

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on February 9, 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**

<b>Comprising a quorum of the Council, the following members were present:</b>	
<input checked="" type="checkbox"/> Mayor Rick Robb	<input checked="" type="checkbox"/> Council Member Alisha Welch
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski	<input checked="" type="checkbox"/> Council Member Leif Albertson
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Council Member Nikki Hoffman	
<b>Also in attendance were the following:</b>	
<input checked="" type="checkbox"/> City Attorney Patty Burley	<input checked="" type="checkbox"/> City Clerk Lori Strickler
<input checked="" type="checkbox"/> City Manager Ann Capela	<input type="checkbox"/> Assistant To City Clerk Adriane Welch

**IV. PEOPLE TO BE HEARD**

Father Chuck Peterson- Provided some safety concerns regarding the proposed Bethel Spirits Liquor Store. The church at its closest location is 300 feet from the proposed site. The Church staff is not prepared to be first responders to intoxicated people in the vicinity of the location or wanderers into the Church facility. The proposed location is also located in an area that is near the river front with two major winter access points in the vicinity. The riverfront commercial center area attracts people from seven nearby communities.

Ana Hoffman – Spoke on behalf of Bethel Spirits, the applicant for a package store license; requested the Council uphold the public vote taken October 2015 which represented a majority of the voters voted in favor of a package store license. Additionally, provided a summary of the package store license application process

with the Alcohol Beverage Control Board and the conditional use permit application with the City of Bethel Planning Commission.

Edith Barber – Requested the Council consider posting signs near public trails “No Loose Dogs.”

**V. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

**Main Motion:** Approve the Consent and Regular Agenda

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

**Main Motion:** Remove Resolution 16-09 from the Consent Agenda.

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Moved by: Herman

**Main Motion:** Remove Resolution 16-04 and 16-05 from the Consent Agenda.

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Moved by: Robb

**Main Motion:** Move New Business Item M and N to the start of New Business.

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

**VI. APPROVAL OF THE MEETING MINUTES**

**Item A** – Special City Council Meeting January 19, 2016

**Item B** – Regular City Council Meeting January 26, 2016

*Passed on the consent agenda.*

**VII. REPORTS OF STANDING COMMITTEES**

**Public Safety and Transportation Commission –**

Council Representative, Chuck Herman –

Reminded the Council, the Commission voted unanimously to not support the adoption of Ordinance 15-21.

The Commission discussed how the City can improve the personnel issues for first responders, Police and Fire Departments.

**Port Commission –**

Council Representative, Alisha Welch –

A meeting has not had a meeting since the last City Council meeting.

**Planning Commission –**

Council Representative, Nikki Hoffman –

The Commission approved the Bethel Sprints' Conditional Use Permit with one condition to add additional lighting around the premises.

The Commission approve the Fili's Conditional Use Permit with two conditions to restrict access to the property from Ridgecrest as well as install a guardrail in front of the parking area next to the drop off.

**Parks and Recreation Committee –**

Committee Chair, Michelle Dewitt –

Recommendation will be presented to the Council to release an RFP for repair estimates to the Pinky's Park boardwalk.

Recommendation will be presented to the Council to direct Administration review a quote from Long Building Technologies to allow for remote view of the pool operations such as the pool temperatures.

Recommendation will be presented to the Council that two to three members of the committee be appointed to the Pool Operator RFP review committee.

The Committee is researching options for a third party administrator to organize and manage a website for the pool facility.

The Committee is also looking into the costs associated with the Log Cabin which seem to be high.

**Finance Committee –**

Council Representative, Leif Albertson –

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

**Energy Committee –**

Council Representative, Zach Fansler-

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

**Public Works Committee –**

Council Representative, Byron Maczynski –

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

**Marijuana Advisory Committee –**

Council Representative, Zach Fansler-

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

**Non-Standing Committee –**

*Transit Committee, Council Representative Chuck Herman-  
A meeting was not held due to a lack of a quorum.*

**VIII. SPECIAL ORDER OF BUSINESS**

**Item A** – United Pools Update On The YK Regional Aquatic Training and Health Center. Raunika Ray, USA Pool Representative.

**Item B** – Annual Update From Bethel Friends Of Canine.

**IX. UNFINISHED BUSINESS**

**Item A** – 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.

*Mayor Robb opened the public hearing.*

*No one was present to be heard.*

*Mayor Robb closed the public hearing.*

<b>Main Motion:</b>	A motion to adopt was made at the December 8, 2015 Council Meeting.
Moved by:	Fansler
Seconded by:	Hoffman
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Welch
<b>Main Motion:</b>	Amend to strike 5.30.180 First, Second, Third and Fourth Violations and insert ...Tampering with the safety equipment as described herein is a violation subject to civil penalty" as provided in BMC 5.20.120."
Moved by:	Albertson
Seconded by:	Hoffman
Action:	Motion does not carry by a vote of 2-5
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Welch
<b>Primary Amendment:</b>	Amend Section 3. Effective date to strike "Sixty Days" and insert "Ninety Days"
Moved by:	Fansler
Seconded by:	Hoffman
Action:	Motion carries by a vote of 5-2

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In favor:	<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:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski

**Secondary Amendment:** Amend to strike 90 days and insert 120 days.

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Moved by:	Hoffman
Seconded by:	Herman
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson

**Item B** – Public Hearing Of Budget Ordinance 15-14 (c): Fiscal Year 2016 Budget Amendments- Cash Match of \$250,000 For The Ridgecrest Drive Project.

*Mayor Robb opened the public hearing.*

*No one was present to be heard.*

*Mayor Robb closed the public hearing.*

**Main Motion:** Adopt Ordinance 15-14 (c)

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Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of
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

**Subsidiary Motion:** Take a ten minute break.

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Moved by:	Hoffman
Seconded by:	Maczynski
Action:	Motion carries by a vote of 5-2
In favor:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Robb
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Albertson

**Main Motion:** Postpone.

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Moved by:	Albertson
Seconded by:	Hoffman
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski

**Subsidiary Motion:** Take a fifteen minute break.

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Moved by:	Hoffman
Seconded by:	

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Action: | Motion does not carry due to a lack of a second.

**Item C – Public Hearing Of Ordinance 16-02: Property Acquisition From The Department Of Military And Veterans Affairs, Lot 15, USS 4117.**

*Mayor Robb opened the public hearing.*

*No one was present to be heard.*

*Mayor Robb closed the public hearing.*

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**Main Motion:** Adopt Ordinance 16-02.

Moved by: Fansler

Seconded by: Herman

Action: Motion carries by a vote of 7-0

In favor:  Robb  Maczynski  Albertson  Herman  Fansler  Hoffman  Welch

Opposed: -0

**Item D – Wind Turbine Maintenance Contract With Northern Power.**

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**Main Motion:** Approve a five year Wind Turbine Maintenance Contract with Northern Power.

Moved by: Fansler

Seconded by: Herman

Action: Postponed

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**Main Motion:** Direct Administration to contact Northern Power Systems to get a full list of what is covered under full coverage and an explanation of what is preventative maintenance.

Moved by: Welch

Seconded by: Hoffman

Action: Postponed

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**Main Motion:** Postpone.

Moved by: Albertson

Seconded by: Fansler

Action: Motion carries by a vote of 6-1

In favor:  Maczynski  Albertson  Herman  Fansler  Hoffman  Welch

Opposed:  Robb

**X. NEW BUSINESS**

**Item M – Determination Of Action Regarding Bethel Spirits Package Store License Application # 5447.**

**Main Motion:** Request the Alcohol Beverage Control to impose the condition to "Install adequate lighting surrounding the building for safety."

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

**Primary Amendment:** Request that if the Alcohol Beverage Control Board approves the license application that they do so with the condition that the license holder, install adequate lighting surrounding the building as required for the City's Conditional Use Permit.

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

**Main Motion:** Request to the Alcohol Beverage Control Board that the City be allowed the full sixty days to review the application.

Moved by: Albertson  
Seconded by: Fansler  
Action: Motion does not carry by a vote of 2-5  
In favor:  Maczynski  Herman  Fansler  Hoffman  Welch  
Opposed:  Robb  Albertson

**Item N – Determination Of Action Regarding Fili's Restaurant Eating Place License Application #5445.**

Request that if the Alcohol Beverage Control Board approves the license application that they do so with the following conditions

1. That the Ridgecrest Drive access be blocked to prevent vehicular traffic
2. That a guardrail or obstacle be installed along the embankment at the edge of the front parking lot

**Main Motion:** as required for the City's Conditional Use Permit.

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

**Main Motion:** Suspend the rules to hear from Fili's Restaurant 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"/> 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

Kadri Limani, Represented Fili’s Restaurant.

**Main Motion:** Request the Alcohol Beverage Control Board provide the full sixty days on the application.

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

**Main Motion:** Extend the meeting and take a ten minute break.

Moved by:	Hoffman
Seconded by:	Fansler
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

**Main Motion:** Direct Administration to provide to the City Council diagrams of the parking lot.

Moved by:	Hoffman
Seconded by:	Fansler
Action:	Motion carries by a vote of
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

**Item A – Resolution 16-04: Providing Support To The State’s Funding For Public Broadcasting.**

*Council Member Fansler declared a conflict of interest due to his KYUK employment. Mayor Robb ruled, Council Member Fansler does have a conflict of interest. Council Member Fansler stepped down from the council bench.*

**Main Motion:** Adopt Resolution16-04.

Moved by:	Maczynski
Seconded by:	Herman
Action:	Motion carries by a vote of 5-1
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

**Item B** – Resolution 16-05: Request To The Army Corps Of Engineers, Additional Time To Review The Donlin Gold Environmental Impact Statement.

**Main Motion:** Adopt Resolution 16-05.

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

**Primary Amendment:**

Amend to insert in the Now Therefore be it Resolved "at least six (6) months and at least one more public comment meeting in Bethel,"

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

**Item C** – Resolution 16-06: To Approve The City Of Bethel’s Application To The Fiscal Year 2016 State Homeland Security Program.

*Passed on the consent agenda.*

**Item D** – Resolution 16-07: Supporting The State Of Alaska Public Employees Retirement System Reform.

*Passed on the consent agenda.*

**Item E** – Resolution 16-08: Certifying The City of Bethel Suffered Significant Effects During The Program Base Year From Fisheries Business Activities That Occurred Within The FMA 6: Lower Kuskokwim Fisheries Management Area.

*Passed on the consent agenda.*

**Item F** – Resolution 16-09: Authorizing Administration To Submit An Application To The U.S. Department Of Agriculture For The Purchas Of Two Hauled Utility Trucks.

**Main Motion:** Approve Resolution 16-09.

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

**Main Motion:** Direct Administration to priorities and approve Option A- One

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water and one sewer truck, if that isn't approved, go with Option B- Two sewer trucks.

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

Insert as the last whereas statements "Whereas, Bethel Municipal Code 4.20.110, When competitive bidding is not required, Subsection A., allows for purchases without competitive bidding when the equipment is purchased under contract of another governmental agency;

Whereas, the City will be purchasing the trucks through an established State contract at a price deemed below that obtainable from private dealers, therefore, no Request for Proposal is necessary for the purchase of the trucks;"

**Main Motion:**

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

Insert as the Now Therefore be it resolved "**NOW, THEREFORE, BE IT RESOLVED** that the City of Bethel hereby authorizes the City Manager to submit an application to USDA-RD for a grant/long term loan application;

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council directs the city manager to prepare for presentation to City Council the appropriate documentation to implement the purchase of two trucks and to enter into grant/loan agreement with USDA-RD;

NOW THEREFORE BE IT FURTHER RESOLVED, that the documentation to be presented to Council in two weeks shall also include any re-appropriation or transfer of funds from the funds from the City Budget as may be necessary for the project; and proceed with the purchase of the two trucks with the stipulation that the City Manger receives Council authorization for budget modification to the necessary financial City of Bethel inter-fund transfers to effectuate the purchase of the two trucks.

**Main Motion:**

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

**Item G** – Introduction Of Budget Ordinance 15-14 (d): Amending The Fiscal Year 2016 Budget For Water And Sewer Pump Replacement And ProDev Professional Services Contract.

*Passed on the consent agenda.*

**Item H** – AM 16-08: Appointment Of Courtney Trammell To The Marijuana Advisory Committee.

*Passed on the consent agenda.*

**Item I** – AM 16-09: Directing Administration To Prepare A Budget Modification And A Plan Of Action For The Implementation Of A Fleet Tracking System On Ten City Vehicles.

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**Main Motion:** Approve AM 16-09.

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Moved by:	Albertson
Seconded by:	Fansler
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

**Item J** – AM 16-10: Approve The Selection Of Project Development Associates To Serve As Project Manager For The Relocation Of The Existing Port Office And Construction Of A New Port Office.

*Council Member Welch departed at 11:43p.*

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**Main Motion:** Approve AM 16-10.

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Moved by:	Herman
Seconded by:	Fansler
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
Opposed:	-0

**Item K** – AM 16-11: Approve The Purchase Of 50 Drums Of Protherm 720 Heavy Duty Coolant And Heat Transfer Fluid From Garness Industrial, Inc.

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**Main Motion:** Approve AM 16-11.

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Moved by:	Herman
Seconded by:	Hoffman
Action:	Postponed

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**Main Motion:** Postpone.

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

**Item L – AM 16-12: Approving The Contract With ProDev For Request For Proposal Development For The Management Of The Pool Facility.**

**Main Motion:** Approve AM 16-12.

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

**Item O – Personal Time Off Request For City Attorney, March 7, 2016.**  
*Passed on the consent agenda.*

## **XI. ADJOURNMENT**

**Main Motion:** Adjourn

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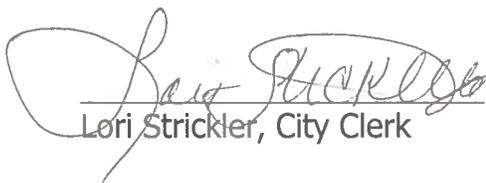
Moved by: Hoffman  
Seconded by: Herman  
Action: Motion carries by a vote of 4-2  
In favor:  Maczynski  Herman  Fansler  Hoffman  
Opposed:  Robb  Albertson

*Council adjourned at 1:05 a.m.*



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk