

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on May 24, 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 Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski (arrived at 6:41 p.m.)	<input checked="" type="checkbox"/> Council Member Nikki Hoffman
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Alisha Welch
<input checked="" type="checkbox"/> Council Member Leif Albertson (via teleconference)	
<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 checked="" type="checkbox"/> Assistant To City Clerk Adriane Welch

**IV. PEOPLE TO BE HEARD**

Lorin Bradbury – Spoke of concern of low number of police officers on duty, 13 total and only 6 filled. Stated concerns of polygraph test used in police officer job application requirements. Stated the polygraph testing results may be flawed, altered and ineffective by false positive results. Requests the City Council remove this requirement for police officers.

Matt Scott – Spoke of concern of future use of the pool, such as pool passes \$100,000 of funds. Suggested be aware of the new pool contract consideration.

*Vice-Mayor Maczynski arrived at 6:41 p.m.*

Kozy Kusko Quilt Guild – Spoke of concern of the Log Cabin closure and \$24K/year operating costs. Spoke of the high costs of electricity, water/sewer, and garbage. Requests the council to allow the guild to use the Log Cabin building.

**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:	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

**Removal from  
the Consent  
Agenda:**

Resolution 16-19, Resolution 16-20, Ordinance 16-18, and Ordinance 16-38 from Consent Agenda.

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Moved by: Fansler

**Main Motion:** Move AM 16-38 from Item I to Item A under New Business.

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Moved by:	Maczynski
Seconded by:	Hoffman
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

**Removal from  
the Consent  
Agenda:**

Ordinance 16-15.

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Moved by: Fansler

**Main Motion:** Move AM 16-42 to Item B under New Business.

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Moved by:	Fansler
Seconded by:	Hoffman
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

**VI. APPROVAL OF THE MEETING MINUTES**

**Item A – Regular City Council Meeting May 10, 2015**

*Passed on the consent agenda.*

**Item B** – Special City Council Meeting May 11, 2015

*Passed on the consent agenda.*

**Item C** – Special City Council Meeting May 12, 2015

*Passed on the consent agenda.*

## **VII. REPORTS OF STANDING COMMITTEES**

### **Public Safety and Transportation Commission**

*Council Representative, Chuck Herman –*

Next meeting will be next Tuesday.

### **Port Commission**

*Council Representative, Alisha Welch –*

Met last Monday, went over budget. Next meeting will be held June 13<sup>th</sup>. Looking for more commissioners, please apply on city website.

### **Planning Commission**

*Council Representative, Council Member Hoffman –*

Next meeting will be Thursday, June 9<sup>th</sup>, still looking for more members.

### **Parks and Recreation Committee**

*Council Representative, Richard Robb –*

A meeting will be held next Tuesday on May 31<sup>st</sup>.

### **Finance Committee**

*Council Representative, Leif Albertson –*

Met on Monday May 23<sup>rd</sup> discussed sales tax ordinance.

### **Energy Committee**

*Council Representative, Zach Fansler –*

A quorum of the body was not established, a meeting was not held.

### **Public Works Committee**

*Council Representative, Byron Maczynski –*

Discussed social media and using it as a job recruitment tool.

### **Marijuana Advisory Committee**

*Council Representative, Zach Fansler –*

Provided finishing touches on the marijuana ordinance up for introduction tonight.

**VIII. SPECIAL ORDER OF BUSINESS**

**IX. UNFINISHED BUSINESS**

**Item A** – Public Hearing Of Ordinance 16-14: Acquisition Of Easement From Yukon Kuskokwim Health Corporation.

*Mayor Robb opened public hearing.*

*No one spoke.*

*Mayor Robb closed public hearing.*

**Main Motion:** Adopt Ordinance 16-14.

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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 B** – Public Hearing Of Ordinance 15-14 (h): Amending The Fiscal Year 2016 Budget For Port Vehicle.

*Mayor Robb opened public hearing.*

*No one spoke.*

*Mayor Robb closed public hearing.*

**Main Motion:** Adopt Ordinance 15-14 (h).

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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** – Public Hearing Of Ordinance 15-14 (i): Amending The Fiscal Year 2016 Budget For Accounting Contract Services.

*Mayor Robb opened public hearing.*

*No one spoke.*

*Mayor Robb closed public hearing.*

**Main Motion:** Adopt Ordinance 15-14 (i).

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Moved by: Fansler  
Seconded by: Maczynski  
Action: Postponed

**Main Motion:** Suspend rules to hear from Hansel Mathlaw, Finance Director.

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Moved by: Hoffman  
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:** Table Ordinance 15-14 (i) until end of New Business.

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

**Item D – AM 16-34: Approving The Social Media Policy For The City Of Bethel.**

A motion to approve AM 16-34 was made at the May 10, Regular

**Main Motion:** Meeting.

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

**Main Motion:** Call a question.

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

**Item E – AM 16-35: Approving The Contract Between The City Of Bethel And The University Of Alaska Fairbanks Cooperative Extension, 4-H Program.**

**Main Motion:** Postpone until next regular scheduled council meeting 6/12/2016.

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Moved by: Herman

Seconded by: Hoffman

Action: Motion carries by a vote of 7-0

In favor:  Robb  Maczynski  Albertson  Herman  Fansler  Hoffman  Welch

Opposed: -0

## X. NEW BUSINESS

**Item A – AM 16-38:** Authorizing Administration To Enter Into A Contract With Pool Operator, For The Operation And Maintenance Of The Yukon Kuskokwim Aquatic Health And Safety Center.

*Council Member Fansler declared a conflict of interest due to his participation in the Request for Proposal Review Process.*

*Mayor Robb rules, Council Member Fansler did have a conflict of interest.*

*Council Member Fansler stepped down from the Council desk.*

**Main Motion:** Approve Administration To Enter Into A Contract.

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Moved by: Hoffman

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:** Two minutes at ease.

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Moved by: Mayor Robb

*Council Member Fansler returned to the meeting.*

**Item B – AM 16-42:** Directing Administration To Negotiate And Enter Into A Contract For Construction Of Port Office.

**Main Motion:** Postpone until next meeting.

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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 16-19: Authorizing Administration To Enter Into A Loan Agreement With United States Department Of Agriculture In The Amount Of \$913,000.00 For Portion Of The Cost Of Acquiring, Constructing, Enlarging, Improving, And Extending It's Lagoon Facility.**

**Main Motion:** Adopt Resolution 16-19.

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

Amend the Resolution to strike the eleventh Whereas statement "environmental requirements include but are not limited to- construction actives must be limited to waking hours to reduce noise impacts (10 hours); contractor to prepare a Storm Water Pollution Prevention Plan; fugitive dust from construction activities must be reduced during construction by use of water or other dust control measures; emissions from vehicles and equipment must be maintained below applicable state and local emission control plans; movement of construction material and machinery must be scheduled for non-peak or non-critical times; in the event historical artifacts are discovered, all work must be stopped immediately and appropriate agencies contacted; Best Management Practices must be utilized during construction to minimize or avoid potential impacts to water quality or resources; all waste material generated during construction will be disposed of in the landfill or the waste will be backhauled to an approved facility; proper sedimentation and erosion control construction techniques will be used.

**Primary Amendment:**

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

Amend the primary amendment to strike from the resolution "construction actives must be limited to waking hours to reduce noise impacts (10 hours)."

**Secondary Amendment:**

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

**Item D – Resolution 16-20: Authorizing Administration To Enter Into A Loan Agreement With United States Department Of Agriculture In The Amount Of \$1,669,368.00 For Water And Waste System Which Includes Three Sewer Trucks.**

**Main Motion:** Adopt Resolution 16-20.

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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

**Primary Amendment:**

Amend the Resolution to strike the thirteenth Whereas statement "environmental requirements include but are not limited to- construction actives must be limited to waking hours to reduce noise impacts (10 hours).

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Moved by: Welch  
 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:** Take a ten minute break.

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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

**Item E – Resolution 16-21: Requesting Fiscal Year 2017 Payment In Lieu Of Taxes Funding From The Department Of Commerce, Community And Economic Development.**

*Passed on the consent agenda.*

**Item F – Introduction Of Ordinance 16-15: Amending Bethel Municipal Code 4.16.030 To Reduce Sales Tax From 6% To 5.75%.**

**Main Motion:** Introduce Ordinance 16-15.

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

**Item G** – Introduction Of Ordinance 16-16: Amending Bethel Municipal Code 3.64.010, Benefits.

*Passed on the consent agenda.*

**Item H** – Introduction Of Ordinance 16-17: Fiscal Year 2017 Annual Budget.

Passed on the consent agenda.

**Item I** – Introduction Of Ordinance 16-18: Amending Bethel Municipal Code, Marijuana Regulations.

**Main Motion:** Introduce Ordinance 16-18.

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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

**Item J** – AM 16-37: Directing Administration To Enter Into An Agreement With Alaska Court System And Alaska Permanent Fund Dividend Division For The Transfer Of Unpaid Minor Offenses Fines And The Electronic Levy On The PFD of Non-Payees.

**Main Motion:** Postpone.

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

**Item K** – AM 16-39: Directing Administration To Being Development Of The Pinky Park Multi-Use Field As Authorized By AM 14-67.

**Main Motion:** Approve AM 16-39. .

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Moved by:	Fansler
Seconded by:	Maczynski
Action:	Postponed

**Main Motion:** Extend the meeting to 12:00 a.m.

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

Direct Administration to contact the grantor to see what the options are.

**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

**Main Motion:** Postpone.

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

**Item L – AM 16-40: Directing Administration To Work With Log Cabin Users Until Final Adoption Of Fiscal Year 2017 Budget In The Case Of Facility Closure.**

**Main Motion:** Approve AM 16-40.

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

**Item M – AM 16-41: Directing Administration To Prepare An Assessment Of Cost To Repair The Boardwalk Located Near The Moravian Church.**

**Main Motion:** Approve AM 16-41.

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

**Main Motion:** Amend the AM to strike June 10, and insert July 11.

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

**Item N – Directing Administration To Draft A Letter For Council’s Consideration At Their May 26, 2016 Special Budget Meeting To Address The Donlin Gold EIS.**

**Main Motion:** Direct Administration to Draft A Letter for Council’s Consideration at their May 26, 2016 Special Budget Meeting.

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

**Main Motion:** Pull from the table Public Hearing of Ordinance 15-14 (i).

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

**Item C – Public Hearing Of Ordinance 15-14 (i): Amending The Fiscal Year 2016 Budget For Accounting Contract Services.**

**Main Motion:** Adopt Ordinance 15-14 (i).

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Moved by: Fansler  
Seconded by: Maczynski  
Action: Postponed Indefinitely

*Council Member Albertson departed the meeting at 11:45 p.m.*

**Main Motion:** Postpone Indefinitely

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Moved by: Fansler  
Seconded by: Herman  
Action: Postponed Indefinitely

**XI. MAYOR’S REPORT**

**XII. MANAGER’S REPORT**

**XIII. CLERK’S REPORT**

**XIV. COUNCIL MEMBER COMMENTS**

Mayor Richard Robb –  
Congratulated all of the high school graduates.

Vice-Mayor Byron Maczynski –  
Have a good night.

Council Member Chuck Herman –  
No comment.

Council Member Zach Fansler –  
No comment

Council Member Nikki Hoffman –  
No comment.

Council Member Alisha Welch –  
No comment.

**XV. EXECUTIVE SESSION**

Postpone Executive Sessions Item A and B until the June 1, 2

**Main Motion:** Special Budget Meeting.

Moved by: Fansler

Seconded by: Herman

Action: Motion carries by a vote of 6-0

In favor:  Robb  Maczynski  Herman  Fansler  Hoffman  Welch

Opposed: -0

**Item A** – Alaska Statutes 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Labor Negotiation Contract Between The City Of Bethel Employees Association, Local 6055, APEA/AFT And The City Of Bethel.

*Postponed.*

**Item B** – 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 (Mayor Robb)

*Postponed*

**Item C – Alaska Statutes 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Settlement Offer, City Of Bethel vs. Faulkner Walsh et.al And The City Of Bethel vs. Robert And Donna Carpenter.**

Move into Executive Session To Discuss Alaska Statutes 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Settlement Offer, City Of Bethel vs. Faulkner Walsh et.al And The City Of Bethel vs. Robert And Donna Carpenter.

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

**Main Motion:**

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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"/> Maczynski <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

**XVI. ADJOURNMENT**

**Main Motion:** Adjourn.

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Moved by:	Herman
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"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

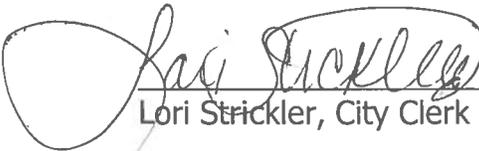
*Council adjourned at 12:23 a.m.*




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Richard Robb, Mayor

ATTEST:




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Lori Strickler, City Clerk