

I. CALL TO ORDER

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

IV. PEOPLE TO BE HEARD

Jon Cochrane – Spoke in favor of the proposed Ordinance 17-38 and clarified amendments to the proposed Ordinance from the Finance Committee.

Lorin Bradbury- Provided a statement of opposition to the section of Ordinance 17-38 related to taxation of fuel and electricity for rental properties. Additionally, provided concern that his wife is a relator in town and is required to remit six percent on the total commission she earns on the sale of property.

Bonnie Bradbury- Provided statement of opposition of the taxation on the commission earned from the sale of homes which is already taxed.

Questioned why a flight charter for fishing and hunting would be exempt but not boat charters.

Jarred Karr- Provided a statement of concern related to the length and content of the ordinance which is difficult for people to understand and interpret. Stated there are a number of different Alaskan communities that provide a tax cap on the amount of total tax remitted.

Jim Valcarse – Explained to the Council that the community needs small businesses. Asked the Council, why the City is doing this, how much money is expected to be generated. Asked that the Council postpone adoption of the Sales tax ordinance and let small business talk. Encouraged the City Council to begin promoting small businesses.

Council Member Springer arrived at 6:51p.m.

David E. Trantham Jr. – Provided concern that some council members have violated their oath of office. It is really good to be exonerated by the false allegations by the acting city manager.

Kevin Tressler – Provided a statement of opposition to the City’s exclusion of 4.16.170 Charitable Events as an exempt.

Carol Ann Willard – As a representative of the Finance Committee- Provided a statement of support for Ordinance 17-39. Encouraged Council to ask questions concerning the Ordinance. They would be available to answer or clarify issues that council may have.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

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

**Removal from
Consent Agenda:** New Business Item-A Ordinance 17-40 from the consent agenda.

Moved by: Albertson

VI. APPROVAL OF THE MEETING MINUTES

Item A – 7-11-2017 Regular Meeting Minutes.

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

Nothing to Report.

Planning Commission

The Commission considered and approved a Conditional Use Permit for Kusko Liquors. Larsen Subdivision received a preliminary Plat. Blue-sky Subdivision Agreement was up for consideration but an extension for submission was provided.

Parks, Recreation, Aquatic Health and Safety Center Committee

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

Finance Committee

Met at a special meeting to consider modifications to Ordinance 17-39.

Energy Committee

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

Public Works Committee

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

VIII. SPECIAL ORDER OF BUSINESS

Item A – Appreciation for Norman Ayagalria.

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

Michael Shantz provided a statement to the City Council.

Joseph H. Moses Jr. a statement to the City Council.

Maria Romero provided a statement to the City Council.

Mitchell Forbes provided a statement to the City Council.

Bradon Brink provided a statement to the City Council.

Maria Lake provided a statement to the City Council.

Main Motion:	Nominate Maria Lake.
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"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	θ
Main Motion:	Nominate Joseph Moses Jr.
Moved by:	Watson
Seconded by:	
Action:	Motion does not carry due to a lack of a second.
Main Motion:	Nominate Mitchell Forbes.
Moved by:	Albertson
Seconded by:	Springer
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"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	θ
Main Motion:	Nominate Mike Shantz.
Moved by:	Albertson
Seconded by:	Shabani
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"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	θ
Main Motion:	Nominate Bradon Brink.
Moved by:	Springer
Seconded by:	Shabani
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"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	θ
Main Motion:	Close Nominations.
Moved by:	Springer

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

Round One Voting:

Council Member Fred Watson voted for Michael Shantz
Council Member Naim Shabani voted for Michael Shantz
Council Member Rick Robb voted for Michael Shantz
Council Member Leif Albertson voted for Mitchell Forbes
Council Member Mark Springer voted for Maria Lake

Round Two Voting:

Council Member Fred Watson voted for Michael Shantz
Council Member Naim Shabani voted for Michael Shantz
Council Member Rick Robb voted for Michael Shantz
Council Member Leif Albertson voted for Mitchell Forbes
Council Member Mark Springer voted for Michael Shantz

Council Member Mike Shantz read their oath of office and took their seat at the Council bench.

Item C – Appointment Of Council Member To Committees And Commissions.

Mayor Robb appointed Council Member Naim Shabani to the Public Safety and Transportation Commission, with Council's concurrence.

Mayor Robb appointed Council Member Michael Shantz to the Public Works Committee, with Council's concurrence.

Item D – Health Fitness Monthly Report On The YK Fitness Center.

IX. UNFINISHED BUSINESS

Item A – Public Hearing of Ordinance 17-38: Authorizing The Disposition Of Property Pursuant To BMC 4.08.030(B) – A Non Exclusive Temporary Easement Across Us Survey 4117, Lot 15 In Bethel For Access To ONC Subdivision.

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

Main Motion:	Adopt Ordinance 17-38.
Moved by:	Springer
Seconded by:	Shantz
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	0

Primary Amendment:	Amend to strike "in the attached map" under the Now Be It Ordained.
Moved by:	Albertson
Seconded by:	Shabani
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	0

Item B – Public Hearing of Ordinance 17-39: Repealing And Replacing Chapter 4.16 Of The Bethel Municipal Code, Sales And Use Tax.

Mayor Robb opened the Public Hearing.

Dave Trantham- Encouraged the Council to hold more than one public hearing on the ordinance before passage. The adoption of the Sales Tax Ordinance should include a fiscal note to reserve money to enforce tax collection.

Lori Bradbury – Requested that the Council consider amendments to the way tax is applied and remitted for landlords so it is similar to how other businesses are taxed concerning the purchase of goods which are to be used by the consumer.

Jared Karr- Requested more public hearings on this ordinance. Agreed with Mr. Trantham’s testimony in that it costs money for the City to collect money. Stated Ordinance 17-39 is confusing and is difficult for small business owners to understand.

John Cochrane- Encouraged the Council to ask the members of the finance committee questions as they go through the review of this Ordinance.

Subsidiary Motion:	Suspend the rules to hear from Lorin Bradbury.
Moved by:	Shabani
Seconded by:	Springer
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	0

Lorin Bradbury- Provided a clarifying statement on the use of the utilities.

Bonnie Bradbury- Was surprised to hear the Finance Committee met 19 times.

Mayor Robb closed the Public Hearing.

Main Motion:	Adopt Ordinance 17-39.
Moved by:	Shantz
Seconded by:	Albertson
Action:	Postponed

Primary Amendment:	Amend 4.16.150 L. 2. Tax Exemptions to strike "or" before "a marital and family therapist" and to add "or a license professional councilor" after "therapist."
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	0

Council Member Springer identified Mayor Richard Robb may have a conflict of interest on this issue due to his profession as a licensed professional councilor.

Vice-Mayor Watson ruled, Mayor Robb does not have an indirect or direct financial interest on this issue.

Subsidiary Motion:	Suspend the rules to hear from the Finance Committee Members.
Moved by:	Springer
Seconded by:	Shantz
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	0

Primary Amendment:	Amend 4.16.150 N to strike "The sale of bingo, pull tabs or other gaming activities is not exempt".
Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 5-1
In favor:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	<input checked="" type="checkbox"/> Robb

Subsidiary Motion:	Suspend the rules to hear from members of the public with regard to gaming.
Moved by:	Springer
Seconded by:	Shantz

Action: | Motion carries by a vote of 6-0
 In favor: | Robb Albertson Watson Springer Shabani Shantz
 Opposed: | \emptyset

Amanda Ferguson addressed the Council with an explanation on how gaming fees would differ from gaming taxes.

Primary Amendment: 4.16.050 to strike Section C. Gaming.

Moved by: | Springer
 Seconded by: | Albertson
 Action: | Motion carries by a vote of 6-0
 In favor: | Robb Albertson Watson Springer Shabani Shantz
 Opposed: | \emptyset

Primary Amendment: Postpone

Moved by: | Springer
 Seconded by: | Shabani
 Action: | Motion carries by a vote of 6-0
 In favor: | Robb Albertson Watson Springer Shabani Shantz
 Opposed: | \emptyset

X. NEW BUSINESS

Item A- Introduction Of Ordinance 17-40: Amending Bethel Municipal Code Section 7.10.130 Poll Worker Pay-Election.

Main Motion: Introduce Ordinance 17-40.

Moved by: | Springer
 Seconded by: | Albertson
 Action: | Motion carries by a vote of 6-0
 In favor: | Robb Albertson Watson Springer Shabani Shantz
 Opposed: | \emptyset

Item B -AM 17-52: Direct Administration To Purchase One Transit Vehicle After Having The State Transit Division Combine Two Capital Grants Into One Year, And Use The Unspent State Match Grant, So That 100% Of The City's Match Is Covered By Grants.

Main Motion: Approve AM 17-52.

Moved by: | Springer
 Seconded by: | Shabani

Action:	Motion does not carry by a vote of 2-4
In favor:	<input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Shantz

Item C –Council Review Of Swanson’s Package Store Liquor License.

Council Member Springer declares a potential conflict of interest because of his wife’s share holdings from Sea Lion Corporation.

Mayor Robb ruled Council Member Springer does not have a substantial financial conflict of interest.

Main Motion:	Motion to suspend the rules to hear from representatives of Swanson’s Package Store.
Moved by:	Shabani
Seconded by:	Springer
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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	∅

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

Mayor Richard Robb –
 Thanked the candidates that submitted letters of interest.
 Thanked the Finance Committee for their hard work on the Sales Tax Ordinance.

Vice-Mayor Fred Watson –
 No comment.

Council Member Leif Albertson –
 Congratulated the seven graduates from the Fire Fighter Training.

Council Member Mark Springer –
 Thanked the candidates that submitted letters of interest.

Council Member Naim Shabani –
 Asked the City Clerk to explain the position of City Council and their role with various employees.

Council Member Mike Shantz-

No Comment.

XV. EXECUTIVE SESSION

Item A– In Accordance With 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- Union Negotiations.

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.

Item C- In Accordance With 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- Court House Leased Property Contract.

Move into Executive Session-

In Accordance With 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- Union Negotiations. Those attending Item A were: City Manager, City Attorney, City Clerk and Human Resources Manager.

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. Those Attending Item B were: City Manager, City Attorney and City Clerk,

In Accordance With 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- Court House Leased Property Contract. Those attending Item C were: 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"/> Shabani <input checked="" type="checkbox"/> Shantz
Opposed:	Ø

Council Member Springer department at 10:51p.

XVI. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Shabani
Seconded by:	Albertson

Action: | Motion carries by a vote of 5-0
In favor: | Robb Albertson Watson Shabani Shantz
Opposed: |

Council adjourned at 12:24p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk