

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on October 25, 2016 at 6:30 p.m., in the council chambers, Bethel, Alaska.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

| | |
|--|---|
| Comprising a quorum of the Council, the following members were present: | |
| <input checked="" type="checkbox"/> Mayor Rick Robb | <input checked="" type="checkbox"/> Council Member Nikki Hoffman |
| <input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski | <input checked="" type="checkbox"/> Council Member Fred Watson |
| <input checked="" type="checkbox"/> Council Member Leif Albertson | <input checked="" type="checkbox"/> Council Member Norman Ayagalria |
| <input checked="" type="checkbox"/> Council Member Alisha Welch | |
| Also in attendance were the following: | |
| <input checked="" type="checkbox"/> Acting City Manager Pete Williams | <input checked="" type="checkbox"/> Acting City Manager Pete Williams |

IV. PEOPLE TO BE HEARD

- Eric Whitney – Supported Action Memorandum AM 16-66.
- Elizabeth Roll- Supported Action Memorandum AM 16-66.
- Gary Hanson- Supported the amendments to the all-terrain vehicle laws.
- Ira Flowers - Supported the amendments to the all-terrain vehicle laws.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

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

**Removal from
the Consent**

Agenda: Remove from the consent agenda Item B from New Business.

Moved by: Hoffman

Primary Amendment: Move Item D under Unfinished Business, AM 16-70 to follow the Executive Session.

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

Main Motion: Move Item H under New Business to the First Item of business New Business.

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

**Removal from
the Consent**

Agenda: Remove from the consent agenda Item A from New Business.

Moved by: Welch

VI. APPROVAL OF THE MEETING MINUTES

Item A – 10-11-2016 Regular Meeting Minutes.
Passed on the consent agenda.

Item B -10-17-2016 Special Meeting Minutes
Passed on the consent agenda.

Item C - 10-18-2016 Special Meeting Minutes
Passed on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission –

Council Representative, Norman Ayagalria–
A meeting of the Commission has not been held since the last City Council Meeting.

Port Commission –

Council Representative, Alisha Welch–

A meeting has not been held since the last City Council Meeting.

Planning Commission –

Council Representative, Nikki Hoffman –
Consideration of Conditional use

Parks and Recreation Committee –

Council Representative, Fred Watson–

Finance Committee –

Committee Representative Jon Cochrane –Stated the Committee is working hard on the City’s sales tax rewrite as well as a closer review of the City’s financial base.
Committee Representative, Carol Ann Willard – Thanked the Committee/Commission members for all of their hard work.

Energy Committee –

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

Public Works Committee –

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

Marijuana Advisory Committee –

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

VIII. SPECIAL ORDER OF BUSINESS

Item A – Diabetes Awareness Proclamation

Item B - Extra Mile Day Proclamation Recognizing The City Of Bethel Volunteers.

IX. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 16-31: Amending Title 10, Chapter 3, Of The Bethel Municipal Code, Related To The Operation Of Snow Machines And ATV’s On Bethel Roads.

*Mayor Robb Opened the Public Hearing.
Ira Flowers, questioned the Council on particular laws related to the adoption of the ordinance.*

*Gary Hanson, questions the process for the petition submitted to the City Clerk's Office.
Mayor Robb Closed the Public Hearing.*

| | |
|-----------------------------|---|
| Main Motion: | Adopt Ordinance 16-31. |
| Motion: | Maczynski |
| Seconded by: | Hoffman |
| Action: | Postponed |
| Primary Amendment: | Amend 10.03.050 Snow Machine and ATV Driver Qualifications to insert "5. The number of passengers is restricted to factory made restrictions." |
| Motion: | Welch |
| Seconded by: | Maczynski |
| Action: | Motion does not carry by a vote of 3-4 |
| In favor: | <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch |
| Opposed: | <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Ayagalria |
| Primary Amendment: | 10.03.050 Snow Machine and ATV Driver Qualifications, to amend A. 1. to strike "minor" and insert "must" after operator. |
| Motion: | Hoffman |
| Seconded by: | Albertson |
| Action: | Motion does not carry by a vote of 3-4 |
| In favor: | <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch |
| Opposed: | <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Ayagalria |
| Primary Amendment: | Amend 10.03.030 Operation of Snow Machines A. 3. To strike "and proof of insurance must be presented upon demand." |
| Motion: | Ayagalria |
| Seconded by: | Maczynski |
| Action: | Motion does not carry by a vote of 0-7 |
| In favor: | 0 |
| Opposed: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |
| Secondary Amendment: | Amend the amendment to strike under 10.03.040 A. 3. "and proof of insurance must be presented upon demand." |
| Motion: | Ayagalria |
| Seconded by: | Maczynski |
| Action: | Motion does not carry by a vote of 0-7 |
| In favor: | 0 |
| Opposed: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |

Subsidiary

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

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

Primary Amendment: Amend 10.03.040 Operation of all-terrain vehicles to insert subsection 7. The operator must have a valid driver’s license.

Motion: Hoffman
Seconded by: Welch
Action: Motion carries by a vote of 4-3
In favor: Maczynski Albertson Hoffman Welch
Opposed: Robb Watson Ayagalria

Main Motion: Postpone.

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

Item B – Public Hearing Of Ordinance 16-32: Acquisition Of Property, Easements For Institutional Corridor Project – Kipusvic.

*Mayor Robb Opened the Public Hearing.
No one present to be heard.
Mayor Robb Closed the Public Hearing.*

Main Motion: Adopt Ordinance 16-32.

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

Item C – Public Hearing Of Ordinance 16-33: Acquisition Of Property, Easements For Institutional Corridor Project – BNC.

*Mayor Robb Opened the Public Hearing.
No one present to be heard.
Mayor Robb Closed the Public Hearing.*

Main Motion: Adopt Ordinance 16-33.

Motion: Maczynski
Seconded by: Welch
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Watson Hoffman Welch Ayagalria
Opposed: \emptyset

Item D – Public Hearing Of Ordinance 16-34: Acquisition Of Property, Easements For Institutional Corridor Project – YKHC.

*Mayor Robb Opened the Public Hearing.
No one present to be heard.
Mayor Robb Closed the Public Hearing.*

Main Motion: Adopt Ordinance 16-34.

Motion: Welch
Seconded by: Hoffman
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Watson Hoffman Welch Ayagalria
Opposed: \emptyset

Item E – Resolution 16-27: Council In Support Of Alaska Department Of Transportation For Bethel Airport Improvements.

Main Motion: Adopt Ordinance 16-27.

Motion: Albertson
Seconded by: Weiss
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Watson Hoffman Welch Ayagalria
Opposed: \emptyset

Main Motion: Insert a whereas statement "The City of Bethel fully supports the State of Alaska's efforts in the Airport Expansion as long as it includes the complete streets requirements."

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

Secondary Motion:

The City of Bethel Council supports the State of Alaska efforts in the airport expansion as long as it includes the requirements set forth in the complete streets ordinance.

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

Secondary Amendment:

Amend to insert a Whereas statement "The City of Bethel, City Council supports the State of Alaska's efforts to implement improvements at the Bethel Airport that do not disturb or access the City's Cemetery or Alaska Territorial Guard Park, located as a "potential materials site" on the State of Alaska Department of Transportation and Public Facilities Bethel airport Improvements Area of Potential Effects map dated 7-28-2016 and if the State of Alaska Department of Transportation complies in the City's Bethel Municipal Code 12.05, Complete Streets."

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

Secondary Amendment:

Amend the Now Therefore be it Resolved statement to read "The City of Bethel, City Council supports the State of Alaska's efforts to implement improvements at the Bethel Airport that do not disturb or access the City's Cemetery or Alaska Territorial Guard Park, located as a "potential materials site" on the State of Alaska Department of Transportation and Public Facilities Bethel airport Improvements Area of Potential Effects map dated 7-28-2016 and if the State of Alaska Department of Transportation complies in the City's Bethel Municipal Code 12.05, Complete Streets."

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

Item F – AM 16-66: Authorizing Administration To Sign The Statewide Transportation Alternatives Program FY 2013-2016 Grant Agreement To Accept Grant Funds To Construct A Gravel Trail.

- i. IM 16-07: Alaska Transportation Alternatives Program Trail Grant (Acting City Manager Williams)

| | |
|---------------------|---|
| Main Motion: | Motion to adopt AM 16-66 was made at the September 27, Council Meeting. |
| Motion: | Hoffman |
| Seconded by: | Welch |
| Action: | Motion carries by a vote of 7-0 |
| In favor: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |
| Opposed: | 0 |

| | |
|---------------------|--|
| Main Motion: | Postpone. |
| Motion: | Welch |
| Seconded by: | Maczynski |
| Action: | Motion carries by a vote of 4-3 |
| In favor: | <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch |
| Opposed: | <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski |

X. NEW BUSINESS

Vice-Mayor Maczynski departed the meeting at 9:30p

Item H - Establishing The City Of Bethel, State Capital Priority Request.

Item A – Introduction Of Budget Ordinance 16-17 (b): Amending The FY 2017 Budget For E 911 Service.

| | |
|---------------------|---|
| Main Motion: | Introduce Budget Ordinance 16-17 (b). |
| Motion: | Hoffman |
| Seconded by: | Welch |
| 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"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |
| Opposed: | 0 |

Item B – Introduction Of Budget Ordinance 16-17 (c): Amending The FY 2017 Budget For Janitorial Services At The Courthouse.

| | |
|---------------------|---|
| Main Motion: | Introduction of Budget Ordinance 16-17 (c). |
| Motion: | Hoffman |
| Seconded by: | Ayagalria |
| 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"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |
| Opposed: | 0 |

Item C – AM 16-71: Take Home Vehicle Policy.

Main Motion: Adopt AM 16-71.

Motion: Hoffman
Seconded by: Welch
Action: Motion carries by a vote of 6-0
In favor: Robb Albertson Watson Hoffman Welch Ayagalria
Opposed: 0

Item D – AM 16-72: Approving The Appointment Of Juan Delgado To The Energy Committee For A Term Of Three Years.

Passed on the consent agenda.

Item E – AM 16-73: Janitorial Cleaning Contract For Court House.

Main Motion: Approve AM 16-73.

Motion: Welch
Seconded by: Hoffman
Action: Postponed

Main Motion: Postpone

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

Item F - AM 16-74: Directing Administration To Sign The Managed Services Agreement Between The City Of Bethel And ProComm Alaska For The Ongoing Maintenance of the Enhanced 911 System.

Main Motion: Adopt Ordinance 16-74.

Motion: Welch
Seconded by: Hoffman
Action: Postponed

Main Motion: Postpone

Motion: Ayagalria
Seconded by: Watson

Action: Motion carries by a vote of 6-0
 In favor: Robb Albertson Watson Hoffman Welch Ayagalria
 Opposed: 0

Item G - AM 16-75: Direct Administration to prioritize the enforcement of ATV and snow-machine laws and to encourage police office discretion when enforcing these and other related laws.

Main Motion: Postpone

Motion: Ayagalria
 Seconded by: Hoffman
 Action: Motion carries by a vote of 3-3
 In favor: Robb Albertson Watson Hoffman Welch Ayagalria
 Opposed: 0

Main Motion: Approve AM 16-75.

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

Subsidiary

Motion: Extend the meeting past 11:00p

Motion: Welch
 Seconded by: Hoffman
 Action: Motion carries by a vote of 6-0
 In favor: Robb Albertson Watson Hoffman Welch Ayagalria
 Opposed: 0

Main Motion: Call the Question

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

Item I - Administrative Leave Request For City Clerk November 1-3, 2016 Personal Leave Request October 28.

Passed on the consent agenda.

Item J - Direct Administration To Look For Grant Funding And To Work With Federal And State Representatives And Tribal Entities To Help Obtain Grant Funding For Opiate Treatment In The Region.

Main Motion: Postpone.

| | |
|--------------|---|
| Motion: | Hoffman |
| Seconded by: | Welch |
| 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"/> Watson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Ayagalria |
| Opposed: | 0 |

XI. MAYOR’S REPORT

XII. MANAGER’S REPORT

XIII. CLERK’S REPORT

XIV. COUNCIL MEMBER COMMENTS

Mayor Richard Robb –
Encouraged people to be safe on the ice.

Council Member Albertson –
Apologize for not being at the meeting in person.

Council Member Norman Ayagalria –

Council Member Fred Watson –
Thanked the volunteers within the city and the community for their hard work and dedication.

Council Member Nikki Hoffman –
Thanked Lt. Governor Byron Mallott for his presents in Bethel Alaska.

Council Member Alisha Welch –
No comment.

XV. EXECUTIVE SESSION

Item A – AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity: Legal Liability For The Transit System.

Main Motion: Move into Executive Session AS 44.62.310 (C) 1: Matters, The

Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity: Legal Liability For The Transit System Members, Acting City Manager Williams and City Clerk, Strickler.

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

Council went back on the record at 12:01a.

Item G – AM 16-70: Direct City Administration To Prepare And Submit An FY 2018 Alaska Community Transit Grant Application With \$80,580 Included From The City’s Fiscal Year 2018 Budget As A Local Match.

Main Motion: Motion to approve was made at the October 11, Regular Meeting.

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|--------------|----------|
| Motion: | Hoffman |
| Seconded by: | Welch |
| Action: | Postpone |

Main Motion: Postpone

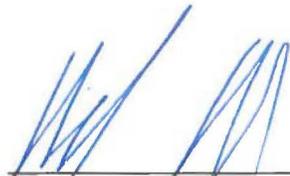
| | |
|--------------|---|
| Motion: | Welch |
| Seconded by: | Hoffman |
| Action: | Motion carries by a vote of 6-0 |
| In favor: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/>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

XVI. ADJOURNMENT

Main Motion: Adjourn.

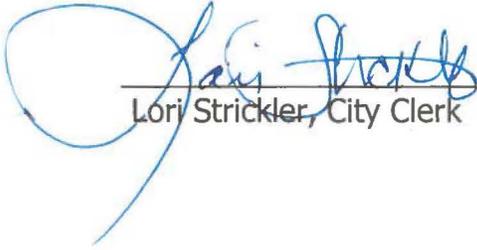
| | |
|--------------|---|
| Moved by: | |
| Seconded by: | |
| Action: | Motion carries by a vote of 7-0 |
| In favor: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input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

Council adjourned at 12:02 a.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk