

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on June 28, 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. ROLCALL

| | |
|---|--|
| Comprising a quorum of the Council, the following members were present: | |
| <input checked="" type="checkbox"/> Mayor Rick Robb | <input checked="" type="checkbox"/> Council Member Nikki Hoffman |
| <input checked="" type="checkbox"/> Council Member Leif Albertson | <input checked="" type="checkbox"/> Council Member Alisha Welch |
| <input checked="" type="checkbox"/> Council Member Zach Fansler (Arrived via telephone/telephonically at 8:16 p.m.) | |
| Members Absent: | |
| <input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski | |
| Also in attendance were the following: | |
| <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

Kwon Ohkeum, Counselor of Korea – Addressed the City Council on her goals as the Korean Counselor for the State and requested the Council work on incorporating the Korean Americans within the community of Bethel.

Michelle Dewitt, Bethel Community Services Foundation – Address the City Council on her concerns on the change in enforcement of the sales tax exemption criteria. Requested the Council consider not taxing the non-profit organizations that are providing services within the Community.

James Aranowski, Health Fitness Corporation – Will be taking over the operations of the YK Facility starting July 1, 2016. Introduced the Health Fitness crew who will be working in and with the community; they are looking forward to a smooth transition into the facility.

Kurt Kuhne, Yuut Elitnaurviat – Address the Council on his concerns with the change in the enforcement of the non-profit sales tax exemption. He encouraged the Council to consider modifying the code to extend the exemption status for non-profits.

Eileen Arnold – Addressed the Council on her concerns with the change in the enforcement of the non-profit sales tax exemptions. She encouraged the Council to consider modifying the code to extend the exemption status for non-profits.

Mary Nanuwak – Informed the Council that she is pulling her name from consideration for the appointment of the vacant council seat; she stated she does intent to run for Council in October.

Shane Iverson, KYUK Radio – Addressed the Council on his concerns with the change in the enforcement of the non-profit sales tax exemption. He encouraged the Council to consider modifying the code to extend the exemption status for non-profit and modify the Code to address this issue.

Dave Trantham Jr. – Address the City Council on the importance of the ATG Memorial Park, it commemorates the many men and women who protected this state.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

| | |
|--------------|--|
| Moved by: | Welch |
| Seconded by: | Albertson |
| 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"/> Hoffman <input checked="" type="checkbox"/> Welch |
| Opposed: | -0 |

Main Motion: Remove Item B of the Executive Session from the Agenda.

| | |
|--------------|--|
| Moved by: | Welch |
| Seconded by: | Hoffman |
| Action: | Motion does not carry by a vote of 0-4 |
| In favor: | -0 |
| Opposed: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch |

VI. APPROVAL OF THE MEETING MINUTES

Item A – Special Meeting Minutes 6-1-2016

Passed on the consent agenda.

Item B – Special Meeting Minutes 6-2-2016

Passed on the consent agenda.

Item C – Special Meeting Minutes 6-6-2016

Passed on the consent agenda.

Item D – Special Meeting Minutes 6-7-2016

Passed on the consent agenda.

Item E – Special Meeting Minutes 6-8-2016

Passed on the consent agenda.

Item F – Special Meeting Minutes 6-9-2016 –

Passed on the consent agenda.

Item G – Special Meeting Minutes 6-10-2016

Passed on the consent agenda.

Item H – Special Meeting Minutes 6-13-2016

Passed on the consent agenda.

Item I – Regular Meeting Minutes 6-14-2016

Passed on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Public Safety & Transportation Commission

No one available to provide a report.

Port Commission

Council Representative, Alisha Welch –

The New Port Office will go out for RFP for the design, then RFP for construction.

Planning Commission

Council Representative, Nikki Hoffman –

The next meeting will be held July 21, 2016; they will be discussing the Marijuana Zoning as well as Baba's Pizza Liquor License Application.

Parks, Recreation, Aquatic Health & Safety Center Committee

Council Representative, Richard Robb –

The boardwalk at Pinky’s Park is complete.

Finance Committee

Council Representative, Leif Albertson –

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

Energy Committee

Council Representative, Zach Fansler –

No one available to provide a report.

Public Works Committee

Council Representative, Byron Maczynski –

No one available to provide a report.

Marijuana Advisory Committee

Planning Director, Ted Meyer –

They considered staff comments regarding the Ordinance, they made adjustments to the ordinance.

VIII. SPECIAL ORDER OF BUSINESS

Item A – Appointment Of A Qualified Candidate To Fill The Vacant City Council Seat Until The Certification Of The October 4, 2016 Election.

Fritz Charles – Provided a statement to the Council.

Mary Weiss – Provided a statement to the Council.

Council asked questions of the candidates.

Main Motion: Nominate Mary Weiss and Fritz Charles for City Council Members.

| | |
|--------------|--|
| Moved by: | Albertson |
| Seconded by: | Hoffman |
| 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"/> Hoffman <input checked="" type="checkbox"/> Welch |
| Opposed: | -0 |

➤ *Round One Vote –*

Council Member Albertson – Voted for Mary Weiss.

Council Member Welch – Voted for Mary Weiss.

Council Member Hoffman – Voted for Mary Weiss.

Mayor Robb – Voted for Fritz Charles.

- *Round Two Vote –*
 - Council Member Albertson – Voted for Mary Weiss.
 - Council Member Welch – Voted for Mary Weiss.
 - Council Member Hoffman – Voted for Mary Weiss.
 - Mayor Robb – Voted for Mary Weiss.

Mary Weiss declared her Oath of Office and was seated at the Council bench.

Subsidiary

Motion: Take a five minute break.

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

IX. UNFINISHED BUSINESS

- **Item A – Public Hearing Of Ordinance 16-19: Extending The Marijuana Moratorium.**

Mayor Robb opened the Public Hearing of Ordinance 16-19.

Miles France – Spoke in opposition to the extension of the moratorium.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 16-19.

| | |
|--------------|---|
| Moved by: | Albertson |
| Seconded by: | Hoffman |
| Action: | Motion carries by a vote of 4-2 |
| 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"/> Weiss <input checked="" type="checkbox"/> Robb |

Council Member Fansler arrived by telephone at 8:16 p.m.

Primary

Amendment: Amend to strike July 31, 2016 and insert August 31, 2016.

| | |
|--------------|---|
| Moved by: | Albertson |
| Seconded by: | Hoffman |
| Action: | Motion carries by a vote of 4-2 |
| 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"/> Weiss <input checked="" type="checkbox"/> Robb |

Item B – Public Hearing Of Budget Ordinance 15-14 (j): Amending The FY 2016 Budget For Union Salaries.

Mayor Robb opened the Public Hearing of Ordinance 16-19.

No one present to be heard.

Mayor Robb closed the public hearing.

Main Motion: Adopt Budget Ordinance 15-14 (j).

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

Item C – Introduction Of Budget Ordinance 15-14 (k): Amending The FY 2016 Budget Management Salaries.

Main Motion: Introduce Budget Ordinance 15-14 (k).

| | |
|--------------|--|
| Moved by: | Hoffman |
| Seconded by: | Welch |
| Action: | Motion does not carry by a vote of 0-5 |
| In favor: | -0 |
| Opposed: | <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Weiss <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch |

Subsidiary

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

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

Council Member Fansler departed the meeting at 8:43 p.m.

Item D – Public Hearing Of Budget Ordinance 15-14 (l): Amending The FY 2016 Budget For Accounting Services.

Mayor Robb opened the Public Hearing of Ordinance 15-14 (l)

Mary Nanuwak- Stated the importance of everyone doing their job.

Mayor Robb closed the public hearing.

Main Motion: Adopt Budget Ordinance 15-14 (I).

Moved by: Albertson

Seconded by: Hoffman

Action: Motion carries by a vote of 5-0

In favor: Robb Weiss Albertson Hoffman Welch

Opposed: -0

X. NEW BUSINESS

Item A – Resolution 16-23: Opposes A New State Sales And Use Tax.

Main Motion: Adopt Resolution 16-23.

Moved by: Hoffman

Seconded by: Welch

Action: Motion carries by a vote of 4-1

In favor: Robb Welch Hoffman Welch

Opposed: Albertson

Item B – Dimitri’s Restaurant, Restaurant, Eating Place Liquor License Application Review.

Direct Administration, the City Clerk’s Office and Legal to draft a Resolution Protesting the Issuance of A Restaurant Eating Place

Main Motion: License For Dimitri’s Restaurant.

Moved by: Hoffman

Seconded by: Albertson

Action: Motion carries by a vote of 5-0

In favor: Robb Weiss Albertson Hoffman Welch

Opposed: -0

Item C – Appointment Of Council Member To Committee/Commission.

Mayor Robb appointed Council Member Weiss to the Public Safety & Transportation Commission.

Item D – Update From Administration On The Wetlands Permitting Process.

Council Member Fansler arrived at 9:15 p.m.

Main Motion: Direct Administration, to apply to renew a general wetlands permit to the ARMY Corps of Engineers.

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

Item E – AM 16-46: Direct Administration To Issue A Purchase Order To Univar USA, Inc. For The Purchase Of Water Treatment Chemicals, Chloride And Sodium Chloride.

Main Motion: Approve AM 16-46.

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

Item F – *Personal Leave Request For The City Clerk July 1 Through July 8, 2016 and August 29 Through September 9, 2016.

Passed on the consent agenda.

XI. MAYOR'S REPORT

XII. MANAGER'S REPORT

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

Mayor Richard Robb –
Welcomed Council Member Weiss to the Council.
Thanked all of the applicants for applying for the vacant seat.
Tomorrow will begin another three day fishing opening.

Council Member Weiss –
Thanked the Council for the opportunity to serve.

Council Member Albertson –
No comment.

Council Member Zach Fansler –
Welcomed Council Member Wiess to the Council.

Council Member Nikki Hoffman –
Welcomed Council Member Wiess to the Council.

Council Member Alisha Welch –
Welcomed Council Member Wiess to the Council.
Thanked all of the applicants for applying for the vacant seat.

XV. EXECUTIVE SESSION

Item A – 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 –Settlement Offer, City Of Bethel vs. Faulkner Walsh et.al.

Item B – Executive Session To Discuss The Annual Evaluation Of The City Manager As Per AS 44.62.310: Personnel Matters (Unless the Person Has Requested To Have The Subjects Discussed In Public) Or Subjects That Tend To Prejudice The Reputation And Character Of A Person.

Move into Executive Session To Discuss 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 –
Settlement Offer, City Of Bethel vs. Faulkner Walsh et.al.

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

Move into Executive Session To Discuss AS 44.62.310: Personnel
Matters (Unless The Person Has Requested To Have The Subjects
Discussed In Public) Or Subjects That Tend To Prejudice The
Reputation And Character Of A Person.

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

Main Motion:

Moved by: Hoffman

Seconded by: Fansler

Action: Motion carries by a vote of 6-0

In favor: Robb Weiss Albertson Fansler Hoffman Welch

Opposed: -0

As requested by the City Manager, Authorize an Early Release of the Employment Contract.

Main Motion:

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

XVI. ADJOURNMENT

Main Motion: Adjourn.

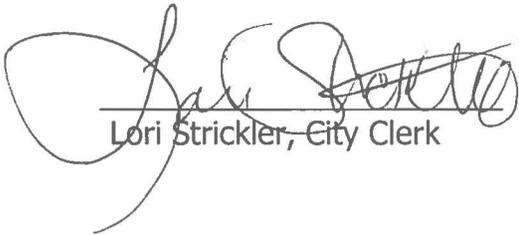
Moved by: Albertson
Seconded by: Fansler
Action: Motion carries by a vote of 6-0
In favor: Robb Maczynski Albertson Fansler Hoffman Welch
Opposed: -0

Council adjourned at 10:26 p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk