

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on April 14, 2015 at 6:30pm, in the council chambers, Bethel, Alaska.

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

**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 Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Leif Albertson	<input checked="" type="checkbox"/> Council Member Mark Springer <i>Via Conference Call</i>
<input checked="" type="checkbox"/> Council Member Chuck Herman	
<input checked="" type="checkbox"/> Council Member Byron Maczynski	<input checked="" type="checkbox"/> Council Member Heather Pike
<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	

Members Absent:  
*All present.*

**IV. PEOPLE TO BE HEARD**

Tommy Tompkins – Spoke in favor of Resolution 15-06 Senate Bill 46 and House Bill 101.

Shorty Salzbrun – Suggested having a flat rate for water and sewer services. Put a Lift Station near every house. Rentals would have a different rate every month.

Eric Middlebrook – Happy with the liquor situation in Bethel now. Hopes the City will protest against the liquor licenses. If no protest, another local option vote will be held. Appreciates everything the council is doing.

Dave Trantham – 15-06, 15-07 and 15-08. Hate to admit it but a little confused about these ordinances. Special and Regular elections, when are each hold? Need clarification, beneficial to the community to state goals and what the council is trying to accomplish.

Ordinance 15-07 is dealing with the old Laundromat; don't know what that has to deal with liquor. 15-08 why are we voting if the City wants a liquor store, I don't understand. Will Updegrave – Hard to follow some speakers, need more amplified sound for those who are hearing impaired. Strongly encourage you to tell us what your decision is on the liquor license

Doreen O'Brien – There was two explosions in Tundra Ridge last Saturday night. I called BPD and no answer, called 311 no answer. Called AST the next morning A model rocket had gone off, sounded like an explosion. Was told BPD wasn't staffed enough to help.

Cheri Boisvert – New Library Director here in town. A lot of changes this last month at the library, access to extensive databases that is impressive for homework help, new book club, chess club, languages, Yup'ik storytelling with elders. Contact us, we now have a new website, also now on Facebook and Twitter.

Trouble with sound. Correction, sound on.

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

**Main Motion:** To approve the Consent and Regular Agenda.

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

**Main Motion:** Remove the Introduction of Ordinance 15-06 and 15-08 from the Consent agenda.

Moved by: Herman

**Main Motion:** Remove Introduction of Ordinance 15-10 from Consent Agenda.

Moved by: Fansler

**Main Motion:** Remove Introduction of Ordinance 15-06 and 15-07 from Consent Agenda.

Moved by: Albertson

**Main Motion:** Remove Introduction of Ordinance 15-09

Moved by: Robb

## **VI. APPROVAL OF THE MEETING MINUTES**

**Item A** – Regular City Council Meeting March 24, 2015.

*Passed on the consent agenda.*

## **VII. REPORTS ON STANDING COMMITTEES**

**Public Safety and Transportation Commission**– *Chuck Herman, Council Representative* –  
Need drug screening for chauffeurs, need to find different ways to track Taxi number's and Permit number's want to have one number. Need to talk about vehicles not in use for more than 45 days. Didn't pass anything, need to discuss at next meeting. Need more council members for council, currently have four and if one is absent unable to have a quorum.

**Port Commission**– *Pete Williams, Port Director* –

Upcoming meeting on Monday Ordinance 15-05 is back again. Tomorrow at the Lulu Herron building will be a meeting for modes of transportation in the region. Just for public comments, going to create a comprehensive plan for our region.

**Planning Commission**– *Heather Pike, Council Representative* –

Still on island time. No quorum, in need of commissioners so we can have meetings on a regular basis. Anyone interested in joining and learning something new. Currently building land acquisitions. Concerned about if we have planning director yet or not, just a friendly heads up.

**Parks and Recreation Committee**– *Richard Robb, Council Representative* –

Had a meeting last night quorum with six members, elected as head chair Barb Moiser and as co-chair Clarence Daniels. Talked about 5-year Park plan for the future. Next meeting will be next month.

**Finance Committee**– *Leif Albertson, Council Representative* –

No meeting, no report.

**Public Works Committee**– *Byron Maczynski, Council Representative* –

Last meeting was canceled, will have an update at the next meeting.

