

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on June 27, 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 Mark Springer	Vice-Mayor Fred Watson
Council Member Naim Shabani	Council Member Leif Albertson
Council Member Alisha Welch	
Members Absent:	
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler
City Attorney Patty Burley	

IV. PEOPLE TO BE HEARD

John Cochrane- Provided support to the City’s rewrite of the Bethel Municipal Code related to sales tax. Provided support to the increase of sales tax on alcohol sales from 12% to 15%.

Anne Cochrane- Provided support to the increase of sales tax on alcohol sales from 12% to 15% and requested continued dedication to the suggested social services.

Council Member Springer arrived at 6:37p.m.

Carol Ann Willard and April Nick, TWC Representatives, provided support to Ordinance 17-27, Public Nuisance Abatement. Read from a letter submitted by Eileen Arnold which stated support of Ordinance.

Fritz Charles – Stated the City is paying overtime for their water and sewer drivers to put tags on the doors of homes they have services. States this is inefficient. Requested the City consider putting a ten foot fence up at the Tundra Ridge Park to ensure kids are able to keep basket balls out of private citizens properties.

David E. Trantham- Thanked the Council for their hard work and reminded them he served five terms himself. Expressed concerns related to the institutional corridor. Suggested the Council have contracts with all of the entities that will be serviced by the Institutional Corridor.

Main Motion: Suspend the rules to extend the time to which people to be heard can speak.

Moved by:	Springer
Seconded by:	Shabani
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	θ

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	-θ

Primary

Amendment: Postpone Introduction Of Budget Ordinance 16-17 (p).

Moved by:	Springer
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	θ

Secondary

Amendment: Amend Primary Amendment to postpone Ordinance 16-17 (p) indefinitely.

Moved by:	Albertson
Seconded by:	Welch

Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Primary Amendment: Move Unfinished Business Item I to the second Item under Unfinished Business.

Moved by: Albertson
Seconded by: Welch
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Removal from Consent: Remove New Business Item B, Ordinance 17-37 from the consent agenda.

Moved by: Albertson

Primary Amendment: Remove Potential Litigation Faulkner –Walsh Contractors from the Executive Session.

Moved by: Springer
Seconded by: Welch
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Primary Amendment: Move unfinished business item K to follow the Executive Session.

Moved by: Welch
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

VI. APPROVAL OF THE MEETING MINUTES

Item A – 6-6-2017 Special City Council Meeting.
Passed on the Consent Agenda

Item B – 6-8-2017 Special City Council Meeting.
Passed on the Consent Agenda

Item C – 6-13-2017 Regular City Council Meeting.
Passed on the Consent Agenda

Item D – 6-15-2017 Special Meeting.

Passed on the Consent Agenda

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission-

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

Port Commission-

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

Planning Commission-

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

Parks, Recreation, Aquatic Health and Safety Center Committee-

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

Finance Committee-

Continuing to make amendments to the City's Sales Tax Code.

Energy Committee-

A meeting was not held since the last City Council Meeting.

Public Works Committee-

Nothing new to report.

VIII. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 17-27: Amending Bethel Municipal Code 9.36, Nuisance Abatement, Penalties And Remedies.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: A motion to adopt Ordinance 17-27 was made on June 13, 2017.

Moved by: Watson

Seconded by: Ayagalria

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch

Opposed: 0

Subsidiary Motion: Suspend the rules to hear from Carol Ann Willard, TWC Representative.

Moved by: Springer

Seconded by: Albertson

Action: Motion carries by a vote of 7-0
 In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
 Opposed: 0

Amend to strike under 09.36.010 "This Ordinance is **not** intended to be a tool for landlords and property owners to discriminate against persons or to impede the reporting of crimes, especially those involving domestic violence, and/or the reporting of injuries or illnesses. The City of Bethel does not endorse or support any form of discrimination for any reason whatsoever. Individuals who are the victims of discrimination are urged to report such discrimination to the proper State authorities."

Under 9.36.035 Enforcement and Exceptions.
 "The purpose of the City of Bethel's Public Nuisance Abatement ordinance is **NOT** to prevent the reporting of crimes, suspicious activity, illnesses or other incidences which a resident may experience."

Enforcement of this Ordinance is vested only with the City Manager and not with property owners or landlords.

Violation	Code Section	Fine
Failure to Prevent	9.36.030	\$200
Unauthorized Enforcement	9.36.035	\$500
Attempted Unauthorized Enforcement	9.36.035	\$500
Threat of Action	9.36.035	\$500

Under 9.36.090 Penalties and Remedies.
 "Violation of any provision of this Title is an infraction subject to a fine. In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. If an offense is not listed on this fine schedule or another fine schedule, the defendant must appear in court to answer to the charges. These fines may not be judicially reduced.

Primary Amendment:

Moved by: Springer
 Seconded by: Ayagalria
 Action: Motion carries by a vote of 4-3
 In favor: Springer Shabani Ayagalria Welch
 Opposed: Robb Albertson Watson

Secondary Amendment:

Amend to insert under 9.36.010 This Ordinance is **not** intended to be a tool for landlords and property owners to discriminate against persons or to impede the reporting of crimes, especially those involving domestic violence, and/or the reporting of injuries or illnesses. The City of Bethel does not endorse or support any form of

discrimination for any reason whatsoever. Individuals who are the victims of discrimination are urged to report such discrimination to the proper State authorities.

Moved by:	Springer
Seconded by:	Shabani
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	0

Item I – Public Hearing Of Ordinance 17-36: Ballot Proposition Increasing Tax On Sales Of Alcoholic Beverages From 12% To 15% And Dedicating 3% Of The Revenue To Health, Public Safety And Social Services.

Mayor Robb opened the Public Hearing.

Jon Cochrane- Spoke in favor of Ordinance 17-36 stating there are a number of agencies that would benefit from the funds created by the sales of alcohol.

David E. Trantham Jr.–Spoke in opposition to Ordinance 17-36 stating the City should collect the taxes they have in place before they implement an increase in taxes.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-36.

Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 5-2
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson

Primary

Amendment: Strike 3% and insert 20%.

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

Primary Amendment: Strike the language in Section 3. and insert "All funds will go to the City's General Fund."

Moved by:	Ayagalria
Seconded by:	Springer
Action:	Motion does not carry by a vote of 2-5
In favor:	<input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Ayagalria
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Watson

Item B – Public Hearing Of Ordinance 17-29: Authorizing The Acquisition Of An Easement From Bethel Native Corporation.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-29.

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	0

Item C – Public Hearing Of Ordinance 17-30: Authorizing The Acquisition Of An Easement From Bethel Native Corporation.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-30.

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	0

Item D – Public Hearing Of Ordinance 17-31: Authorizing The Acquisition Of An Easement From Bethel Native Corporation.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 17-31.

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria <input checked="" type="checkbox"/> Welch
Opposed:	0

Item E – Public Hearing Of Ordinance 17-32: Authorizing The Acquisition Of An Easement From Bethel Native Corporation.

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

Main Motion: Adopt Ordinance

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item F – Public Hearing Of Ordinance 17-33: Repealing And Replacing Ordinance 16-33, Authorizing The Acquisition Of Interest In A Utility Easement From Bethel Native Corporation.

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

Main Motion: Adopt Ordinance 17-33

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item G – Public Hearing Of Ordinance 17-34: Authorizing The Disposal Of Interest In Easements/Land For Utility Acquired Through Ordinance 16-06 From YKHC.

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

Main Motion: Adopt Ordinance 17-34.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Primary Amendment:

Amend to insert Whereas statement "Sometime after the City acquired the easements, BNC Sold land containing he easements to the Yukon Kuskokwim Health Corporation (YKHC).

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item H – Public Hearing Of Ordinance 17-35: Authorizing The Acquisition Of An Easement 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 17-35.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item J– Public Hearing Of Budget Ordinance 16-17 (O): Amending The Fiscal Year 2017 Budget For Bethel Embankment Project.

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

Main Motion: Adopt Ordinance 16-17 (o)

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

IX. NEW BUSINESS

Item A – Resolution 17-13: Requesting FY 18 Payment In Lieu Of Taxes Funding From The Department Of Commerce, Community and Economic Development-With Required Corrections.

Passed on the consent agenda.

Item B – Introduction Of Ordinance 17-37: Amending Bethel Municipal Code 4.04, Budget Adoption.

Main Motion: Introduction Of Ordinance 17-37.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

**Item C – Introduction Of Budget Ordinance 16-17 (p): Amending The Fiscal Year 2017 Budget To Purchase Tracking Devices For City Vehicles.
*Postponed.***

Item D – AM 17-42: Directing Administration To Bring To Council A Plan Of Action For The Development Of A Park In Kasayuli Subdivision.

Main Motion: Approve AM 17-42.

Moved by: Shabani
Seconded by: Springer
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item E – AM 17-43: Approving The City Clerk’s Administrative Leave – Election Policy Working Group.

Passed on the consent agenda.

Item F – AM 17-44: Directing City Manager To Negotiate And Potentially Enter Into A Contract With Arctic IT For IT Support Services.

Main Motion: Adopt AM 17-44.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

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

Moved by: Springer
Seconded by: Welch
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch

Opposed: | 0

Subsidiary Motion: Suspend the rules to go back to AM 17-42.

Moved by: Watson
Seconded by: Springer
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

City manager confirmed the intent of sharing the project plan with the Pool Committee.

Item G – AM 17-45: Authorizing Administration To Enter Into A Memorandum Of Agreement With Orutsararmiut Native Council For Tribal Transportation Funds.

Main Motion: Approve AM 17-45.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Ayagalria Welch
Opposed: 0

Item H – AM 17-46: Approving The City Manager To Enter Into Contract With Accupoint Inc. For Installing Fleet Tracking Equipment For Water/Sewer Vehicles.

Main Motion: Approve AM 17-46.

Moved by: Albertson
Seconded by: Springer
Action: Postponed

Subsidiary Motion: Postpone.

Moved by: Watson
Seconded by: Ayagalria
Action: Motion carries by a vote of 5-2
In favor: Robb Watson Springer Shabani Ayagalria
Opposed: Albertson Welch

Item I – IM 17-04: Shovel-Ready Infrastructure Project Proposals to the Office of the Governor.

Council Member Shabani departed the meeting at 10:25 p.m.

Item J – Personal Leave Request City Clerk, July 30 – August 4, 2017.
Passed on the consent agenda.

Item K – Personal Leave Request For City Attorney
Passed on the consent agenda.

X. MAYOR’S REPORT
XI. MANAGER’S REPORT
XII. CLERK’S REPORT
XIII. COUNCIL MEMBER COMMENTS

Mayor Richard Robb –
Thanked Ayagalria for his service to the Council.
Thanked Council Member Albertson for his organization of the half marathon.
Wished everyone a safe 4th of July.

Vice-Mayor Fred Watson –
No comment.

Council Member Leif Albertson –
No comment.

Council Member Mark Springer –
Rasmuson donated \$25,000 to medic five at the reception last night.
Appreciated the Finance Report.
Provided condolences to the family of Pat Jennings.

Council Member Norman Ayagalria –
Acknowledged to the Council he is resigning from the City Council effectively immediately.

Council Member Welch–
No comment.

XIV. EXECUTIVE SESSION

Item A– Alaska Statutes Title 44.62.310: Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect upon the Finances of the Public Entity - Contract Negotiations – City Attorney’s Employment.

Item B— Alaska Statutes Title 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Potential Litigation AVCP-RHA (Owl Park).

Move into Executive Session-

Alaska Statutes Title 44.62.310: Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect upon the Finances of the Public Entity - Contract Negotiations – City Attorney’s Employment. Those attending Item A were Council Members.

Alaska Statutes Title 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Potential Litigation -RHA (Owl Park) Those attending Item B were Council, City Manager, City Attorney and City Clerk.

Main Motion:

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

UNFINISHED BUSINESS

Item K – Employment Contract Negotiation/Renewal City Attorney.
Council and Patty Burley agreed to an Employment Agreement.

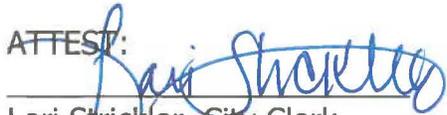
XV. ADJOURNMENT

Main Motion: Adjournment.

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

Council adjourned at 11:14 p.m.


Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk