

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held April 25, 2017 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:	
Mayor Rick Robb	Council Member Norman Ayagalria
Council Member Leif Albertson	Council Member Fred Watson
Members Absent:	
Council Member Alisha Welch	Vice-Mayor Byron Maczynski
Also in attendance were the following:	
City Attorney Patty Burley	City Clerk Lori Strickler
City Manager Pete Williams	

IV. PEOPLE TO BE HEARD

Mary Nanuwak- Provided a statement to the council indicating her interest in filling one of the two City Council Vacancy.

Beverly Hoffman- Provided support to Clean Up Green Up in our community. There are a number of people that are now out there cleaning up things. Suggested the Council direct administration to require enforcement on the plastic bag and Styrofoam container ordinances. Hoped the Council will find a solution to allowing a reduced rate for their employees to use the City's Recreation Facility.

David Trantham Jr. – Provided concerns the Council does not provide enough funds when adopting ordinances that have associated fiscal responsibilities. The City needs to ensure they are collecting the fees and taxes they are owed.

Concerns related to the Institutional Corridor and the City's ability to continue to produce enough water to support the added infrastructure.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion:	Approve the Consent and Regular Agenda.
Moved by:	Albertson
Seconded by:	Ayagalria
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	-0
Removal from Consent:	New Business Introduction of Ordinance 17-22, Introduction of Ordinance 17-23, Introduction of Ordinance 17-24.
Moved by:	Albertson
Primary Amendment:	Move item J under New Business to Item B under special order of business.
Moved by:	Albertson
Seconded by:	Watson
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	0
Primary Amendment:	Move Unfinished Business Item G to follow the Executive Session.
Moved by:	Albertson
Seconded by:	Watson
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	0
Removal from Consent:	New Business Introduction of Ordinance 16-17 (I).
Moved by:	Albertson

VI. APPROVAL OF THE MEETING MINUTES

Item A – 4-11-2017 Regular City Council Meeting Minutes.
Passed on the Consent Agenda

Item B – 4-13-2017 Special City Council Meeting
Passed on the Consent Agenda

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission –

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

Port Commission –

City Manager, Pete Williams –The Commission is looking over the Port’s budget.

Planning Commission –

Ted Meyer, Planning Director –The Commission considered a conditional use permit application for Kusko Liquors, the Commission has postponed

Parks, Recreation, Aquatic Health and Safety Center Committee –

Council Representative, Fred Watson –
Nothing to report.

Finance Committee –

City Attorney, Patty Burley –
The Committee is progressing with the sales tax code.

Energy Committee –

Council Representative, Rick Robb –
Energy Savings, status of various grants and the group is looking to make recommendations to the Council about energy savings ideas for the City to include in the budget.

Public Works Committee –

No one available to provide a report.

VIII. SPECIAL ORDER OF BUSINESS

Item A - Proclamation – **Clean Up Green Up** May 1-May 13 With A Give It Your All Clean up Day on May 12.

Item B - Health Fitness Monthly Report On The YK Fitness Center.

NEW BUSINESS

Item J – Declaring Council Member Byron Maczynski’s Seat Vacant Effective April 26, Per Bethel Municipal Code 2.04.100 and Identifying a Process for Appointment to fill the Vacant Term.

Main Motion: Declare Vice-Mayor Byron Maczynski's seat open.

Moved by: Albertson
Seconded by: Ayagalria
Action: Motion carries by a vote of 4-0
In favor: Robb Albertson Ayagalria Watson
Opposed: \emptyset

The Council established a special meeting for May 1, at 6:30pm to appoint a qualified candidate to the Council's vacant seat.

SPECIAL ORDER OF BUSINESS

Item C - Appointment Of Qualified Individual To Fill City Council Vacancy, Term Ending October, 2017.

Mary Nanuwak provided a statement to the City Council.

Naim Shabani provided a statement to the City Council.

Mark Springer provided a statement to the City Council.

Main Motion: Nominate Naim Shabani

Moved by: Albertson
Seconded by: Watson
Action: Motion carries by a vote of 4-0
In favor: Robb Albertson Ayagalria Watson
Opposed: \emptyset

Main Motion: Nominate Mark Springer

Moved by: Ayagalria
Seconded by: Albertson
Action: Motion carries by a vote of 4-0
In favor: Robb Albertson Ayagalria Watson
Opposed: \emptyset

Main Motion: Nominate Mary Nanuwak

Moved by: Watson
Seconded by: Ayagalria
Action: Motion carries by a vote of 4-0
In favor: Robb Albertson Ayagalria Watson

Opposed: | 0

Round One Voting:

Council Member Fred Watson voted for Mark Springer
Council Member Norman Ayagalria voted for Mark Springer
Council Member Rick Robb voted for Mark Springer
Council Member Leif Albertson voted for Naim Shabani

Round Two Voting:

Council Member Fred Watson voted for Mark Springer
Council Member Norman Ayagalria voted for Mark Springer
Council Member Rick Robb voted for Mark Springer
Council Member Leif Albertson voted for Mark Springer

Council Member Mark Springer read his oath of office and took his seat at the Council bench.

Item D - Appointment Of Council Representative To Committee and Commission.
Mayor Robb appointed Council Member Springer to the Planning Commission, with Council's concurrence.

IX. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 17-11: Amending Bethel Municipal Code Chapter 14, Ports And Harbors.

*Mayor Robb opened the Public Hearing.
No one present to be heard.
Mayor Robb closed the Public Hearing.*

Main Motion: Adopt Ordinance 17-11 was made at the April 11, Regular Meeting.

Moved by:	Welch
Seconded by:	Ayagalria
Action:	Postponed

Main Motion: Table

Moved by:	Albertson
Seconded by:	Watson
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"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	0

After tabling, the Council moved to Unfinished Business Item B, then returned to Unfinished Business Item A.

Primary

Amendment: Accept the changes to the violation descriptions presented.

Moved by: Springer
 Seconded by: Albertson
 Action: Motion carries by a vote of 4-1
 In favor: Albertson Springer Ayagalria Watson
 Opposed: Robb

Subsidiary Motion: Postpone until the next regular meeting.

Moved by: Albertson
 Seconded by: Watson
 Action: Motion does not carry by a vote of 1-4
 In favor: Springer
 Opposed: Robb Albertson Ayagalria Watson

Primary Amendment: Amend 14.07.150 Prohibited Acts to strike Section M Pump bilge water into the Small Boat Harbor.

Moved by: Springer
 Seconded by: Ayagalria
 Action: Motion carries by a vote of 5-0
 In favor: Robb Albertson Springer Ayagalria Watson
 Opposed: 0

Primary Amendment: Amend to "Improperly store any explosive, explosive gasses, gasoline, or any other flammable substance in drums, cans or other types of containers within the Small Boat Harbor or vessel located in the Small Boat Harbor facilities."

Moved by: Springer
 Seconded by: Ayagalria
 Action: Motion carries by a vote of 5-0
 In favor: Robb Albertson Springer Ayagalria Watson
 Opposed: 0

Primary Amendment: Amend 14.05.200 Smoking prohibited to read "No person may smoke while on Port Facilities unless in designated smoking areas. A person in violation of this section shall be required to leave the area and may be fined."

Moved by: Springer
 Seconded by: Ayagalria
 Action: Motion carries by a vote of 4-1
 In favor: Robb Springer Ayagalria Watson
 Opposed: Albertson

Secondary Amendment: Insert as the second sentence "The small boat harbor and all publicly accessible areas of the port will be designated smoking areas."

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

Primary Amendment: Strike 14.03.220, Regulations of Signs.

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Springer Albertson Ayagalria Watson
Opposed: 0

Primary Amendment: Strike 14.01.110, Use of moneys.

Moved by: Albertson
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Main Motion: Postpone

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Item B – Public Hearing Of Ordinance 17-17: Authorizing The Disposal of Interest In Easements/Land For Utility Acquired Through Ordinance 16-14 From The Yukon-Kuskokwim Health Corporation.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-17.

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Main Motion: Pull from the table Ordinance 17-11.

Moved by: Springer
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

After completing Unfinished Business Item B, the Council returned to Unfinished Business Item A.

Item C – Public Hearing Of Ordinance 17-18: Authorizing The Disposal of Interest In Easements/Land For Utility Acquired Through Ordinance 16-32 From Kipusvik, LLC.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-18.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Springer Albertson Ayagalria Watson
Opposed: 0

Item D – Public Hearing Of Ordinance 17-19: Amending Bethel Municipal Code Section 1.02 General Provisions.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-19.

Moved by: Albertson
Seconded by: Watson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Item E – Public Hearing Of Ordinance 17-20: Amending Bethel Municipal Code Section 17.04 General Provisions And Requirements.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-20.

Moved by: Springer
Seconded by: Albertson
Action: Motion does not carry by a vote of 2-3
In favor: Albertson Watson
Opposed: Robb Springer Ayagalria

Subsidiary Motion: Suspend the rules to hear from the Planning Director.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: \emptyset

Primary

Amendment: Amend to strike "Planning Official" and insert "Land Use Administrator."

Moved by: Springer
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: \emptyset

Main Motion: Postpone

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

Primary

Amendment: Amend the title of the Ordinance to list Amending Subdivision Agreements.

Moved by: Watson
Seconded by: Springer
Action: Motion carries by a vote of 4-1
In favor: Robb Albertson Springer Watson
Opposed: Ayagalria

Primary

Amendment: Postpone.

Moved by: Springer
Seconded by: Watson
Action: Motion does not carry by a vote of 3-2
In favor: Robb Springer Watson

Opposed: | Albertson Ayagalria

Item F –Public Hearing of Ordinance 17-21: Establishing A Community Action Grant Technical Review Board.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-21.

Moved by:	Albertson
Seconded by:	Watson
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"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	θ

X. NEW BUSINESS

Item A – Introduction Of Ordinance 17-22: Amending The City Of Bethel Fee And Rate Schedule.

Main Motion: Introduce.

Moved by:	Springer
Seconded by:	Ayagalria
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"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	θ

Primary

Amendment: Amend to insert with fluids and battery removed.

Moved by:	Springer
Seconded by:	Watson
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"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	θ

Item B – Introduction of Ordinance 17-23: Amending Bethel Municipal Code 13.08.360 Experiments and Innovations.

Main Motion: Introduce.

Moved by:	Springer
Seconded by:	Ayagalria
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"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson

Opposed: | 0

Primary

Amendment: Amend the third sentence to insert "with the advice of the public works Committee"

Moved by: Springer
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Subsidiary Motion: Motion to extend the meeting past 11:00p.

Moved by: Ayagalria
Seconded by: Watson
Action: Motion carries by a vote of 5-0
In favor: Robb Maczynski Albertson Ayagalria Watson
Opposed: 0

Secondary Amendment: Motion to amend the Primary Amendment to insert "After a Public hearing of the Public Works Committee" ...the public works director.

Moved by: Springer
Seconded by: Watson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Primary Amendment: Amend to have it read "After a public hearing of the public works committee, the public works director shall evaluate with the advice of the public works committee such devices, processes and procedures to ensure that they are not in conflict with the health welfare of the City".

Moved by: Albertson
Seconded by: Watson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: 0

Item C – Introduction Of Ordinance 17-24: Amending Bethel Municipal Code 4.16.030 Imposition – Rate, Reducing Sales Tax from 6% to 5.75%.

Main Motion: Introduce

Moved by: Ayagalria
Seconded by: Albertson
Action: Motion does not carry by a vote of 3-2
In favor: Robb Ayagalria Watson
Opposed: Albertson Springer

Item D – Introduction Of Budget Ordinance 16-17 (I): Police Department’s ProComm Agreement Payment Schedule Change.

Main Motion: Introduce Budget Ordinance 16-17 (I).

Moved by: Springer
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: \emptyset

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

Moved by: Springer
Seconded by: Watson
Action: Motion carries by a vote of 5-0
In favor: Robb Albertson Springer Ayagalria Watson
Opposed: \emptyset

Item E – AM 17-30: Appointment Of Jared Karr To The Public Safety and Transportation Commission As An Alternate Member.

Passed on the Consent Agenda

Item F – AM 17-31: Directing the City Manager To Enter Into A Contract With The Successful Proposer For General Insurance Broker Services.

Main Motion: Approve AM-17-31.

Moved by: Springer
Seconded by: Watson
Action: Postponed

Main Motion: Postpone until the Special Meeting Scheduled for May 1.

Moved by: Watson
Seconded by: Springer
Action: Motion carries by a vote of 4-1
In favor: Robb Albertson Springer Watson
Opposed: Ayagalria

Item G – AM 17-32 : Directing The City Manager To Enter Into A Contract With The Successful Bidder To Install The Helical Piers For The Institutional Corridor Project.

Main Motion: Approve AM 17-32.

Moved by: Springer

Seconded by: | Albertson
 Action: | Motion carries by a vote of 5-0
 In favor: | Robb Albertson Springer Ayagalria Watson
 Opposed: | \emptyset

Item H – AM 17-33: Directing Administration To Pursue Reallocation Of Funds From the City’s Approved Land And Water Conservation Fund Grant To Support Development Of The Multiuse Sports Field And Boardwalk Repairs.

Main Motion: Approve AM 17-33.

Moved by: | Springer
 Seconded by: | Albertson
 Action: | Motion carries by a vote of 5-0
 In favor: | Robb Albertson Springer Ayagalria Watson
 Opposed: | \emptyset

Council concurred, the multi-purpose field is the preferred project.

Item I – AM 17-34: Directing Administration To Seek Funding For The Preliminary Engineering Report And Environmental Report for “The Avenues” Project, A Project That Entails The Installation Of Water And Sewer Pipe Through The Back Lots Between 6th Avenue And 7th Avenue.

Main Motion: Approve AM 17-34.

Moved by: | Springer
 Seconded by: | Albertson
 Action: | Motion carries by a vote of 5-0
 In favor: | Robb Maczynski Albertson Ayagalria Watson
 Opposed: | \emptyset

- XI. MAYOR’S REPORT**
- XII. MANAGER’S REPORT**
- XIII. CLERK’S REPORT**
- XIV. COUNCIL MEMBER COMMENTS**

Mayor Richard Robb –
 Congratulated Mr. Springer on his appointment.

Council Member Springer–
 No comment.

Council Member Leif Albertson –
 No comment.

Council Member Norman Ayagalria –
No comment.

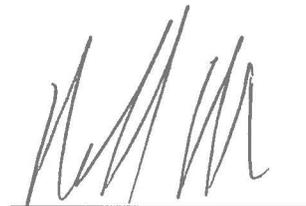
Council Member Fred Watson –
He just became a grandfather to his daughter's first daughter, Carrie Watson.

XV. ADJOURNMENT

Main Motion: Adjournment.

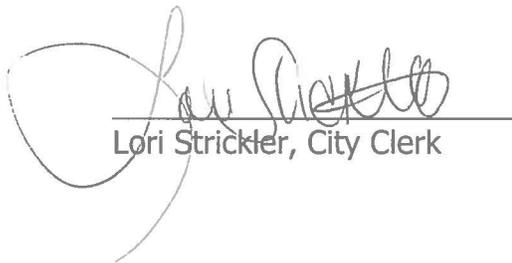
Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Watson
Opposed:	0

Council adjourned at 12:17a.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk