

IX. UNFINISHED BUSINESS

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

Vice-Mayor Albertson opened the public hearing.

No one present to be heard.

Vice-Mayor Albertson closed the public hearing.

Main Motion: Adopt Ordinance 15-30.

Moved by: Fansler

Seconded by: Welch

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Fansler Herman Maczynski Hoffman Welch

Opposed: —0

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

Vice-Mayor Albertson opened the public hearing.

No one present to be heard.

Vice-Mayor Albertson closed the public hearing.

Main Motion: Adopt Ordinance 15-31.

Moved by: Robb

Seconded by: Maczynski

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Fansler Herman Maczynski Hoffman Welch

Opposed: —0

Amend the Ordinance to strike the proposed language and insert "10.02.465 Operation of low-speed vehicles,
A. Low speed vehicles are authorized within the City of Bethel, subject to the provisions of all state and municipal laws and ordinances.
B. Low speed vehicles operated only on city streets, may have a maximum speed greater than 25 miles per hour.
C. Low speed vehicles that operate or cross a state highway may not be modified to have a maximum speed greater than 25 miles per hour.
D. "Low speed vehicles" means a motor vehicle that has four wheels, that was manufactured to be capable of propelling itself and achieving a minimum speed of 20 miles an hour.
E. Low speed vehicles must meet weight, equipment, safety standards, vehicle registration and insurance requirements set by the Department of Motor Vehicles."

Primary Amendment:

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

Secondary Amendment: Amend to strike subsection B, and insert under subsection C, after "operate or cross" "a city street or."

Moved by: Fansler
 Seconded by: Maczynski
 Action: Motion carries by a vote of 4-0
 In favor: Albertson Fansler Herman Hoffman
 Opposed: Robb Maczynski Welch

Subsidiary

Motion: Ten minute break.

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

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

Vice-Mayor Albertson opened the public hearing.

Dave Trantham Jr. – Spoke in opposition to portions of Ordinance 15-32.

Allen Stoller – Spoke in opposition to the proposed Ordinance 15-32.

Mary Nanauwaic – Stated this community already has too many issue surrounding alcohol.

Vice-Mayor Albertson closed the public hearing.

Main Motion: Adopt Ordinance 15-32.

Moved by: Fansler
Seconded by: Herman
Action: Postponed

Primary

Amendment: Amend to strike in its entirety section 5.08.170, Keg Registration.

Moved by: Fansler
Seconded by: Herman
Action: Motion carries by a vote of 6-1
In favor: Robb Fansler Herman Maczynski Hoffman Welch
Opposed: Albertson

Primary
Amendment: Amend to strike in its entirety, under 5.08.110, Operation of License premises B, 7.

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

Primary
Amendment: Insert under 5.08.110, Operation of License premises, B, 7, "Upon adoption of a municipal code allowing for the forfeiture."

Moved by: Fansler
Seconded by: Herman
Action: Motion carries by a vote of 6-1
In favor: Robb Albertson Fansler Herman Maczynski Welch
Opposed: Hoffman

Main Motion: Postpone Indefinitely

Moved by: Maczynski
Seconded by: Welch
Action: Precedent of Motions- postpone time certain.

Main Motion: Postpone to the October 20, Special Meeting.

Moved by: Hoffman
 Seconded by: Robb
 Action: Motion carries by a vote of 5-2
 In favor: Robb Herman Maczynski Hoffman Welch
 Opposed: Albertson Fansler

Council Member Herman departed the meeting.

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

Main Motion: Adopt Resolution 15-14.

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

Primary Amendment: Amend to insert "from Anchorage to Bethel" in the Title of the Ordinance; to insert "from Anchorage" in the first whereas statement; and to insert "from Anchorage" in the Now therefore, be it resolved.

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

Secondary Amendment: Amend the amendment to insert in the now therefore it be it resolved statement, after begin "working with law enforcement and TSA to begin conducting bag inspection."

Moved by: Fansler
 Seconded by: Hoffman
 Action: Motion carries by a vote of 6-1
 In favor: Albertson Fansler Maczynski Hoffman Welch
 Opposed: Robb

Primary Amendment: Amend to insert originating in Anchorage to Bethel.

Moved by: Hoffman
 Seconded by: Fansler
 Action: Motion carries by a vote of 4-0
 In favor: Robb Fansler Maczynski Welch

Opposed: | Hoffman Albertson

Secondary

Amendment: Insert after Bethel "St. Mary's and Aniak."

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

Amend the Now Therefore it be it resolved to insert in the now therefore it be it resolved statement, after begin "working with law enforcement and TSA to begin conducting bag inspection" at the end of the statement.

**Primary
Amendment:**

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

Main Motion: Take a ten minute break.

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

X. NEW BUSINESS

Item A – AM 15-43: Appointing Six Members To The Marijuana Advisory Committee.

Main Motion: Adopt AM 15-43.

Moved by: Fansler
Seconded by: Welch
Action: Motion carries by a vote of 6-0
In favor: Robb Albertson Fansler Maczynski Hoffman Welch
Opposed: –0

Item B – AM 15-44: Appointing Lorin Bradbury To The Planning Commission.

Passed on the consent agenda.

Item C – AM 15-45: Appointing Eileen Henrikson To The Public Safety And Transportation Commission.

Passed on the consent agenda.

Item D – AM 15-46: Approve Sole Source Justification For The Purchase Of Wind Turbine Maintenance And Repair Services From Northern Power Systems.

Main Motion: Approving AM 15-46.

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

Item E – AM 15-47: Authorizing The City Manager To Enter Into A Contract With Wilson Agency For The City’s Brokerage Services.

Main Motion: Approving AM 15-47.

Moved by:	Fansler
Seconded by:	Hoffman
Action:	Postponed

Main Motion: Postpone until the next regular meeting.

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

Council Member Maczynski departed the meeting at 10:48 p.m.

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

Moved by:	Hoffman
Seconded by:	Robb
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"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	—0

XI. MAYOR’S REPORT

XII. MANAGER'S REPORT

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

Council Member Zach Fansler –

Provided condolences to Hooper Bay for their losses.

The State of Alaska celebrated Indigenous People's Day yesterday.

Thanked all of the Election Officials and the City Clerk for their work on the Election.

Welcomed the two new members to Council, Congratulated the two returning members and thanked Mr. Springer and Ms. Pike for their hard work for this community.

Vice-Mayor Albertson –

Thanked the voters for the reelection.

Provided special thanks to the first responders who have been incredibly busy the last few weeks.

Thanked his wife, Jennifer Dobson for her support of him being on council.

Mayor Robb –

Sympathies thoughts and prayers to the community of Hooper Bay.

Thanked the voters for their support and for taking the time out of their day to vote in the Election.

Congratulated Leif Albertson for his reelection, stated his appreciation for his hard work over the last two years.

Congratulated the two new members to the Council.

Thanked Mark Springer for his service on the City Council and as a representative on the Alaska Municipal League.

Thanked Heather Pike for her service on Council and for her work on the Alaska Territorial Guard Park Committee.

Council Member Nikki Hoffman –

Thanked all of the voting officials for their hard work as well as the community of Bethel for participating in the local election. Looks forward to what the future holds.

Council Member Alisha Welch –

Thanked the election officials and all of the voters, the outgoing council members and the current council members.

XV. ADJOURNMENT

Main Motion: Adjourn.

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

Council adjourned at 11:14 p.m.



Leif Albertson, Vice-Mayor

ATTEST:



Lori Strickler, City Clerk