**Energy Committee**– *Zack Fansler, Council Representative* –

Talked a lot about alternative energy uses that people had, categorizing and discussed several other issues. Changing meetings to second Monday of every month.

**Non-Standing Committee** – *Mark Springer, Council Representative* –

No Report.

## VIII. SPECIAL ORDER OF BUSINESS

**Item A** – Proclamation Recognizing Local Musher Pete Kaiser And His Team In Their 2015 K-300 Victory.

**Item B** – Proclamation For Alcohol Awareness Month.

**Item C** – Proclamation For Child Abuse Prevention And Awareness Month.

**Item D** – USA Pool Update On The YK Regional Aquatic Training And Health Center.

Raunika Ray, USA Pool Representative – Held a swimming and boat safety training for the 1<sup>st</sup> and 2<sup>nd</sup> graders. Thursday April 30th and Friday May 1st we will be running FREE TRIAL CLASSES!! Fitness classes are available such as Spin class, Cardio Boxing, Zumba, Water Aerobics and Cardio Crunch.

\$43, 457 projected revenue, already at \$30,000 for the month – got a couple more weeks to go so we are well on track.

Sean Legg, USA Pool Representative – Young individual working at the facility had to previously kick this individual out of the building. Spoke with individual, he showed up asking for a job for about three weeks day in and day out. Individual requested to volunteer and making changes in his life to be a part of the pool and better impact his future.

**Main Motion:** Request to change reporting to once a month instead of twice a month.

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

## IX. UNFINISHED BUSINESS

### X. NEW BUSINESS

**Item A** - Introduction Of Ordinance 15-06: Providing For The Submission To The Qualified Voters Advisory Questions On Potential Alcohol Sales In Bethel.

**Main Motion:** Motion to Introduce Ordinance 15-06.

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

**Main Motion:** Move to amend Questions 1—6 by changing the word "a" to "any"

Moved by: Springer  
Seconded by: Pike  
Action: Motion does not carry by a vote of 0-7  
In favor: -0  
Opposed:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson

**Main Motion:** Add question, should the City of Bethel apply and be the sole provider liquor store in Bethel? While still in "wet" status.

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

**Primary Amendment:** Remove sole provider on the motion. Should read as:  
Should the City of Bethel apply for a liquor store license in Bethel, while still in "wet" status?

Moved by: Maczynski  
Seconded by: Pike  
Action: Motion does not carry by a vote of 3-4  
In favor:  Robb  Maczynski  Pike  
Opposed:  Fansler  Albertson  Herman  Springer

**Main Motion:** Table this Ordinance 15-06

Moved by: Herman  
Seconded by: Pike  
Action: Motion does not carried by a vote of 2-5  
In favor:  Herman  Springer  
Opposed:  Fansler  Robb  Maczynski  Pike  Albertson

**Subsidiary Motion:** Motion to take a 10 minute break.

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

*Off record at 8:19 pm.*

*Back on record at 8:29 pm.*

**Item B - Introduction Of Ordinance 15-07: Acquisition Of Laundromat Building And Property.**

*Passed on the Consent Agenda*

**Item C - Introduction Of Ordinance 15-08: Ballot Proposition Establishing A 12% Tax On Alcohol Sales In Bethel.**

**Main Motion:** Introduce Ordinance 15-08.

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

**Item D - Introduction Of Ordinance 15-09: Disposition Of City Property Through Request For Proposal - Old Laundromat Building.**

**Main Motion:** Introduce Ordinance 15-09.

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

**Item E - Introduction Of Ordinance 15-10: Establishing Chapter 16.10 Of The Bethel Municipal Code, Tall Towers**

**Main Motion:** Introduce Ordinance 15-10.

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

**Item F - Resolution 15-06: The Bethel City Council In Support Of Senate Bill 46 And House Bill 101 Allowing Regional Health Organizations Access To The Alaska Municipal Bond Bank.**

**Main Motion:** Adopt Resolution 15-06.

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

**Main Motion:** Move that Mayor Robb has a conflict of interest and should refrain from discussing and taking action on this issue.

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Moved by: Springer  
Seconded by: Herman  
Action: Motion carries by a vote of 5-1  
In favor:  Fansler  Herman  Springer  Pike  Albertson  
Opposed:  Maczynski

*Mayor Robb stepped down from the Council bench.*

*Council member Pike declared a conflict of interest, Mayor Pro Temp Albertson ruled, Council member Pike does have a conflict of interest. Council member Pike stepped down from the Council bench.*

*Council Member Pike and Mayor Robb returned to the Council bench.*

**Item G - Resolution 15-07: Requesting FY16 Payment In Lieu Of Taxes (PILT) Funding From The Department Of Commerce, Community And Economic Development.**

**Main Motion:** Adopt Resolution 15-07

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

**Item H - AM 15-13: Purchase Agreement With O'Brien Construction For The Purchase And Delivery Of Arctic Pipe For The Institutional Corridor Project.**

**Main Motion:** Approve AM 15-13

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

**Main Motion:** Suspend the rules to hear from the Public Works Director, Muzzafar Lakhani.

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

**Item I - AM 15-14: Directing Administration To Submit To The Council An Action Plan For Sales Tax Audits, Procedures For Collection On Delinquent Sales Tax, Procedures For Collection On Other Outstanding Debts Owed To The City.**

**Main Motion:** Approve AM 15-14.

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

**Item J - AM 15-15: Approval Of Purchase Of Self Contained Breathing Apparatuses And Related Equipment.**

**Main Motion:** Approve AM 15-15.

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

**Item K - Contract Options For Council To Consider For Rehabilitation Of Ridgecrest Drive.**

**XI. MAYOR'S REPORT**

**XII. MANAGER'S REPORT**

**XIII. CLERK'S REPORT**

**XIV. COUNCIL MEMBER COMMENTS**

Council Member Chuck Herman –  
No comment.

Council Member Zack Fansler –  
Thanked all of the people who have been coming forward to speak on the various issues to include alcohol and the city budget. The conversations have been respectful so far and that is much appreciated by all involved.  
Appreciate all of the hard work the other council members are putting in to their time in office. Thanks also to the City Staff for all of their work for the Council and the public.

Council Member Mark Springer –  
Pleased to hear about the Twitter feed for the City Clerk's Office.  
Really appreciated the Human Resources Director's Report.

Mayor Richard Robb –

Bethel middle school archers won a state title a few weeks ago, congratulations. Provided condolences to Jay Bierley for the loss of his young daughter. Alcohol is by far the most difficult issue the council's over the years have faced. Everyone has their own options on the issue and the opinions may not be agreed upon but ultimately, people simply want what is best for the City.

Council Member Heather Pike –

Thanked the member of the public who came to the Council to speak on the heroin problem here in town. It is important for the community to come together and stand up against the issue and help provide support to those that need it.

Council Member Byron Maczynski –

At the Council's April 28<sup>th</sup> Council meeting, the council will be discussing the heroin issue within this community.

Cama-i is on its way, stay safe on the river and enjoy a great festival.

Vice-Mayor Albertson –

Thanked everyone who came out to the public forum on alcohol. Disappointed with the issues that came out with the video on the AC incident and the lack of the City keeping the community and the Council informed.

**Main Motion:** Extend the meeting to 11:30 pm.

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Moved by: Fansler

Seconded by: Pike

Action: Motion carries by a vote of 7-0

In favor:  Fansler  Herman  Springer  Robb  Maczynski  Pike  Albertson

Opposed: -0

## **XV. EXECUTIVE SESSION**

**Item A** - Alaska Statutes 44.62.310 (c) (1): Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity Threatened Litigation

**Item B** - Alaska Statutes 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity Threatened Litigation

**Item C** - Alaska Statutes 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Omni Enterprises Leased Properties and Financial Delinquencies

Move into Executive Session to discuss Alaska Statutes 44.62.310 (c) (1): Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity Threatened Litigation, Wassillie Gregory and Troy DeLoach.

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 – Omni Enterprises Leased Properties and Financial Delinquencies.

Those participating in the Executive Session will be the Council Members, City Attorney Burley, City Manager Capela and City Clerk Strickler.

**Main Motion:**

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

**XVI. ADJOURNMENT**

**Main Motion:** Adjourn

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

  
Richard Robb, Mayor 5-12-15

ATTEST:

  
Lori Strickler, City Clerk