

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on December 8, 2015 at 6:30 p.m., in the council chambers, Bethel, Alaska.

Vice-Mayor Maczynski called the meeting to order at 6:33 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 (participated telephonically)	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski	<input checked="" type="checkbox"/> Council Member Chuck Herman
<input checked="" type="checkbox"/> Council Member Alisha Welch	<input checked="" type="checkbox"/> Council Member Nikki Hoffman
<input checked="" type="checkbox"/> Council Member Leif Albertson	
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	<input checked="" type="checkbox"/>

IV. PEOPLE TO BE HEARD

Grant Fairbanks- Stated concerns of the upcoming situation with alcohol sales within the community of Bethel. Asked the Council to come up with a game plan, potentially a committee to establish a strategies if the alcohol sales fail.

Mark Hoelsken- A Jesuit priest who works here in Bethel. Asked the Council to work on a strategy for dealing with what alcohol sales may bring to the community.

Mary Nanuwak- Stated the Council must be working on a strategy to help offset the potential hazards related to alcohol sales in Bethel.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

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

Council Member Hoffman and Council Member Welch declared a conflict of interest on Resolution 15-18: Disposition of City Personal Property in an Amount Less than \$5,000 to Orutsararmiut Native Council.

Mayor Robb will rule on the conflict of interest during the consideration of the items.

Removal from the

**Consent
Agenda:** New Business Item B Introduction of Budget Ordinance 15-14 (a) and New Business Item C Resolution 15-18.

Moved by: Robb

VI. APPROVAL OF THE MEETING MINUTES

Item A – 11-24-2015 Regular Meeting Minutes

Approved on the consent agenda.

VII. REPORTS ON STANDING COMMITTEES

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

A plan from the Commission for the restructuring of the Police Departments operations.

Port Commission

Port Director, Pete Williams –

A meeting has not been held since the last City Council Meeting. They will meet on December 21.

Planning Commission

Council Representative, Nikki Hoffman–

A meeting has not been held since the last City Council Meeting. They will meet on December 10.

Parks Recreation Aquatic Health and Safety Center Committee

Committee Vice Chair, Judy Wasierski –

Discussed and approved a recommendation to designate the trails improvement fund of \$70,0000 to address safety concerns on the currently-used boardwalks.

Discussed and approved a recommendation to the City Council to allocate a portion of the tobacco tax to construct an at-grade boardwalk between the hospital and the college.

Will work with pool facility to hopefully maintain an adequate temperature of water within the pool.

Will work with fitness center staff on ads, posters, marketing and communications with the public.

Finance Committee

Council Representative Leif Albertson –

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

Public Works Committee

Vice-Mayor, Byron Maczynski-

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

Energy Committee

Council Representative, Zach Fansler –

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

Marijuana Advisory Committee

Council Representative, Zach Fansler –

The Committee reviewed the rules and regulations approved by the State's Marijuana Board.

Will be meeting on Thursday, December 10.

VIII. SPECIAL ORDER OF BUSINESS

Item A – United Pools Presentation.

Raunika Ray provided a report to the City Council.

The annual maintenance took place in November, there were two weeks of closure for the pool however the facility remained open much of the time for the weight room and fitness rooms.

During the annual maintenance the facility had a replacement of chemical relays; one of the pumps wasn't working properly which was fixed. The pool company will be out December 14 to look into other issues.

Put down new rubber flooring in the fitness room.

The pool was acid washed, drained and cleaned.

Suggested, due to the cold temperatures that the pool maintenance take place in August after the kids go back to school.

IX. UNFINISHED BUSINESS

Item A – Public Hearing On Ordinance 15-19: Amending Bethel Municipal Code 5.40.070, Chauffeurs, Carrying Alcoholic Beverages And Controlled Substances And Repealing Bethel Municipal Code 5.40.080 Chauffeurs, Carrying Alcoholic Beverages.

*Vice-Mayor Maczynski opened the public hearing.
No one present to be heard.
Vice-Mayor Maczynski closed the public hearing.*

Main Motion: Adopt Ordinance 15-19.

Moved by:	Fansler
Seconded by:	Albertson
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"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Hoffman

Main Motion: Postpone indefinitely.

Moved by:	Herman
Seconded by:	Hoffman
Action:	Motion does not carry by a vote of 3-4
In favor:	<input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Maczynski
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman

Main Motion: Strike in 5.40.070 subsections D and E.

Moved by:	Hoffman
Seconded by:	Fansler
Action:	Motion does not carry by a vote of 2-5
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Hoffman
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman

Item B – Public Hearing On Ordinance 15-20: Amending Bethel Municipal Code 5.20.120 F, Transportation Industry, General Provisions, Penalties And Remedies.

*Vice-Mayor Maczynski opened the public hearing.
No one present to be heard.
Vice-Mayor Maczynski closed the public hearing.*

Main Motion: Adopt Ordinance 15-20.

Moved by:	Fansler
Seconded by:	Hoffman
Action:	A motion to adopt Ordinance 15-20 was not made.

Item C – Public Hearing On Ordinance 15-21: Amending Bethel Municipal Code 5.30, Taxicab, River Taxi, Limousine And Bus Permits, To Requires Video Camera Surveillance System And Global Positioning System Capabilities.

Vice-Mayor Maczynski opened the public hearing.

No one present to be heard.

Vice-Mayor Maczynski closed the public hearing.

Main Motion: Adopt Ordinance 15-21.

Moved by: Fansler
Seconded by: Hoffman
Action: Postponed

Primary Amendment: Amend the effective date to reflect "60 days after passage by the City Council".

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

Secondary Amendment: Amend to strike "60" and insert "100".

Moved by: Hoffman
Seconded by:
Action: Motion does not carry due to a lack of a second.

Main Motion: Postpone until the next regularly scheduled meeting.

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

Item D – AM 15-39: University of Alaska Fairbanks Memorandum Of Agreement For The 4-H Program.

Main Motion: A motion to adopt was made at the September 22, Regular meeting.

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

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

Main Motion: Motion to adopt AM 15-42 was made at the September 22, 2015 Meeting.

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

Main Motion: Five minute break.

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

Primary Amendment: Under Section, No Firearms, the section would read "Weapons or firearms are prohibited for on duty city employees anywhere on city premises, except those carried by law enforcement officials."

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

Primary Amendment: Under Section Smoking and Tobacco Use to read "Smoking and/or the use of tobacco is not permitted in city buildings or vehicles." And strike the rest.

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

Secondary Amendment: Amend to state "Smoking and/or the use of tobacco is not permitted outside of designated smoking areas. The prohibition also includes any private property where employees are engaged in City business." and un-strike the last two sentences.

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

Main Motion: Under Section Open Door Policy, strike in its entirety.

Moved by: Robb

Seconded by:	Albertson
Action:	Motion does not carry by a vote of 1-6
In favor:	<input checked="" type="checkbox"/> Robb
Opposed:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Hoffman

Main Motion: Motion to take a ten minute break.

Moved by:	Hoffman
Seconded by:	Robb
Action:	Motion does not carry by a vote of 3-4
In favor:	<input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Robb
Opposed:	<input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman

X. NEW BUSINESS

Item A – Introductions Of Ordinance 15-35: Alaska Marine Lines Lease Agreement For Warehouse, City Dock.
Passed on the consent agenda.

Item B – Introduction Of Budget Ordinance 15-14 (a): Amending The Adopted Fiscal Year 2016 Annual Budget.

Main Motion: Introduce Ordinance 15-14 (a).

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

Main Motion: Motion to direct Administration to see if there are other funding options for the \$25,000 rather than the undesignated unreserved fund balance.

Moved by:	Robb
Seconded by:	Fansler
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	<input checked="" type="checkbox"/> Hoffman

Item C – Resolution 15-18: Disposition Of City Personal Property In An Amount Less Than \$5,000 To Orutsararmiut Native Council.

Council Member Hoffman and Council Member Welch declared a conflict of interest on Resolution 15-18: Disposition of City Personal Property in an Amount Less than \$5,000 to Orutsararmiut Native Council.

Mayor Robb rules, Council Member Hoffman does have a conflict of interest. Mayor Robb rules, Council Member Welch does not have a conflict of interest.

Council took a five minute at ease.

Vice-Mayor Maczynski departed the meeting at 9:50p.

Main Motion:	Nominate Leif Albertson for Mayor Pro Temp
Moved by:	Hoffman
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Hoffman
Opposed:	-0

Main Motion:	Postpone until the next regular meeting.
Moved by:	Fansler
Seconded by:	Welch
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman
Opposed:	-0

Item D – AM 15-54: Reappointment Of Joan Dewey To The Public Safety And Transportation Commission.

Passed on the consent agenda.

Item E – AM 15-55: Approval Of Administrations Selection of The Firm, Carmen Jackson, CPA, To Provide Accounting Services To The City Of Bethel As Needed From Date Of Award Until June 30, 2020.

Main Motion:	Approve AM 15-55.
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"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Hoffman
Opposed:	-0

Main Motion:	Suspend the rules to hear from the finance director.
Moved by:	Hoffman
Seconded by:	Herman
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Hoffman
Opposed:	-0

Item F – AM 15-56: Direct Administration To Review The Potential Incorporation Of A Borough In The Kuskokwim Region.

Main Motion: Approve AM 15-56.

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

Item G – AM 15-57: Authorizing The Selection Of Cascade Columbia Distribution Co. To Provide The City With A Total Of 600 Cubic Feet Of Anthracite By Air Freight And Barge For Bid Price.

Main Motion: Approve AM 15-57.

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

Item H – AM 15-58: Appointment Of Barbara Mosier To The Parks, Recreation, Aquatic Health And Safety Center Committee.
Passed on the consent agenda.

Item I – *Personal Time Off Request For The City Attorney, December 23 and 24, 2015.
Passed on the consent agenda.

Item J – *Personal Time Off Request For The City Clerk, December 31, 2015.
Passed on the consent agenda.

Item K – AM 15-59: Acceptance Of \$55,817 From ONC For Transit Operations January –June 2016.

Main Motion: Approve AM 15-59.

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

Main Motion: Extend the meeting past 11:00p.

Moved by: Fansler
Seconded by: Herman

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

Council Member Hoffman declared a conflict of interest because of her employment with ONC.

Mayor Robb rules, Hoffman does not have a financial of interest on this issue. Mayor Robb ruled that Council Member Welch does not have a conflict of interest because of her tribal membership.

Item L – AM 15-60: Approval Of Transit Grant Application Submission And Related Match Commitment Of \$80,580 From City Of Bethel FY 2017.

Main Motion: Approve AM 15-60.

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

XI. MAYOR'S REPORT

XII. MANAGER'S REPORT

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

Council Member Zach Fansler –

First Lego League for LKSD Schools, this was an excellent competition and is thankful for being a judge.

Council Member Chuck Herman –

Appreciate the comments from the community tonight in looking forward to the future and being proactive rather than reactive. It seems as though the Council and the Committees/Commission are working in the right direction.

Council Member Nikki Hoffman –

No comment.

Council Member Alisha Welch –

No comment.

Council Member Leif Albertson –

It is cold outside, please be careful of pedestrians. The Fire Department has iron on reflective tape if anyone needs it.

Mayor Richard Robb –

Winter is here, search and rescue says that river travel is still hazardous.
Bethel Winter House is still looking for volunteers.

XV. EXECUTIVE SESSION

Item A – Executive Session To Discuss The Annual Evaluation Of The City Manager 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 Executive Session To Discuss The Annual Evaluation Of The City Manager 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

Main Motion: Those participating in the Executive session will be the City Manager and the Council.

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

Main Motion: Postpone until the next meeting.

Moved by:	Robb
Seconded by:	
Action:	Motion does not carry due to a lack of a second.

Council entered executive session at 11:40p.

XVI. ADJOURNMENT

Council adjourned at 1:09p.

ATTEST:



Richard Robb, Mayor



Lori Strickler, City Clerk