



# City of Bethel

P.O. Box 1388

Bethel, Alaska 99559

Phone: 907- 543-2047

Fax: 907-543-3781

**Regular City Council Meeting**

**Tuesday, August 23, 2016**

**6:30 P.M.**

**Council Chambers; Bethel, Alaska**



# City Council Meeting Agenda Regularly Scheduled Meeting August 23, 2016 – 6:30 pm City Hall 300 State Highway, Bethel, AK City of Bethel Council Chambers

Rick Robb  
Mayor  
Term Expires 2017  
543-1879  
[rrobb@cityofbethel.net](mailto:rrobb@cityofbethel.net)

Byron Maczynski  
Vice-Mayor  
Term Expires 2016  
545-8010  
[bmaczynski@cityofbethel.net](mailto:bmaczynski@cityofbethel.net)

Leif Albertson  
Council Member  
Term Expires 2017  
543-2819  
[lalbertson@cityofbethel.net](mailto:lalbertson@cityofbethel.net)

Zach Fansler  
Council Member  
Term Expires 2016  
545-4503  
[zfansler@cityofbethel.net](mailto:zfansler@cityofbethel.net)

Nikki C. Hoffman  
Council Member  
Term Expires 2017  
543-2608  
[nhoffman@cityofbethel.net](mailto:nhoffman@cityofbethel.net)

Alisha Welch  
Council Member  
Term Expires 2017  
545-6026  
[arwelch@cityofbethel.net](mailto:arwelch@cityofbethel.net)

Mary Weiss  
Council Member  
Term Expires 2016  
545-3211  
[mweiss@cityofbethel.net](mailto:mweiss@cityofbethel.net)

Ann Capela  
City Manager  
543-2047  
[acapela@cityofbethel.net](mailto:acapela@cityofbethel.net)

Lori Strickler  
City Clerk  
543-1384  
[lstrickler@cityofbethel.net](mailto:lstrickler@cityofbethel.net)

Patty Burley  
City Attorney

Mary Sattler  
Lobbyist

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PEOPLE TO BE HEARD – Five minutes per person**
- V. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA**
- VI. APPROVAL OF MEETING MINUTES**
  - a) \*8-9-2016 Regular Meeting Minutes
  - b) \*8-12-2016 Special Meeting Minutes
- VII. REPORTS OF STANDING COMMITTEE**
  - a) Public Safety and Transportation Commission
  - b) Port Commission
  - c) Planning Commission
  - d) Parks, Recreation, Aquatic Health And Safety Center Committee
  - e) Finance Committee
  - f) Energy Committee
  - g) Public Works Committee
  - h) Marijuana Advisory Committee
  - i) Non Standing Committee Reports
- VIII. UNFINISHED BUSINESS**
  - a) Public Hearing Of Budget Modification 16-17 (a): A Budget Modification Amending The Fiscal Year 2017 Budget- Sales Tax Audits (Mayor Robb)
  - b) Public Hearing Of Ordinance 16-22: Amending Bethel Municipal Code 18.20.030 To Add Indoor And Outdoor Marijuana Cultivation Facilities (Planning Commission)
  - c) Public Hearing Of Ordinance 16-23: Amending Bethel Municipal Code 18.36.030 To Add Indoor Marijuana Cultivation Facilities, Standard Marijuana Product Manufacturing, Marijuana Testing Facilities, And Marijuana Retail Stores (Planning Commission)
  - d) Public Hearing Of Ordinance 16-24: Amending Bethel Municipal Code 18.40.030 To Add Indoor and Outdoor Marijuana Cultivation Facilities, Standard Marijuana Product Manufacturing Facilities, and Marijuana Concentrate Manufacture Facilities (Planning Commission)
- IX. NEW BUSINESS**
  - a) \*Introduction Of Ordinance 16-25: Amending Bethel Municipal Code Amending Bethel Municipal Code 13.03.030, Individual Sewer System Concerning The Inclusion of Composting and Incinerating Toilets (Energy Committee)

Updated Agenda Posted August 18, Agenda posted on August 17, 2016, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Stickler, City Clerk

(Items on the agenda noted with an asterisk (\*) are considered the consent agenda.

All Resolutions noted with an asterisk (\*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council.

Ordinances introduced with an asterisk (\*) on the consent agenda will automatically be introduced and set for **Public Hearing September 13, 2016**)



**City Council Meeting Agenda  
Regularly Scheduled Meeting  
August 23, 2016 – 6:30 pm  
City Hall 300 State Highway, Bethel, AK  
City of Bethel Council Chambers**

- b) \*Introduction Of Ordinance 16-26: Amending Bethel Municipal Code To Insert Chapter 2.45, Administrative Adjudication (Mayor Robb)
- c) \*Resolution 16-26: Protesting The Issuance Of A Restaurant Eating Place Liquor License To Snack Shack (Council Member Albertson)
- d) AM 16-51: Directing Administration To Work With AVCP Regional Housing Authority To Make Improvements To The Owl Street Park (PRAHTCC)
- e) \*AM 16-52: Appointment Of Jon Cochrane To The Planning Commission (Mayor Robb)
- f) AM 16-53: Directing Administration To Implement An Employee Fitness Program (PRAHSC Committee)
- g) \*AM 16-54: Administrative Leave Request For The City Attorney (Council Member Albertson)
- h) AM 16-55: Direct Administration To Complete And Submit The Intent To Apply Form For State Fiscal Year 2018 Alaska Community Transit Grant To Fund Bethel Transit System (City Manager Capela)
- i) AM 16-56: Authorizing The City Manager To Contract With ETrac, Inc. to Conduct A Hydrographic Survey Of The Kuskokwim River Section For The Port Of Bethel (City Manager Capela)
- j) City Manager Recruitment Process- Recommendations From The Review Committee (Mayor Robb)
- k) Update On The Police Department's Recruitment Process (Council Member Albertson)
- l) Water Quality Report Clarification From Administration (Council Member Weiss)

**X. MAYOR'S REPORT**

**XI. MANAGER'S REPORTS**

**XII. CLERK'S REPORT**

**XIII. COUNCIL MEMBER COMMENTS**

**XIV. EXECUTIVE SESSION**

- a) Subjects That Tend to Prejudice the Reputation and Character of Any Person – City Manager Candidates (Note: All city manager candidates may be discussed during the executive session)
- b) Executive Session To Discuss The Annual Evaluation Of The City Attorney As Per Alaska Statutes 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 (Mayor Robb)

**XV. ADJOURNMENT**

Updated Agenda Posted August 18, Agenda posted on August 17, 2016, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Stickler, City Clerk

(Items on the agenda noted with an asterisk (\*) are considered the consent agenda.

All Resolutions noted with an asterisk (\*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council.

Ordinances introduced with an asterisk (\*) on the consent agenda will automatically be introduced and set for **Public Hearing September 13, 2016**)

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# ***Approval of the Meeting Minutes***

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**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on August 9, 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 Mary Weiss
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski (arrived at 6:37 p.m.)	
<input checked="" type="checkbox"/> Council Member Leif Albertson	
<input checked="" type="checkbox"/> Council Member Alisha Welch	
<b>Members Absent:</b>	
<input type="checkbox"/> Council Member Nikki Hoffman	<input type="checkbox"/> Council Member Zach Fansler
<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 type="checkbox"/> Assistant To City Clerk Adriane Welch

**IV. PEOPLE TO BE HEARD**

Mary Nanuwak – Supported the action of the Marijuana Advisory Committee. Was sad to hear City Manager Capela will be leaving the City.

Garrett Lieb – Provided a sample of what the Bethel Heights water treatment plant water, stated the water from this treatment plant is poor quality. The City needs to make changes to the system to improve the water quality.

*Vice-Mayor Maczynski arrived at 6:37 p.m.*

Stacie Reardon, Health Fitness Representative – Introduced Shadie Rabie and updated the Council on the progress at the YK Fitness Center.

David Trantham, Jr. – 71 years ago, on the 14<sup>th</sup> of October, the War in the Pacific ended. Remember Victory Over Japan day.

**V. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

**Main Motion:** Approve the Consent and Regular Agenda.

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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"/> Welch <input checked="" type="checkbox"/> Weiss
Opposed:	-0

Remove Resolution 16-25, Introduction of Budget Ordinance

**Main Motion:** 16-17 (a), Ordinance 16-22, 16-23 and 16-24.

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Moved by:  Robb

**VI. APPROVAL OF THE MEETING MINUTES**

**Item A** – Special City Council Meeting July 19, 2016

*Passed on the consent agenda.*

**Item B** – Regular City Council Meeting July 26, 2016

*Passed on the consent agenda.*

**VII. REPORTS OF STANDING COMMITTEES**

**Public Safety and Transportation Commission**

Council Member Weiss, Council Representative –  
No report.

**Port Commission**

Council Representative Alisha Welch- A meeting of the Commission has not been held since the last City Council Meeting.

### **Planning Commission**

Ted Meyer, Planning Director –

Considered the three ordinance on Marijuana Zoning presented to the City Council.

### **Parks and Recreation Committee**

Kathy Hanson, Parks, Recreation Aquatic Health and Safety Center –

Provided a recommendation to the City Council to implement the City of Bethel Employee Health Program.

Determination of the maintenance needs at the Owl Street Park.

Designation of the Dog Park next to the Public Health Nursing facility.

Development of the City owned website to the YK Fitness Center, this will be maintained by the facility director.

The Facebook page for the facility is also being put together. The facility director and staff is looking into the water usage at the facility.

Please to see the improvement plan for Pinky's Park, the soccer field.

### **Finance Committee**

City Manager Capela, Committee Member –

The Committee will be meeting again to consider the changes to the sales tax code.

### **Energy Committee**

Council Representative, Zach Fansler –

No one available to provide a report.

### **Public Works Committee**

Council Representative, Byron Maczynski –

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

### **Marijuana Advisory Committee**

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

## **VIII. SPECIAL ORDER OF BUSINESS**

**Item A** – Lieutenant Governor Mallott, Presents The State's Fiscal Crises.

*Lieutenant Governor was unable to attend.*

## **IX. NEW BUSINESS**

**Item A** – Resolution 16-25: Protesting The Issuance Of A Restaurant Eating Place Liquor License To Baba's Pizza & Sub Owned By Surasak Suwanprapa.

1) Baba's Pizza & Sub Opportunity To Defend Per 3 AAC 304.145.

*No one from Baba's Pizza and Subs was present to be heard.*

**Main Motion:** Adopt Resolution 16-25

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

**Main Motion:** Suspend the rules to hear form the Planning Director, Ted Meyer.

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

**Main Motion:** Suspend the rules to hear from the Fire Chief, Bill Howell.

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

**Item B – Introduction Of Budget Modification 16-17: A Budget Modification Amending The Fiscal Year 2017 Budget – Sales Tax Audits.**

**Main Motion:** Table.

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

**Item C – Introduction Of Ordinance 16-22: Amending Bethel Municipal Code 18.20.030 To Add Indoor And Outdoor Marijuana Cultivation Facilities.**

**Main Motion:** Introduce Ordinance 16-22.

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

**Item D** – Introduction Of Ordinance 16-23: Amending Bethel Municipal Code 18.36.030 To Add Indoor Marijuana Cultivation Facilities, Standard Marijuana Product Manufacturing, Marijuana Testing Facilities, And Marijuana Retail Stores.

**Main Motion:** Introduce Ordinance 16-23.

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

**Item E** – Introduction Of Ordinance 16-24: Amending Bethel Municipal Code 18.40.030 To Add Indoor And Outdoor Marijuana Cultivation Facilities, Standard Marijuana Product Manufacturing Facilities, And Marijuana Concentrate Manufacturing Facilities.

**Main Motion:** Introduce Ordinance 16-24.

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

**Item F** – AM 16-51: Directing Administration To Set Up A Meeting With AVCP, RHA To Discuss The Contract For Owl Park And Maintenance Improvements.

**Main Motion:** Approve 16-51.

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

**Item G** – Personal Time Off, City Attorney August 11 And August 29 & 30, 2016.

*Approved on the consent agenda.*

**Item H** – City Manager Recruitment Process.

**X. MAYOR'S REPORT**

**XI. MANAGER'S REPORT**

## **XII. CLERK'S REPORT**

## **XIII. COUNCIL MEMBER COMMENTS**

Mayor Richard Robb –

Provided condolences to the Williams' family.

The silvers are running. For the moose hunter, the tags will be available soon.

Mr. Trantham has address the City and Council on various facts and issues, clarified to the public and to Mr. Trantham that there was nothing mentioned in the investigation nor was the Alaska Territorial Guard.

Vice-Mayor Byron Maczynski –

No comment.

Council Member Albertson –

Encouraged the public to get out and vote.

Council Member Mary Weiss –

No comment.

Council Member Alisha Welch –

No comment.

## **XIV. 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** – 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 – Sales Tax Enforcement.

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.

Move into Executive Session To Discuss Alaska Statutes AS  
44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which  
Would Clearly Have An Adverse Effect Upon The Finances Of

**Main Motion:** The Public Entity – Sales Tax Enforcement.

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

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

*Vice-Mayor Maczynski departed the meeting at 8:48 p.m.*

**Item B – Introduction Of Budget Modification 16-17 (a): A Budget Modification Amending The Fiscal Year 2017 Budget – Sales Tax Audits.**

**Main Motion:** Pull table.

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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"/> Welch <input checked="" type="checkbox"/> Weiss
Opposed:	-0

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

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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"/> Welch <input checked="" type="checkbox"/> Weiss
Opposed:	-0

**Primary**

**Amendment:** Amend to strike \$20,000 and insert \$15,000.

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

**XV. ADJOURNMENT**

**Main Motion:** Adjourn.

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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"/> Weiss <input checked="" type="checkbox"/> Welch
Opposed:	-0

*Council adjourned at 9:54 p.m.*

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Richard Robb, Mayor

ATTEST:

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Lori Strickler, City Clerk

**I. CALL TO ORDER**

A Special Meeting of the Bethel City Council was held on August 12, 2016 at 12:00 p.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 12:00 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 Alisha Welch	
<input checked="" type="checkbox"/> Council Member Leif Albertson	
<input checked="" type="checkbox"/> Council Member Mary Weiss	
<b>Members Absent:</b>	
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski	<input checked="" type="checkbox"/> Council Member Nikki Hoffman
<input checked="" type="checkbox"/> Council Member Zach Fansler	
<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 type="checkbox"/> City Manager Ann Capela	<input type="checkbox"/> Assistant To City Clerk Adriane Welch

**IV. PEOPLE TO BE HEARD**

Dave Trantham Jr. – Provided concerns to the Council on some statements made at the last regular City Council meeting.

**V. APPROVAL OF THE AGENDA**

**Main Motion:** Approve the Consent and Regular Agenda.

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

**VI. NEW BUSINESS**

**Item A** – City Manager Recruitment Process.

1) Candidate Interviews.

Council conducted interviews with Candidate

**VII. ADJOURNMENT**

**Main Motion:** Adjourn

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Moved by:	
Seconded by:	
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

*Council adjourned at 3:47 p.m.*

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Richard Robb, Mayor

ATTEST:

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Lori Strickler, City Clerk

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# ***Reports of Standing Committees***

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# City of Bethel, Alaska

## Public Safety & Transportation Commission

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August 2, 2016

Regular Meeting

Bethel, Alaska

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### I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on August 2, 2016 in the City Hall Council Chambers.

This meeting was called to order at 7:03pm

### II. ROLL CALL

Present: Joan Dewey *Chair*  
Daniel Maczynski

Excused Absent: Mary Weiss *Council Representative*  
Eileen Henrikson *Vice Chair*  
Naim Shabani  
Julene Webber

Ex-Officio Present: Andre Achee *Chief of Police*  
Christina Him *Recorder and Transportation Inspector Designee*

Ex-Officio Absent: Bill Howell *Fire Chief*

A quorum was not established of the Commission.

### III. ADJOURNMENT

*Meeting adjourned at 7:04pm.*

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Christina Him, Recorder

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Joan Dewey, Chair

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# City of Bethel, Alaska

## Public Works Committee Minutes

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July 20, 2016

Regular Meeting

Bethel, Alaska

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### **I. CALL TO ORDER:**

A regular Public Works Committee Meeting was held on July 20, 2016 at the council chambers of the City Hall, Bethel, Alaska. The meeting was called to order at 6:35 pm by Joseph Klejka

### **II. ROLL CALL:**

Comprising a quorum of the committee, the following were present: Joseph Klejka, Byron Maczynski, Jennifer Dobson, and Scott Guinn

Excused absence(s): Robert Champagne and Delbert Egoak

Also Present:

Public Works Director, Muzaffar Lakhani  
Energy Committee Representative, Jody Drew  
City Grant Manager, John Sargent  
City Manager, Ann Capela

### **III. PEOPLE TO BE HEARD: none**

### **IV. APPROVAL OF AGENDA:**

<b>MOVED BY:</b>	Scott Guinn	Motion to approve the agenda.
<b>SECONDED BY:</b>	Byron Maczynski	
<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.	

### **V. APPROVAL OF MINUTES:**

<b>MOVED BY:</b>	Jennifer Dobson	Motion to approve minutes of June 15, 2016 regular meeting.
<b>SECONDED BY:</b>	Byron Maczynski	
<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.	

### **VI. SPECIAL ORDER OF BUSINESS:**

### **VII. UNFINISHED BUSINESS:**

- A.** Institutional Corridor Piped Water Supply Project: The Department of Transportation denied constructing pipe in the public (ROW) right of way. Resulting in acquisition of more easements from YKHC (Yukon-Kuskokwim Health Corporation), BNC (Bethel Native Corporation) and other owners resulting in DOWL Engineering asking for additional \$130,000 in engineering fees to reroute the pipes. City negotiated their fees down to \$90,000.00.

- B.** Sewer Lagoon- PER (Preliminary Engineering Report) and ER (Environmental Report) for Truck Dump site and other options: City Manager Ann Capela presented the committee with documents supporting the truck dump site. Within two years the City should be getting seven new trucks, (Two new sewer trucks and one new water truck has been ordered, and delivery is expected by September 2016 in Bethel).
- C.** Board walk behind the Moravian Church: The Moravian Church boardwalk has been completed, raised and repaired. The repairs were undertaken by city the employees of Utility maintenance division of PW Department.
- D.** Board walk in the Pinky's Park: The repairs of board walk in Pinky's Park has been completed by the Local contractor "Kuqo's Construction" for the contractual dollar amount of \$82,000.00.
- E.** Preventative maintenance logs and schedule for City trucks: Iworqs software is in use, but not to the full extent. The Parts Clerk's position is still vacant, no qualified candidates have applied for this position. Jennifer Dobson requested copy of logs.  
The copies of Logs for the month of June 2016 were provided to the committee.
- F.** Update on boardwalk/trail behind the college to hospital: Committee members discussed different routes to choose from and still yet to make a final decision.
- G.** Closure of the dump for salvage: Mayor Rick Robb wrote a policy that was presented to the committee. All agreed with the document to allow residents to salvage from the dump.

**VIII. NEW BUSINESS:**

- A.** Leveling of the Bethel Heights Water Treatment Plant Building: Pictures were presented to the committee of damage to the concrete floor and the sagging beams and/or heaving piles. Public Works Director, Muzaffar Lakhani also discussed this issue with "DOWL Engineering" city's consultants, who suggested to monitor the cracks in the floor and keep logs, The in charge foreman has been assigned to keep logs. PW Director will look into more options to correct damage.
- B.** Recommendation for ordinance modification allowing composting toilets:

<b>MOVED BY:</b>	Jennifer Dobson	Motion to recommend and permit to composting toilets
<b>SECONDED BY:</b>	Byron Maczynski	
<b>VOTE ON MOTION</b>	Motion carried by unanimous vote.	

- IX. DIRECTOR'S REPORT:** Director of Public Works, Muzaffar Lakhani reports that the PW has started the construction of the multipurpose soccer field in Pinky's Park with the in-house labor force as directed by the city council.  
There was a small fire at the landfill, reportedly may have been caused by medical waste not properly disposed.  
Three new utility trucks are expected to arrive in Bethel in September 2016 last Barge.

**X. MEMBER COMMENTS:**

**Byron Maczynski-** no comment.

**Jennifer Dobson-** I was happy to see the boardwalks repaired at Pinky’s Park and behind the Moravian Church. Commended Public Works for their efforts.

**Scott Guinn-** no comment.

**Joseph Klejka-** no comment.

**XI. ADJOURNMENT:**

<b>MOVED BY:</b>	Jennifer Dobson	Motion to adjourn.
<b>SECONDED BY:</b>	Scott Guinn	
<b>VOTE ON MOTION</b>	Motion carried by unanimous vote	

With no further business, meeting adjourned at 8:34 pm

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
Pauline R. Boratko  
Recorder of Minutes

\_\_\_\_\_  
Joseph Klejka  
Chair

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**City of Bethel, Alaska****Parks, Recreation, Aquatic, Health & Safety Center Committee Minutes**

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August 8, 2016

Regular Meeting

Bethel, Alaska

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**I. CALL TO ORDER**

The meeting was called to order by Judy Wasierski at 6:11 pm.

**II. ROLL CALL**

Comprising a quorum of the Committee, the following were present: Michelle DeWitt, Judy Wasierski, Kathy Hanson, Barbara Mosier, Brian Lefferts, and Rick Robb

Excused absent(s): Beverly Hoffman and Kathryn Baldwin

Also in attendance were the following:

Public Works Director, Muzaffar Lakhani

Committee Recorder, Pauline Boratko

City Grant Manager, John Sargent

Fitness Center Facility Director, Stacey Reardon

Fitness Center Program Manager, Shadi Radi

**III. PEOPLE TO BE HEARD:****IV. APPROVAL OF AGENDA**

MOVED BY:	Rick Robb	Motion to amend the agenda by moving unfinished business item "L" to unfinished business item "A"
SECONDED BY:	Brian Lefferts	
VOTE ON MOTION:	Unanimously approved	

MOVED BY:	Rick Robb	Motion to approve the amended agenda.
SECONDED BY:	Barbara Mosier	
VOTE ON MOTION:	Unanimously approved	

**V. APPROVAL OF THE MINUTES:**

MOVED BY:	Rick Robb	Motion to approve the minutes from regular meeting on July 11, 2016
SECONDED BY:	Brian Lefferts	
VOTE ON MOTION:	Unanimously approved	

**VI. SPECIAL ORDER OF BUSINESS:**

**VII. DEPARTMENT HEAD REPORT:** Public Works Director Muzaffar Lakhani reports the new multi-purpose sports field has been started and it may be completed by the end of this year. Lakhani also reports that one mechanic and one truck driver resigned, one Parks and Recreation and one landfill employee has been hired. Pool Facility Director Stacey Reardon reports that there is a defibrillator on site purchased by the Fire Department, CPR training will be given to all life guards. Reardon also reports that they facility does need more staff and attendance which they will be working on.

**IX. UNFINISHED BUSINESS:**

- A. Individual to report to August 9 City Council Meeting: Kathy Hanson volunteered to give the report.

- B. Trails- Funding, Safety, & Updates: Hand rails are in the process of being built on some parts of the boardwalks anything 2 or more feet higher off the ground.
- C. Fiscal year Parks and Recreation Budget: The Parks and Recreation budget for boardwalk repairs is currently at \$29k, and will be less when all the railings are completed. More information will be discussed when more updated information is presented at the next meeting.
- D. YK Fitness Center Website and Social Media: The Bethel Community Service Foundation (BCSF) donated and hired a website developer, Katie Baldwin as a gift to the city. A Facebook page will soon be created and is currently in the planning stages.
- E. Status of outstanding Recommendations and Action Memorandums to City Council: The Action Memorandum in regards to the Owl Park is on its way to council, and the Action Memorandum regarding the establishment of a Dog Park is currently in the process of getting completed.
- F. Grants: Pinky's Park Improvement and trail between YKHC and college: The soccer field is currently 75% covered with sand. The trail between YKHC and college was approved for a \$400k grant, and construction on that should start next summer
- G. Fiscal Year 2017 Aquatic Center Budget: The budget will be reviewed by the YK Fitness Director Stacey Reardon when more accurate numbers are available, and she should have something by the next meeting in September.
- H. AED (Automated External Defibrillator), Bleachers and Art and remaining FF&E (Furniture, Fixtures, and Equipment)/Arts Budget at the Aquatic Center: AED has been installed at the pool. The Rasmussen grant for the art at the pool is currently in process.
- I. Sub Committee Reports, Marketing and Physical Facility: Brian and Beverly plan to meet next week to provide updated information on the physical facility. No new updates for the marketing subcommittee this month.
- J. AVCP Housing/ City of Bethel Owl Park Agreement: Waiting to hear back from the City Council on the results for the action memorandum concerning the Owl Park Agreement.
- K. Dog Park: Waiting to hear back from the City Council on the results for the action memorandum concerning the Dog Park.
- L. Review of Health/Fitness approved contract: No new updates this month

**X. NEW BUSINESS:**

- A. Rescheduling of the September meeting: After discussion amongst members the rescheduling of the September meeting is unnecessary
- B. 4<sup>th</sup> of July debrief Part 2: Matt Ross was unable to attend the meeting to give his debrief of the 4<sup>th</sup> of July festivities. Judy Wasierski went over the 4<sup>th</sup> of July expenses.
- C. Water metering/billing rate at Fitness Center: Pool Director, Stacey Reardon advises that she will have the water system looked over to see why there is an over usage of water.
- D. City of Bethel Wellness Program: Rick Robb will find out how much money has been set aside for employees for the use of the pool.

MOVED BY:	Rick Robb	Motion to recommended the City Council and Administration to implement a wellness program.
SECONDED BY:	Kathy Hanson	
VOTE ON MOTION	Unanimously approved	

**XI. MEMBER COMMENTS:**

- M. DeWitt- no comment.
- J. Wasierski- Thank you Stacey and Shadi, welcome.
- B. Mosier- Good Job Judy.
- R. Robb- The Lieutenant Governor will be here tomorrow at 5pm.
- B. Lefferts- Soccer is over, glad to be back.
- K. Hanson- no comment.

**XII. ADJOURNMENT:**

MOVED BY:	Kathy Hanson	Motion to adjourn the meeting at 8:06 pm
SECONDED BY:	Brian Lefferts	
VOTE ON MOTION	Unanimously approved	

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_

Pauline Boratko, Committee Recorder

\_\_\_\_\_

Michelle DeWitt, Chair

DRAFT



# City of Bethel, Alaska

## Public Works Committee Agenda

Wednesday August 17, 2016 Regular Meeting 6:30PM City Hall Council Chambers

**MEMBERS**

Joseph Klejka  
*Committee Chair*  
 Term Expires  
 12/2017

Jennifer Dobson  
*Committee V. Chair*  
 Term Expires  
 12/2017

Byron Maczynski  
*Council Rep.*  
 Term Expires  
 10/2016

Scott Guinn  
*Committee Member*  
 Term Expires  
 12/2017

Robert Champagne  
*Committee Member*  
 Term Expires  
 12/2017

Delbert Egoak  
*Committee Member*  
 Term Expires  
 12/2018

Muzaffar Lakhani  
*Ex-Officio Member*

Pauline Boratko  
*Committee Recorder*

- I. CALL TO ORDER:**
- II. ROLL CALL:**
- III. PEOPLE TO BE HEARD: – (5 Minute Limit)**
- IV. APPROVAL OF AGENDA:**
- V. APPROVAL OF MINUTES:**
  - A.** Minutes from the previous regular meeting – July 20, 2016
- VI. SPECIAL ORDER OF BUSINESS:**
- VII. UNFINISHED BUSINESS:**
  - A.** Institutional Corridor Piped Water Supply Project
  - B.** Sewer Lagoon, – PER (Preliminary Engineering Report) & ER (Environmental Report) for Truck Dump Site and other options/Funding strategies for sewer lagoon
  - C.** Preventative maintenance logs and schedule for city trucks---- Byron Maczynski
  - D.** update/discussion on the trail behind the college towards the hospital:---- Joseph Klejka
  - E.** Closure of the dump for salvage:---- Scott Guinn
  - F.** Leveling of the Bethel Heights Water Treatment Plant Building:---- Scott Guinn
  - G.** Recommendation for Ordinance Modification Allowing Composting Toilets:---- John Sargent
- VIII. NEW BUSINESS:**
  - A.** 2015 Water Quality Reports & customer concerns:----Jennifer Dobson
- IX. DIRECTORS REPORT:**
- X. MEMBER COMMENTS:**
- XI. ADJOURNMENT:**

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# ***Unfinished Business***

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Action:  
 Vote:

**CITY OF BETHEL, ALASKA**  
**ORDINANCE #16-17 (a)**

**An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2017 Budget**

**Be it Enacted by the Bethel City Council** that the FY 2017 Annual Budget be amended as follows:

**Section 1.** That the following sums of money as may be needed or deemed necessary to provide for increased expenses and liabilities of the City of Bethel are hereby appropriated for the corporate purposes and objects of the City hereinafter specified for Fiscal Year 2015, July 1, 2016 to June 30, 2017.

**Section 2.** The following is a summary of the changes by fund and department:

**GENERAL FUND (10)**

**Budget Modification**

Change to General Fund

	<b>Increases</b>	
10-53-640	Sales Tax Audits	20,000
	Total Increases	<b>20,000</b>
<b>TOTAL</b>	<b>Net Change to General Fund Appropriations</b>	<b>20,000</b>

**Budget Modification**

Change to General Fund

	<b>Increases</b>	
10-49-495	Miscellaneous Revenue	20,000
	Total Increases	<b>20,000</b>
<b>TOTAL</b>	<b>Net Change to General Fund Revenue</b>	<b>0</b>

***TOTAL CHANGE TO OVERALL CITY BUDGET***

	<i>Change to Revenues Increase/(Decrease)</i>	<b>0</b>
	<i>Change to Appropriations Increase/(Decrease)</i>	
	<b>These changes <u>INCREASE</u>↑ the overall expenditures/expenses of the City by</b>	<b>0</b>

**Section 3.** Effective Date. This ordinance becomes effective immediately upon adoption.

**PASSED AND APPROVED THIS \_\_\_ DAY OF AUGUST BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
 Richard Robb, Mayor

\_\_\_\_\_  
 Lori Strickler, City Clerk

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #16-22**

**AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.20.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES AND OUTDOOR MARIJUANA CULTIVATION FACILITIES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE PRESERVATION ZONING DISTRICT**

**WHEREAS**, Bethel Municipal Code (BMC) Section 5.10.070 states that all marijuana establishments including but not limited to cultivation, manufacturing, testing, and retail stores are permitted only by a Conditional Use Permit; and

**WHEREAS**, the Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses; and

**WHEREAS**, conditional uses are specifically identified in certain zoning districts described in BMC Chapter 18; and

**WHEREAS**, the Preservation Zoning District is intended to apply to significant wetlands and drainage ways that should be preserved as open areas or to which careful attention must be given to development that would disturb the wetlands or affect the drainage ways; and

**WHEREAS**, the Planning Commission has reviewed BMC Title 18 and has considered staff findings regarding the compatibility of marijuana facilities in Bethel zoning districts and recommends that indoor marijuana cultivation facilities and outdoor marijuana cultivation facilities shall be allowed in the City of Bethel Preservation Zoning District, and that these uses be added as Conditional Use designations in Section 18.20.030 , Preservation District Conditional Uses; and

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that: Indoor marijuana cultivation facilities and outdoor marijuana cultivation facilities shall be allowed in the City of Bethel Preservation Zoning District, and that they be added as Conditional Use designations in Section 18.20.030 (Preservation District Conditional Uses).

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

**SECTION 2. Amendment.** Section 18.40.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

## ***Chapter 18.20 PRESERVATION DISTRICT – P DISTRICT***

Sections:

- [18.20.010](#) Intent.
- [18.20.020](#) Permitted and principal uses and structures.
- [18.20.030](#) Conditional uses.
- [18.20.040](#) Minimum lot size and dimensions.
- [18.20.050](#) Minimum setback requirements.
- [18.20.060](#) Maximum height of structures.

### **18.20.010 Intent.**

A. The preservation district is intended to apply to significant wetlands and drainage ways that should be preserved as open areas or to which careful attention must be given to development that would disturb the wetlands or affect the drainageways.

B. When uncertainty exists concerning the actual physical location of the P district boundary line, as shown on the official map, the land use administrator shall inspect the area of uncertainty and shall determine the physical location of the P district boundary and may be guided by the boundaries of the general permit 83-4 and the location or actual presence of wetlands and drainage ways.

C. It is the intent of the city that the boundaries of the P district be consistent with boundaries of general permit 83-4 issued by the Army Corps of Engineers, and that amendments to the official map will be made when the boundaries of the general permit are changed. [Ord. 01-05 § 8.]

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

### **18.20.020 Permitted and principal uses and structures.**

The following are permitted and principal uses and structures in the P district:

- A. Greenbelts.
- B. Trails and boardwalks that do not require the use of fill material.
- C. Subsistence and recreational uses that do not require the use of fill material.
- D. Any accessory use or structure that does not require the use of fill material. [Ord. 01-05 § 8.]

### **18.20.030 Conditional uses.**

A. The following uses and structures are permitted under the terms of a conditional use permit:

- 1. Subsistence, recreational, and accessory uses and structures that require fill;
- 2. Trail, walkways, boardwalks, and roads that require the use of fill;
- 3. Agricultural uses;
- 4. Single-family, duplex, triplex and apartment residential uses; provided, the use of freezer vans as residential units is prohibited;
- 5. Planned unit development;
- 6. Commercial uses permitted as a principal use in the GU district;
- 7. Public and institutional uses permitted as principal uses in the PLI district;
- 8. Landing strips and air taxi services.
- 9. Indoor Marijuana Cultivation Facilities (within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors).
- 10. Outdoor marijuana cultivation facility (to take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.

B. Any conditional use that requires dredge or fill activity in an area designated by the Army Corps of Engineers as a significant wetland requires an approved Corps of Engineers' individual permit before final planning commission approval. [Ord. 01-05 § 8.]

### **18.20.040 Minimum lot size and dimensions.**

A. A lot may not contain less than seven thousand (7,000) square feet.

B. Unless a specific waiver of the minimum frontage requirement was given when the lot was platted, a lot may not have a street frontage of less than forty (40) feet; except, a lot that fronts on a cul-de-sac may have not less than twenty-five (25) feet fronting on a public street.

C. The minimum lot size for an apartment is ten thousand (10,000) square feet for the first (1st) four (4) units and an additional one thousand (1,000) square feet for each additional unit. [Ord. 01-05 § 8.]

### **18.20.050 Minimum setback requirements.**

Structures, other than minor structures, in the P district shall be set back from property lines to provide yards as follows:

A. Front yard: Fifteen (15) feet.

B. Side yard: Ten (10) feet.

C. Rear yard: Ten (10) feet.

D. Twenty-five (25) feet from the mean high water mark of any drainage or lake. [Ord. 01-05 § 8.]

### **18.20.060 Maximum height of structures.**

The height of a structure in the P district is not restricted except as may be limited under airport height restrictions applied under BMC [18.48.250](#) through [18.48.270](#). [Ord. 01-05 § 8.]

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon passage by the City Council.

**ENACTED THIS    DAY OF 2016, BY A VOTE OF    IN FAVOR AND  
OPPOSED.**

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Richard Robb, Mayor

ATTEST:

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Lori Strickler, City Clerk

## Attorney Recommendation

*CITY OF BETHEL, ALASKA*

### **Ordinance #16-22**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.20.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES AND OUTDOOR MARIJUANA CULTIVATION FACILITIES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE PRESERVATION ZONING DISTRICT**

### ***Chapter 18.20*** ***PRESERVATION DISTRICT – P DISTRICT***

Sections:

- [18.20.010](#) Intent.
- [18.20.020](#) Permitted and principal uses and structures.
- [18.20.030](#) Conditional uses.
- [18.20.040](#) Minimum lot size and dimensions.
- [18.20.050](#) Minimum setback requirements.
- [18.20.060](#) Maximum height of structures.
- [18.20.070](#) Minimum requirements for marijuana cultivation facilities

#### **18.20.030 Conditional uses.**

A. The following uses and structures are permitted under the terms of a conditional use permit:

1. Subsistence, recreational, and accessory uses and structures that require fill;
2. Trail, walkways, boardwalks, and roads that require the use of fill;
3. Agricultural uses, to include marijuana cultivation facilities;
4. Single-family, duplex, triplex and apartment residential uses; provided, the use of freezer vans as residential units is prohibited;
5. Planned unit development;
6. Commercial uses permitted as a principal use in the GU district;

## Attorney Recommendation

7. Public and institutional uses permitted as principal uses in the PLI district;

8. Landing strips and air taxi services.

9. ~~Indoor Marijuana Cultivation Facilities (within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors).~~

10. ~~Outdoor marijuana cultivation facility (to take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.~~

B. Any conditional use that requires dredge or fill activity in an area designated by the Army Corps of Engineers as a significant wetland requires an approved Corps of Engineers' individual permit before final planning commission approval. [Ord. 01-05 § 8.]

### **18.20.070 Minimum Requirements for Marijuana Cultivation Facilities**

A. Indoor cultivation facilities must be full enclosed and secure. If the facility will be a greenhouse, in addition the need to be fully enclosed and secure, the greenhouse must have rigid walls, a roof and doors.

B. Outdoor cultivation facilities must be obscured from public view either by a sight-obscuring wall or a fence at least six feet in height.

**SUMMARY OF RECOMMENDATIONS BY THE PLANNING COMMISSION**  
**For Zoning the Four Types of Marijuana Facilities in Bethel**  
**July 28, 2016 PC Meeting**

**Preservation Zone District**

1. Indoor Marijuana Cultivation Facilities
2. Outdoor Marijuana Cultivation Facilities

**General Use Zone District**

1. Indoor Marijuana Cultivation Facilities
2. Standard Marijuana Product Manufacturing Facilities
3. Marijuana Testing Facilities
4. Marijuana Retail Stores

**Industrial Zone District**

1. Indoor Marijuana Cultivation Facilities
2. Outdoor Marijuana Cultivation Facilities
3. Standard Marijuana Product Manufacturing Facilities
4. Marijuana Concentrate Manufacturing Facilities

**Note:** No commercial or industrial activities allowed in the Open Space District, Public Lands and Institutions District, or the Residential District.

**Marijuana Facility Definitions**

**1. Indoor Marijuana Cultivation Facility**

Within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors.

**2. Outdoor marijuana cultivation facility**

May take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high

**3. Standard Marijuana Product Manufacturing Facility**

Manufacture, refine, process, cook, package, label, or store marijuana products. No production of concentrates allowed.

**4. Marijuana concentrate manufacturing facility**

Production of marijuana concentrate only.

**5. Marijuana Testing Facilities**

Marijuana testing labs test for potency and contaminants.

**6. Marijuana Retail Store**

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #16-23**

**AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.36.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, STANDARD MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND MARIJUANA RETAIL STORES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE GENERAL USE ZONING DISTRICT**

**WHEREAS**, Bethel Municipal Code (BMC) Section 5.10.070 states that all marijuana establishments including but not limited to cultivation, manufacturing, testing, and retail stores are permitted only by a Conditional Use Permit; and

**WHEREAS**, the Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses; and

**WHEREAS**, conditional uses are identified in specific zoning districts described in BMC Chapter 18; and

**WHEREAS**, the General Use District is intended to allow a mix of compatible residential and commercial uses; and

**WHEREAS**, the Planning Commission has reviewed BMC Title 18 and has considered staff findings regarding the compatibility of marijuana facilities in Bethel zoning districts and recommends that indoor marijuana cultivation facilities, standard marijuana product manufacturing facilities, marijuana testing facilities, and marijuana retail stores shall be allowed in the City of Bethel General Use District, and that these uses be added as Conditional Use designations in Section 18.36.030 , General Use District Conditional Uses; and

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that: Indoor marijuana cultivation facilities, standard marijuana product manufacturing facilities, marijuana testing facilities, and marijuana retail stores shall be allowed in the City of Bethel General Use District, and that they be added as Conditional Use designations in Section 18.36.030 (General Use District Conditional Uses).

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

**SECTION 2. Amendment.** Section 18.36.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

***Chapter 18.36***  
***GENERAL USE DISTRICT – GU DISTRICT***

Sections:

- [18.36.010](#) Intent.
- [18.36.020](#) Permitted and principal uses and structures.
- [18.36.030](#) Conditional uses.
- [18.36.040](#) Minimum lot size.
- [18.36.050](#) Minimum setback requirements.
- [18.36.060](#) Maximum height of structure.

**18.36.010 Intent.**

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district. [Ord. 01-05 § 8.]

**18.36.020 Permitted and principal uses and structures.**

The following are permitted and principal uses and structures in the GU district:

- A. Trails and boardwalks.
- B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
- C. Single-family dwelling units.
- D. Duplex uses.
- E. Greenbelts and land reserves.
- F. Subsistence activities.

Introduced by: Planning Commission  
Date: August 9, 2016  
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Vote:

G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van as a residential unit is specifically prohibited, but its use as an accessory structure for storage is not prohibited.

H. The facilities of sewer, water and other utilities.

I. All uses listed as conditional uses in the PLI district.

J. Triplexes and apartment buildings.

K. Commercial uses and structures, including:

1. Delicatessens, meat, seafood, and other food specialty shops.
2. Art and picture framing shops.
3. Shoe repair shops.
4. Bookstores, stationery, gift, novelty, souvenir, and card shops.
5. Drug stores.
6. Laundry and dry cleaning shops.
7. Beauty and barber shops.
8. Cafes, restaurants, drive-in and fast-food restaurants, and other places serving food and beverages.
9. Knit shops, yarn shops, dry goods, dressmaking and notions stores.
10. Small appliance repair shops.
11. Photography studios, art studios.
12. Sporting goods stores, bicycle sale shops.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

13. Business, professional, and administrative offices.
14. Day care facilities.
15. Video stores.
16. Clothing, apparel, and shoe stores.
17. Hobby store.
18. Florist.
19. Tobacco store.
20. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale at retail or wholesale on the premises, but not to include yards for storage or display of any scrap, junk, or salvaged materials or for any scrap or salvage operations.
21. Jewelry stores.
22. General merchandising store.
23. Wholesale and retail camera and photographic supply stores.
24. Funeral services, including crematoriums.
25. Motion picture theaters and live theaters.
26. Banking and financial institutions.
27. Medical and health services.
28. Business service establishments, including office supply and printing and publishing establishments.
29. Parking lots.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

30. Taxicab and dispatching offices.
31. Hotels, motels, hostels, bed and breakfasts, bunk houses and boarding houses.
32. Radio and television studios.
33. Plumbing and heating service and equipment dealers.
34. Paint, glass and wallpaper stores.
35. Electrical or electronic appliances, parts and equipment.
36. Gasoline service stations.
37. Aircraft and marine parts and equipment stores, and outboard motor repair.
38. Antiques and secondhand stores, including auctions, pawnshops.
39. Automotive accessories, parts and equipment stores.
40. Automotive repair, services and garages.
41. Motor vehicle dealers, new and used.
42. Wholesale and retail fur repair, storage, and sales.
43. Automobile display lots, new and used.
44. Lumber yards and builders supply stores.
45. Nurseries and garden supply stores.
46. Automobile car washes.
47. Air passenger terminals.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

48. Amusement arcades, billiard parlors, bowling alleys, roller and ice skating rinks.

49. Veterinary clinics and boarding kennels, with activities conducted in a completely enclosed building.

50. Vocational or trade schools.

51. Wholesale and retail furniture and home finishing stores.

52. Wholesale and retail radio and television stores.

53. Wholesale and retail household appliance stores.

54. Wholesale, industrial, and retail hardware stores.

55. Merchandise vending machines sales and service.

56. Frozen food lockers.

57. All-terrain vehicles remodeling or repair.

58. Boat building.

59. Sign shops.

60. Cabinet shops.

61. Cleaning, laundry or dyeing plants.

62. Other commercial uses of a character similar to those uses listed in this section. [Ord. 01-05 § 8.]

### **18.36.030 Conditional uses.**

The following uses and structures are permitted in the GU district under the terms of a conditional use permit:

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

- A. Industrial uses permitted in the I district.
- B. Radio and television towers and antennas, but not including amateur radio and citizen band radio antennas that are accessory to the principal use of the lot.
- C. Landing strips and air taxi services.
- D. Planned unit developments. [Ord. 01-05 § 8.]
- E. Alcohol Sales and Dispensing
- F. Indoor Marijuana Cultivation Facilities (within a fully enclosed secure indoor facility or greenhouse with rigid walls, a roof and doors).
- G. Standard Marijuana Product Manufacturing Facilities (manufacture, refine, process, cook, package, label, or store marijuana product. No production of marijuana concentrate is allowed).
- G. Marijuana Testing Facilities
- H. Marijuana Retail Store

**18.36.040 Minimum lot size.**

The minimum lot size in the GU district is seven thousand (7,000) square feet. [Ord. 01-05 § 8.]

**18.36.050 Minimum setback requirements.**

Structures, other than minor structures, in the GU district shall be set back from property lines to provide yards as follows:

- A. Front yard: Fifteen (15) feet.
- B. Side yard: Ten (10) feet.
- C. Rear yard: Ten (10) feet.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

D. Twenty-five (25) feet from the mean high water mark of any drainage or lake. [Ord. 01-05 § 8.]

**18.36.060 Maximum height of structure.**

The height of a structure in the GU district is not restricted except as may be limited under airport height restrictions applied under BMC [18.48.250](#) through [18.48.270](#). [Ord. 01-05 § 8.]

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon passage by the City Council.

**ENACTED THIS    DAY OF 2016, BY A VOTE OF    IN FAVOR AND  
OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

**Ordinance #16-23**

**AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.36.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, STANDARD MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES, AND MARIJUANA RETAIL STORES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE GENERAL USE ZONING DISTRICT**

***Chapter 18.36  
GENERAL USE DISTRICT – GU DISTRICT***

Sections:

- [18.36.010](#) Intent.
- [18.36.020](#) Permitted and principal uses and structures.
- [18.36.030](#) Conditional uses.
- [18.36.040](#) Minimum lot size.
- [18.36.050](#) Minimum setback requirements.
- [18.36.060](#) Maximum height of structure.
- [18.36.070](#) Minimum Requirements for Marijuana Facilities

[18.36.070](#) Minimum Requirements for Marijuana Facilities

A. Indoor cultivation facilities must be full enclosed and secure. If the facility will be a greenhouse, in addition the need to be fully enclosed and secure, the greenhouse must have rigid walls, a roof and doors.

B. Outdoor cultivation facilities must be obscured from public view either by a sign-obscuring wall or a fence at least six feet in height.

**AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.36.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, ~~STANDARD MARIJUANA PRODUCT MANUFACTURING FACILITIES~~, MARIJUANA TESTING FACILITIES, AND MARIJUANA RETAIL STORES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE GENERAL USE ZONING DISTRICT**

**Fourth Whereas Statement:**

**WHEREAS**, the Planning Commission has reviewed BMC Title 18 and has considered staff findings regarding the compatibility of marijuana facilities in Bethel zoning districts and recommends that indoor marijuana cultivation facilities, ~~standard marijuana product manufacturing facilities~~, marijuana testing facilities, and marijuana retail stores shall be allowed in the City of Bethel General Use District, and that these uses be added as Conditional Use designations in Section 18.36.030 , General Use District Conditional Uses; and

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that: Indoor marijuana cultivation facilities, ~~standard marijuana product manufacturing facilities~~, marijuana testing facilities, and marijuana retail stores shall be allowed in the City of Bethel General Use District, and that they be added as Conditional Use designations in Section 18.36.030 (General Use District Conditional Uses).

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

**SECTION 2. Amendment.** Section 18.36.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

**18.36.030 Conditional uses.**

The following uses and structures are permitted in the GU district under the terms of a conditional use permit:

**~~G. Standard Marijuana Product Manufacturing Facilities (manufacture, refine, process, cook, package, label, or store marijuana product. No production of marijuana concentrate is allowed).~~**

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #16-24**

**AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.40.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, OUTDOOR MARIJUANA CULTIVATION FACILITIES, STANDARD MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND MARIJUANA CONCENTRATE MANUFACTURING FACILITIES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE INDUSTRIAL ZONING DISTRICT**

**WHEREAS**, Bethel Municipal Code (BMC) Section 5.10.070 states that all marijuana establishments including but not limited to cultivation, manufacturing, testing, and retail stores are permitted only by a Conditional Use Permit; and

**WHEREAS**, the Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses; and

**WHEREAS**, conditional uses are specifically identified in certain zoning districts described in BMC Chapter 18; and

**WHEREAS**, the Industrial Zoning District is intended to apply to areas where industrial development is the predominant, or is expected to be the predominant use; and

**WHEREAS**, the Planning Commission has reviewed BMC Title 18 and has considered staff findings regarding the compatibility of marijuana facilities in Bethel zoning districts and recommends that indoor marijuana cultivation facilities, outdoor marijuana cultivation facilities, standard marijuana product manufacturing facilities, and marijuana concentrate manufacturing facilities shall be allowed in the City of Bethel Industrial Zoning District, and that these uses be added as Conditional Use designations in Section 18.40.030 , Industrial District Conditional Uses; and

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that: indoor marijuana cultivation facilities, outdoor marijuana cultivation facilities, standard marijuana product manufacturing facilities, and marijuana concentrate manufacturing facilities shall be allowed in the City of Bethel Industrial District, and that they be added

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

as Conditional Use designations in Section 18.40.030 (Industrial District Conditional Uses).

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

**SECTION 2. Amendment.** Section 18.40.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

## ***Chapter 18.40*** ***INDUSTRIAL DISTRICT – I DISTRICT***

Sections:

- [18.40.010](#) Intent.
- [18.40.020](#) Permitted and principal uses and structures.
- [18.40.030](#) Conditional uses.
- [18.40.040](#) Minimum lot size.
- [18.40.050](#) Minimum setback requirements.
- [18.40.060](#) Maximum height of structures.

### **18.40.010 Intent.**

The industrial district is intended to apply to areas where industrial development is the predominant, or is expected to be the predominant use. [Ord. 01-05 § 8.]

### **18.40.020 Permitted and principal uses and structures.**

A. Commercial uses permitted as principal uses in the GU district, except that all residential uses and structures are prohibited unless specifically authorized in this section.

B. One dwelling unit occupied by the owner, the manager or a watchman of a principal use on the lot.

C. Any accessory use or structure associated with the principal use or structure on the lot.

D. Industrial uses, including:

1. Airplane assembly, remodeling or repair.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

2. Airports.
3. Machine shops.
4. Metal working or welding shops.
5. Sawmills.
6. Steel fabrication shops or yards.
7. Iretthane foaming yards or plants.
8. Warehouses.
9. Shipping or receiving terminals.
10. Bulk fuel distribution and storage.
11. Cement manufacturing.
12. Distillation of wood, coal or bones.
13. Tannery.
14. Paper manufacturing.
15. Poison manufacturing.
16. Printing ink manufacturing.
17. Rock and stone crushing mill.
18. Natural resource extraction, such as a sandpit.
19. Cargo dock facility or freight transfer area.
20. Fish processing plants.

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

21. Fiberglass fabrication shops or yards.
22. Junk yards and salvage yards.
23. Land fills, solid waste processing facilities.
24. Sewage treatment facilities.
25. Other industrial uses of a character similar to those uses listed in this section.
26. Recreational uses, to include the Bethel shooting range. [Ord. 11-22 § 2; Ord. 01-05 § 8.]

#### **18.40.030 Conditional uses.**

The following uses and structures are permitted in the I district under the terms of a conditional use permit:

- A. Planned unit developments. [Ord. 01-05 § 8.]
- B. Indoor marijuana cultivation facility (shall be conducted within a fully enclosed indoor facility or greenhouse with rigid walls, a roof, and doors.
- C. Outdoor marijuana cultivation facility (may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.
- D. Standard marijuana product manufacturing facilities (manufacture, refine, process, cook, package, label, or store marijuana product.
- E. Marijuana concentrate manufacturing facility (production of marijuana concentrate only).

#### **18.40.040 Minimum lot size.**

The minimum lot size in the I district is seven thousand (7,000) square feet. [Ord. 01-05 § 8.]

Introduced by: Planning Commission  
Date: August 9, 2016  
Public Hearing: August 23, 2016  
Action:  
Vote:

**18.40.050 Minimum setback requirements.**

Structures, other than minor structures, in the I district shall be set back from property lines to provide the following yards:

- A. Front yard: Fifteen (15) feet.
- B. Side yard: Ten (10) feet.
- C. Rear yard: Ten (10) feet.
- D. Twenty-five (25) feet from the high water mark of any drainage or lake. [Ord. 01-05 § 8.]

**18.40.060 Maximum height of structures.**

The height of a structure in the I district is not restricted except as may be limited under airport height restrictions applied under BMC [18.48.250](#) through [18.48.270](#). [Ord. 01-05 § 8.]

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon passage by the City Council.

**ENACTED THIS DAY OF 2016, BY A VOTE OF IN FAVOR AND OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

## Ordinance #16-24

# AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.40.030 OF THE BETHEL MUNICIPAL CODE TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, OUTDOOR MARIJUANA CULTIVATION FACILITIES, STANDARD MARIJUANA PRODUCT MANUFACTURING FACILITIES, AND MARIJUANA CONCENTRATE MANUFACTURING FACILITIES AS CONDITIONAL USE PERMIT DESIGNATIONS IN THE INDUSTRIAL ZONING DISTRICT

## ***Chapter 18.40 INDUSTRIAL DISTRICT – I DISTRICT***

Sections:

- [18.40.010](#) Intent.
- [18.40.020](#) Permitted and principal uses and structures.
- [18.40.030](#) Conditional uses.
- [18.40.040](#) Minimum lot size.
- [18.40.050](#) Minimum setback requirements.
- [18.40.060](#) Maximum height of structures.
- [18.40.070](#) Minimum Requirements for Marijuana Facilities

### **18.40.030 Conditional uses.**

The following uses and structures are permitted in the I district under the terms of a conditional use permit:

- A. Planned unit developments.
- B. Marijuana Cultivation Facilities (indoor and outdoor);
- C. Marijuana Product Manufacturing Facilities
- D. Marijuana Concentrate Manufacturing Facilities.
- ~~E. Indoor marijuana cultivation facility (shall be conducted within a fully enclosed indoor facility or greenhouse with rigid walls, a roof, and doors.~~
- ~~F. Outdoor marijuana cultivation facility (may take place in non-rigid greenhouses, other structures, or an expanse of open or cleared ground fully enclosed by a physical barrier. To obscure public view of the premises, outdoor production must be enclosed by a sight-obscuring wall or fence at least six feet high.~~

~~G. Standard marijuana product manufacturing facilities (manufacture, refine, process, cook, package, label, or store marijuana product).~~

~~H. Marijuana concentrate manufacturing facility (production of marijuana concentrate only).~~

#### **18.40.060 Maximum height of structures.**

The height of a structure in the I district is not restricted except as may be limited under airport height restrictions applied under BMC [18.48.250](#) through [18.48.270](#). [Ord. 01-05 § 8.]

#### 18.40.070 Restrictions on Marijuana Facilities

~~A. Indoor cultivation facilities must be full enclosed and secure. If the facility will be a greenhouse, in addition the need to be fully enclosed and secure, the greenhouse must have rigid walls, a roof and doors.~~

~~B. Outdoor cultivation facilities must be obscured from public view either by a sign-obscuring wall or a fence at least six feet in height.~~

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# ***New Business***

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## *CITY OF BETHEL, ALASKA*

### **Ordinance # 16-25**

#### **AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE CHAPTER 13.08.300 INDIVIDUAL SEWER SYSTEM CONCERNING THE INCLUSION OF COMPOSTING AND INCINERATING TOILETS**

- WHEREAS,** the City of Bethel is committed to reducing its energy use and reducing the costs associated with that use;
- WHEREAS,** City water production and distribution and sewage collection and treatment is expensive;
- WHEREAS,** permitting the installation and use of composting and/or incinerating toilets has no negative financial impact on the City of Bethel;
- WHEREAS,** permitting the installation and use of composting and/or incinerating toilets will reduce water use and sewage production;
- WHEREAS,** permitting the installation and use of composting and/or incinerating toilets has the potential to provide financial and water savings to property owners;
- WHEREAS,** composting and incinerating toilets are proven technologies with decades of safe, effective use in other municipalities in the United States and around the world.

**THEREFORE, BE IT ORDAINED** by the Bethel City Council that:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Bethel Municipal Code.

Section 2. Amendment. Chapter 13.08.300 of the Bethel Municipal Code titled Individual Sewer System is hereby amended to read as follows (new wording is underlined and deleted wording is stricken):

13.08.290 Unlawful sewage disposal.

It is unlawful for a person to dispose of sewage, liquid waste or human excreta from

Introduced by: Energy Committee  
Date: August 23, 2016  
Action:  
Vote:

any premises by any method other than through a composting or incinerating toilet or utilization of the city sewer service or its appointed designee.

13.08.300 Individual sewer system.

It is unlawful for any person to operate or maintain an individual disposal system, without a state wastewater discharge permit, unless the individual disposal system is a composting or incinerating toilet, 18 AAC 72.010. All composting or incinerating toilets must meet the following conditions:

1. Composting toilets utilize a waterless toilet in conjunction with a tank in which aerobic bacteria break down the waste. Incinerating toilets burn human waste. Composting and incinerating toilets must conform to NSF/ANSI Standard 41.
2. In restrooms accessible to employees or the public, a permanent placard must be installed on the wall immediately adjacent composting and or incinerating toilets. The bottom edge of the placard must be between 35" and 48" above the floor. The placard will state that a composting toilet is present and provide instructions for its use. Lettering on the placard will be no less than 1/4" in height and easy to read.
3. When restrooms are required to be accessible, composting and/or incinerating toilets in those rest rooms must also meet all accessibility requirements.
4. When composting or incinerating toilets are installed in a residence, permanent use and maintenance instructions must be provided to subsequent owners or tenants. The property owner is responsible for providing training to tenants in the proper use and care of composting or incinerating toilets.
5. Notice that the building contains composting and or incinerating toilets must be recorded in the permanent property record.

**ENACTED THIS 23<sup>rd</sup> DAY OF AUGUST 2016 BY A VOTE OF \_\_\_\_\_ IN FAVOR AND \_\_\_\_\_ OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #16-26**

**AN ORDINANCE BY THE BETHEL CITY COUNCIL CREATING CHAPTER 2.45 OF THE BETHEL MUNICIPAL CODE - ADMINISTRATIVE ADJUDICATION**

**WHEREAS**, the Bethel Municipal Code (BMC) currently contains sections that allow for the review of decisions made by department heads, committees, commissions and/or the City Manager;

**WHEREAS**, over the last three (3) years the BMC has been undergoing a review and updates have been proposed to correct outdated language or to simplify areas that have gotten confusing or become inapplicable with the passage of time;

**WHEREAS**, as the BMC is updated, the need for a stronger review process has become apparent;

**WHEREAS**, in order to provide citizens and those doing business with the City of Bethel better opportunity to have a grievance heard, it is necessary that a mechanism be in place that allows both sides to have as much information as possible about the nature of an allegation or accusation so that they may properly respond;

**WHEREAS**, since that time, applications for additional licenses within the City of Bethel have been submitted to the Alcohol and Marijuana Control Office (formerly the Alcohol Beverage Control Board); and

**WHEREAS**, the proposed language is intended to be a starting point making it clear to all that decisions are reviewable but that both sides have a right to know what is being alleged and both sides have a right to be fully prepared to respond;

**THEREFORE, BE IT ORDAINED** by the City Council of Bethel, Alaska, that: section 2.45 Administrative Adjudication is hereby added to the BMC.

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

**SECTION 2. Amendment.** Section 18.61 of the Bethel Municipal Code is created as follows (new language is underlined and old language is stricken):

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

## **2.45 Administrative Adjudication**

- 2.45.010 Applicability of Section
- 2.45.020 Definitions
- 2.45.030 Accusation
- 2.45.040 Application for Administrative Decision
- 2.45.050 Notice of Appeal
- 2.45.060 Date of Hearing
- 2.45.070 Hearing Procedures
- 2.45.080 Scope of Review
- 2.45.090 Decisions
- 2.45.100 Reconsideration
- 2.45.110 Ex Parte Contacts Prohibited
- 2.45.120 Conflicts of Interest
- 2.45.130 Transition Measures
- 2.45.140 Appeals from Administrative Decision

### 2.45.010 Applicability of Section

Except as otherwise provided by this Code or by law, the provisions of this chapter apply to all quasi-judicial proceedings and administrative hearings conducted by City officials, agencies, boards and commissions and the City Council. Where the provisions of this chapter are in conflict with the specific provisions of another law, statute or ordinance, the provisions of that law, statute or ordinance shall govern.

### 2.45.020 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. "Administrative hearing" means any hearing, formal conference or other proceeding before a City board, agency, commission or official which is required by law or by this Code as a condition precedent to the determination by such board, agency, commission or official of any matter relating to the rights, privileges, duties, obligations or remedies of an identified individual.
2. "Agency, board and commission" mean any elected or appointed body, department, division or other administrative organ of the City having any legislative, quasi-judicial or administrative functions.
3. "Official" means any person elected, appointed, named or employed by the City to conduct as part of his duties quasi-judicial proceedings or administrative hearings.
4. "Quasi-judicial proceeding" means any hearing, formal conference or other proceeding before a City board, commission or official, to review the legality, appropriateness or wisdom of official actions taken on behalf of the City as they

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

relate to the particular legal rights, privileges, duties, obligations or remedies of identified individuals.

#### 2.45.030 Accusation

An administrative hearing permitted under this Code to determine whether a right, authority, license, privilege or permit should be suspended, revoked, limited or conditioned shall be initiated by the filing of an accusation on behalf of the official, board or commission empowered to take such action. The accusation:

- A. Shall set forth in writing, in ordinary and concise language, the acts or omissions with which the respondent is charged so that a defense may be prepared;
- B. Shall specify the ordinance, statute or regulation which the respondent is alleged to have violated, but may not consist merely of charges phrased in the language of the statute and rule; and
- C. Must be served personally on the respondent, or in compliance with the Alaska Rules of Court.

#### 2.45.040 Application for Administrative Decision

An administrative hearing permitted under this Code to determine whether a right, authority, license, permit or privilege shall be granted, issued or reviewed is initiated by the filing of a written application for such administrative action with the official, board or commission empowered by law to take such action. The written application must identify the applicant, specify the nature of the right, authority, license, permit or privilege desired by the applicant, explain the reasons for such application, and recite the legal authority for such application. The application shall be served personally on the official, agency, board or commission empowered to make the decision.

#### 2.45.050 Notice of Appeal

Where, under the provisions of this Code, a quasi-judicial proceeding is permitted to review an administrative action, the appellant shall apply in writing to the official, board or commission empowered to hear such appeal and shall identify himself, cite the administrative decision from which the appeal is taken, and in a succinct and coherent manner state the reasons for such appeal.

#### 2.45.060 Date of Hearing

- A. Where an administrative hearing is allowed following an accusation as described in section 2.45.030, such hearing shall take place no less than thirty (30) calendar days and no more than sixty (60) calendar days following the date of service of such accusation on the respondent unless the parties agree to extend or reduce the time for a hearing. Any changes in scheduling are subject to approval of the hearing officer.
- B. Where an administrative hearing is permitted upon formal application by one seeking any right, authority, license, permit or privilege, such hearing shall take place no less

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

than forty-five (45) calendar days and no more than ninety (90) calendar days following date of actual receipt of such application by the administrative official, agency, board or commission empowered to conduct such administrative hearing unless the parties agree to extend or reduce the time for a hearing. Any changes in scheduling are subject to approval of the hearing officer.

- C. Where a quasi-judicial proceeding is permitted to review any administrative action taken on behalf of the City, such proceeding shall take place no more than sixty (60) calendar days following the date a written notice of appeal as provided by section 2.45.050 is filed with the official, board or commission empowered to hear such appeal unless the parties agree to extend the time for a hearing. Any changes in scheduling are subject to approval of the hearing officer.

#### 2.45.070 Hearing Procedures

Administrative hearings and quasi-judicial proceedings shall be conducted informally and may be governed by such rules and procedures as the official board or commission empowered to conduct such hearings or proceedings may choose to establish, except that:

- A. Parties may appear in person or through counsel.
- B. Parties may present witnesses and evidence on their own behalf.
- C. Parties or their counsel may cross examine opposing witnesses on matters relevant to the issues, impeach witnesses regardless of which party first called the witness to testify, and rebut evidence against the party.
- D. Relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of a common law or statutory rule which makes improper the admission of the evidence over objection in a civil action. Hearsay evidence may be considered provided there are guarantees of its trustworthiness and that it is more probative on the point for which it is offered than any other evidence which the proponent can procure by reasonable efforts.
- E. All administrative hearings and quasi-judicial proceedings shall be open to the public, unless otherwise agreed by all parties to such hearings or proceedings.
- F. All parties shall have the right to subpoena witnesses and documents using a form provided by the City clerk and submitted to the City clerk for issuance at least ten (10) business days before the date of the hearing.
- G. All administrative hearings and quasi-judicial proceedings shall be memorialized by an electronic recording.

#### 2.45.080 Scope of Review

Unless otherwise provided in this Code, officials, boards or commissions empowered to conduct quasi-judicial proceedings may hear and decide de novo all matters appealed and may exercise independent judgment as to the weight of evidence supporting or

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

refuting the findings of the City official, board or commission from whose decision the appeal is taken, and may exercise independent judgment on legal issues raised by the parties. Decisions by Department Heads or city officials may be modified, remanded or affirmed by the reviewing official, board or commission.

#### 2.45.090 Decisions

No later than thirty (30) calendar days following an administrative hearing or quasi-judicial proceeding conducted under this chapter, the official, agency, board or commission empowered to conduct an administrative hearing or proceeding shall issue a written decision based on findings and conclusions adopted by the official, agency, board or commission. Such findings must be in writing and must be reasonably specific so as to provide interested persons and, where appropriate, reviewing authorities, a clear and precise understanding of the reasons for the decision entered. The decision, findings of fact and conclusions of law shall be forwarded to all parties to the appeal. A final appealable decision must indicate that it is a final order and that a party disputing the decision has thirty (30) calendar days to appeal.

#### 2.45.100 Reconsideration

A decision of a board, commission or official reached at the conclusion of a quasi-judicial proceeding or administrative hearing may be reconsidered or reheard only if:

- A. There was substantial procedural error in the original proceedings;
- B. The official, board or commission acted without jurisdiction in the original proceeding; or
- C. The original decision was based on fraud or misrepresentation.

Any person seeking reconsideration or rehearing must file a request with the City Clerk together with the materials supporting one or more of the grounds stated in this section within fifteen (15) calendar days of the decision for which reconsideration or rehearing is requested. A rehearing shall be conducted in the same manner as the original proceeding.

#### 2.45.110 Ex Parte Contacts Prohibited

Officials, boards or commissions while acting in their quasi-judicial capacity shall be impartial in all matters both in fact and in appearance. No member of any board, commission or any official shall receive or otherwise engage in ex parte communications with the appellant, applicant or other parties adversely affected by the appeal or application or members of the public concerning the appeal or application or issues specifically presented in the notice of appeal either before the appeal hearing or during the period of time the matter is subject to reconsideration. This section shall not be deemed to prevent those charged with conducting administrative hearings or quasi-judicial proceedings from discussing matters relating to the appeal among themselves or to prohibit communications between the City staff and such persons where staff members

Introduced by: Mayor Robb  
Date: August 23, 2016  
Public Hearing: September 13, 2016  
Action:  
Vote:

are themselves not named parties to an appeal or members of any body which has in its own name become an active party to the appeal.

2.45.120 Conflicts of Interest

No person shall serve on any board or commission or as an administrative official empowered to conduct an administrative hearing or quasi-judicial proceeding if:

- A. That person or a member of his immediate family has a measurable financial interest in any property affected by the application or appeal;
- B. That person or a member of his immediate family could foreseeably profit in any material way through resolution of the matters before such official, agency, board or commission;
- C. That person believes they could not be fair and impartial or due to the person's job, position or other reason, a reasonable person would believe the person serving could not be fair and impartial; or
- D. That person would be faced with a violation of the code of ethics of the City by voting on or participating in the application or appeal.

2.45.130 Transition Measures

The provisions of this chapter shall apply only to those appeals or applications for administrative decisions filed on or after the effective date of the ordinance from which this chapter is derived.

2.45.140 Appeals from Administrative Decision

A final decision issued under section 2.45.090 may be appealed to the Superior Court, Fourth Judicial District, within thirty (30) calendar days of the date the decision was issued. For the purposes of this section the date of issuance is the date upon which the decision was mailed or delivered to the parties.

**SECTION 2. Effective Date.** This ordinance shall become effective September 20, 2016.

**ENACTED THIS DAY OF SEPTEMBER 2016, BY A VOTE OF IN FAVOR AND OPPOSED.**

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Richard Robb, Mayor

ATTEST:

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Lori Strickler, City Clerk

Introduced by: Council Member Albertson  
Date: August 23, 2016  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Resolution # 16-26**

#### **A RESOLUTION OF THE CITY OF BETHEL, CITY COUNCIL STATING ITS PROTEST REGARDING THE NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #5499 FOR SNACK SHACK, LOCATED AT 520 3<sup>RD</sup> AVENUE, BETHEL, OWNED BY KWANG H. LEE**

**WHEREAS,** Kwang H. Lee made an application with the Alaska Alcohol and Marijuana Control Office (AMCO) and has paid the required fee for a new Restaurant/Eating Place Liquor License #5599, to be used for Snack Shack, located at 520 3<sup>rd</sup> Avenue, Bethel, Alaska 99559;

**WHEREAS,** the City Clerk received a copy of this application on June 27, 2016 and has determined that the last day for the Council to file a protest is August 26, 2016;

**WHEREAS,** City of Bethel Administration was provided notice of the Baba's Pizza and Sub Restaurant Liquor License application on June 27, 2016, Administration submitted a report to the Bethel City Council on July 15, 2016 (Attachment) with the following findings:  
1. Baba's Pizza and Sub Restaurant is not in compliant with Alaska's Fire and Life Safety Regulations;

**WHEREAS,** Snack Shack was inspected by the City of Bethel Fire Department on July 4, 2016; during this inspection eight violations of the Alaska's Fire and Life Safety Regulations were identified (Attachment);

**NOW, THEREFORE, BE IT RESOLVED** the Bethel City Council hereby protests the issuance of Restaurant Eating Place Liquor License for Snack Shack for the reasons listed above.

**ENACTED THIS \_\_ DAY OF AUGUST, 2016 BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

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Richard Robb, Mayor

ATTEST:

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Lori Strickler, City Clerk  
City of Bethel, Alaska

Resolution #16-26  
1 of 1

Alcoholic Beverage Control Board  
 550 West 7<sup>th</sup> Ave. Suite 1600  
 Anchorage, AK 99501

## New Liquor License

(907) 269-0350  
 Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:  Full Year      OR       Seasonal      List Dates of Operation: \_\_\_\_\_

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <b>2016-2017</b>	License Type: <b>Restaurant or Eating Place</b>	Statute Reference: Sec. 04.11. <u>100</u>	License Fee: <b>\$ 600.00</b>
Office Use: License #: <b>5499</b>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <b>Bethel</b>	Community Council Name(s) & Mailing Address: <b>Bethel PO Box 1388</b>		Rest. Desig. Permit Fee: \$50.00
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <b>Kwang H Lee</b>	Doing Business As (Business Name): <b>Snack Shack</b>	Business Telephone Number: <b>907-543-2218</b>	Fingerprint: <b>\$99.50</b> ( <i>\$49.75 per person</i> )
Mailing Address: <b>PO Box 525</b>	Street Address or Location of Premises: <b>520 3<sup>rd</sup> AVE</b>	Email Address: <b>alaska02@hanmail.net</b>	<b>TOTAL <u>849.50</u></b>
City, State, Zip: <b>Bethel AK 99559</b>			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <b>345ft</b>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410      OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: <b>560ft</b>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410      OR <input type="checkbox"/> Local ordinance No. _____	<input checked="" type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input checked="" type="checkbox"/> Not applicable		
	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached		

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JUN 21 2016

BY: \_\_\_\_\_

JUN 2 '16 PM 12:44

## New Liquor License

**SECTION C – LICENSEE INFORMATION**

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?  
 Yes  No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?  
 Yes  No If Yes, attach written explanation.

**SECTION D – OWNERSHIP INFORMATION - CORPORATION**

*Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.*

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):		Telephone Number:	Fax Number:
Corporate Mailing Address:		City:	State:
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:

Is the Entity in "Good Standing" with the Alaska Division of Corporations?  Yes  No  
 If no, attach written explanation. Your entity **must** be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

**Entity Members** (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth

**NOTE: If you need additional space, please attach a separate sheet.**

JUN 2 '16 PM 12:44

## New Liquor License

### SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

**Individual Licensees/Affiliates** (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: <u>Kwang Lee</u> Address: <u>195A North Ave</u>  Home Phone: <u>907-545-0152 (cell)</u> Work Phone: <u>907-543-2218</u>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth: <u>1/20/1960</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: <u>Young Lee</u> Address: <u>195A North Ave</u>  Home Phone: <u>907-545-0152 (cell)</u> Work Phone: <u>907-543-2218</u>	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>  Date of Birth: <u>5/18/1976</u>	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:

**Declaration**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

<b>Signature of Licensee(s)</b> Signature <u>[Handwritten Signature]</u>  Signature <u>[Handwritten Signature]</u>  Name & Title (Please Print) <u>Kwang H Lee owner</u> Subscribed and sworn to before me this <u>6<sup>th</sup></u> day of <u>April</u> , <u>2016</u> Notary Public in and for the State of <u>Alaska</u> <u>Carole Y. Jung</u> My commission expires: <u>4-26-17</u>	<b>Signature of Licensee(s)</b> Signature <u>[Handwritten Signature]</u>  Signature <u>[Handwritten Signature]</u>  Name & Title (Please Print) <u>Young M Lee spouse</u> Subscribed and sworn to before me this <u>6<sup>th</sup></u> day of <u>April</u> , <u>2016</u> Notary Public in and for the State of <u>Alaska</u> <u>Carole Y. Jung</u> My commission expires: <u>4-26-17</u>
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JUN 2 '16 PM 12:45

**STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT  
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 5499 Type: Restaurant or Eating Place

This application is for designation of premises where: (Please check the appropriate items below)

- 1.  Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2.  Persons 16 - 20 years of age may dine unaccompanied.
- 3.  Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4.  Persons between 16 - 20 years of age may be employed. \*(See note below)

Licensee's Name: Kwang H Lee

Name of Business: Snack Shack

Business Address: 520 3rd AVE City: Bethel

1. Hours of operation 11 to 11 Telephone Number: 907-543-2218

2. Have police been called to your premises for any reason?  Yes  No  
(If you answered yes, please explain below).

snow machine hit my car in the parking lot.

3. \* Duties of employment: Clean, delivery, wash the dishes, answer the phone or <sup>^</sup>cook.

4. Are video games available to the public on your premises?  Yes  No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?  
 Yes  No

6. How is food served?  Table Service  Buffett Service  Counter Service  Other \_\_\_\_\_

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours?  Yes  No

\*\*\* A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

\*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

\*\*Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

[Signature]  
Licensee Signature

JUN 2 '16 PM 12:45

Subscribed and sworn to before me this 6<sup>th</sup> day of April

Local Governing Body Approval

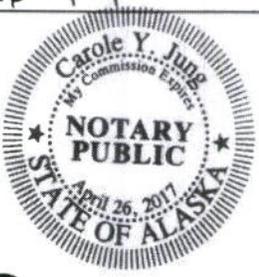
Carole Y. Juang  
Notary Public in and for Alaska

Date

My Commission expires; 4-26-17

Director, ABC Board

Rev. 03172014



Date

**RECEIVED**  
JUN 21 2016

BY: \_\_\_\_\_

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
**Licensed Premises Diagram**

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Snack Shack

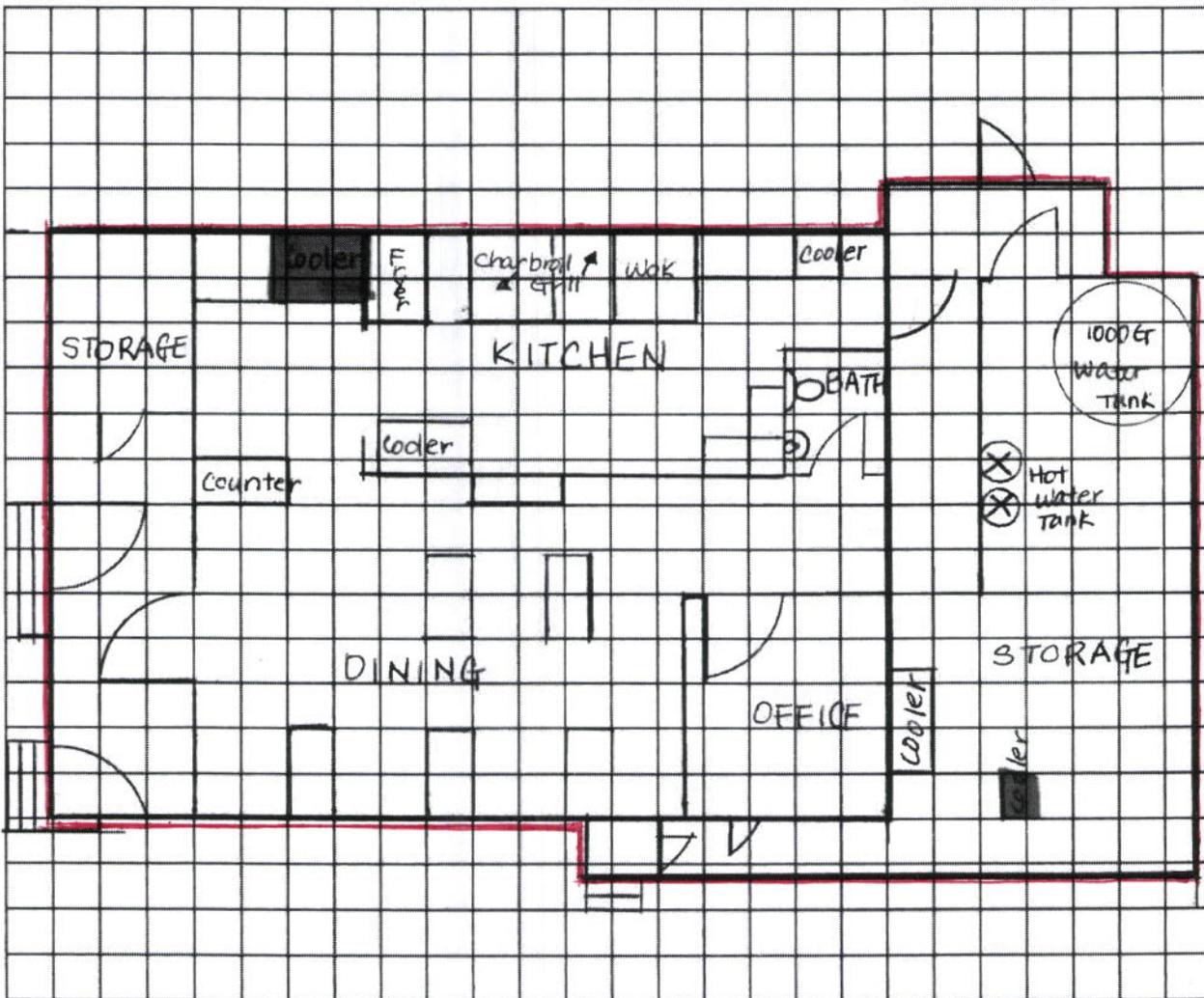
PREMISES LOCATION: 520 3<sup>rd</sup> AVE

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: 40.5 1 SQ. = 4 FT.      SCALE B: 26 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



**RECEIVED**  
JUN 21 2016

Revised 6/16/06

JUN 2 '16 PM 12:45

BY: \_\_\_\_\_

## Combination \$21.95

You can select one item from A and B each section & any combination serves with Soup, Fried Rice and Egg Roll

**A**

Mongolian Beef, Chicken Chow Mein  
Broccoli Beef, General Tao's Chicken  
Kung Pao Chicken

**B**

Sweet & Sour pork, Sweet & Sour Chicken  
Teriyaki Chicken, Shrimp & Fish Basket

## Beef

Served with Fried Rice and Soup

- Mongolian Beef ..... \$16.95
- Beef with Broccoli ..... \$16.95
- Green Pepper Steak ..... \$16.95
- Szechwan Beef ..... \$15.95
- Princess Beef ..... \$16.95
- Hunan Beef ..... \$15.95
- Curry Beef ..... \$15.95
- Tomato Beef ..... \$15.95
- Black Mushroom Beef ..... \$16.95
- Cashew Beef ..... \$16.95
- Kung Pao Beef ..... \$16.95

## Pork

Served with Fried Rice and Soup

- Sweet & Sour Pork ..... \$14.95
- Hot Pepper Pork ..... \$15.95
- Szechwan Pork ..... \$15.95
- Hot Spicy Pork ..... \$15.95
- General Tao's Pork ..... \$15.95
- Twice Cooked Pork w/ Veggie ..... \$15.95

## Poultry

Served with Fried Rice and Soup

- Garlic Chicken ..... \$15.95
- Curry Chicken ..... \$15.95
- Black Mushroom Chicken ..... \$16.95
- Almond Chicken ..... \$15.95
- Breaded Almond Chicken ..... \$15.95
- Mongolian Chicken ..... \$16.95
- Moo Goo Gai Pan ..... \$15.95
- Sweet & Sour Chicken ..... \$14.95
- Kung Pao Chicken ..... \$15.95
- Szechwan Chicken ..... \$15.95
- Szechwan Chicken Wing ..... \$15.95
- Princess Chicken ..... \$16.95
- Chicken with Broccoli ..... \$15.95
- Sesame Seed Chicken ..... \$15.95
- General Tao's Chicken ..... \$15.95
- Lemon Chicken ..... \$15.95
- Mandarin Chicken ..... \$15.95
- Cashew Chicken ..... \$15.95
- Breaded Szechwan Chicken ..... \$15.95
- Orange Chicken ..... \$15.95
- Teriyaki Chicken(Chinese style) ..... \$15.95
- Tomato Chicken ..... \$15.95
- Green Pepper Chicken ..... \$16.95

## Seafoods

Served with Fried Rice and Soup

- Sweet & Sour Shrimp ..... \$18.95
- Broccoli Shrimp ..... \$19.95
- Szechwan Shrimp ..... \$20.95
- Curry Shrimp ..... \$19.95
- Kung Pao Shrimp ..... \$20.95
- Phoenix and Dragon ..... \$21.95
- Happy Family ..... \$22.95
- Shrimp with Lobster Sauce ..... \$20.95
- Shrimp with Garlic Spicy Sauce ..... \$20.95
- Scallop House ..... \$22.95
- Mongolian Triple ..... \$19.95
- Kung Pao Triple ..... \$19.95

## Fried Rice

Served with Soup

- Chicken Fried Rice ..... \$14.95
- Beef Fried Rice ..... \$14.95
- Pork Fried Rice ..... \$14.95
- BBQ Pork Fried Rice ..... \$14.95
- Ham Fried Rice ..... \$14.95
- Bacon Fried Rice ..... \$15.95
- Shrimp Fried Rice ..... \$17.95
- Seafood Fried Rice ..... \$18.95
- Vegetable Curry Fried Rice ..... \$13.95
- Combination Fried Rice ..... \$17.95

## Chow Mein or Yakisoba

Served with Fried Rice and Soup

- Chicken Chow Mein or Yakisoba ..... \$15.95
- Beef Chow Mein or Yakisoba ..... \$15.95
- Pork Chow Mein or Yakisoba ..... \$15.95
- Shrimp Chow Mein or Yakisoba ..... \$17.95
- Vegetable Chow Mein or Yakisoba ..... \$14.95
- Combination Chow Mein or Yakisoba ..... \$17.95

## Soup or Udon

- Wonton Soup ..... \$12.95
- Gyoza Soup ..... \$13.95
- Ramyeon Soup w/ Vegetables ..... \$12.95
- Hot and Sour Soup w/ Pork ..... \$13.95
- Egg Drop Soup ..... \$10.95
- Miso Soup ..... \$11.95
- Chicken Noodle Soup or Udon ..... \$15.95
- Beef Noodle Soup or Udon ..... \$15.95
- Pork Noodle Soup or Udon ..... \$15.95
- Shrimp Noodle Soup or Udon ..... \$17.95
- Seafood Noodle Soup or Udon ..... \$17.95

## Rolls

- California Roll ..... \$9.95
- California Roll w/Roe ..... \$11.95
- Crunch Roll ..... \$15.95
- Philadelphia Roll ..... \$15.95

## Tofu

Served w/ Fried rice & Soup

- Vegetable Delight ..... \$15.95
- Almond Tofu ..... \$15.95
- Kung Pao Tofu ..... \$15.95
- General Tao's Tofu ..... \$15.95
- Cashew Tofu ..... \$15.95

## Egg Foo Young

Served w/ Fried rice & Soup

- Vegetable ..... \$15.95
- Chicken ..... \$15.95
- Beef ..... \$15.95
- Pork ..... \$15.95
- Shrimp ..... \$17.95
- Combination ..... \$17.95
- Seafood ..... \$18.95

## Other Favorites

Served with Fried Rice and Soup

- Kal Bee (Lap) ..... \$19.95
- Liver and Onions ..... \$15.95
- A healthy portion of Fried Liver smothered in sauced onions
- Bul Goki (Korean style pork or Beef) ..... \$19.95
- Chicken Teriyaki ..... \$17.95
- Beef Teriyaki ..... \$17.95
- Chicken Katsu ..... \$17.95
- Shrimp and Vegetable Tempura ..... \$22.95
- BBQ Chicken ..... \$17.95
- Spaghetti w/Meat Sauce ..... \$15.95
- Chicken Alfredo ..... \$15.95
- Shrimp Alfredo ..... \$18.95
- Spicy Squid w/ Vegetable ..... \$20.95
- Japchae ..... \$16.95
- Curry Noodle (Beef or chicken) ..... \$15.95

## Family Style Dinner Special

Minimum two or more

<b>A. 23.95</b>	per person price	<b>B. 26.95</b>	per person price
Soup Egg Roll Gyoza		Soup Egg Roll Gyoza Shrimp	
BBQ Pork Fried Rice		Tempura	
Mongolian Beef		Kung Pao Chicken	
Sweet and Sour Chicken		Sweet and Sour Shrimp	
California Roll		California Roll	

## Appetizers

Egg Roll (3)	\$7.95
Yaki Gyoza (8)	\$7.95
B.B.Q Pork (8)	\$8.95
Cheese Sticks (6)	\$7.95
Chicken Nugget (8)	\$7.95
Jalapeno Poppers (6)	\$7.95
Nacho w/ Cheese	\$6.95
Pretzels w/ Cheese	\$6.95
Fried Mushroom (8)	\$8.95
Bowl of Chili	\$8.95
Calamari	\$9.95
popcorn Shrimp	\$11.95
Platter Gyoza, Egg Roll, BBQ Pork, Shrimp, wings	\$15.95
Cheese Cream Wonton (6)	\$7.95
Shrimp Tempura (6)	\$11.95
Super Nacho	\$19.95
Fried Wings (6)	\$7.95
Seafood Pancake (Korean Style)	\$13.95
Chili Cheese Fries	\$9.95
Buffalo Wings(8)	\$13.95

## Burgers

Hamburger	\$5.95
Cheese Burger	\$6.95
Bacon Cheese Burger	\$7.95
Mushroom Swiss Burger	\$8.95
Jalapeno Swiss Burger	\$7.95
Egg Cheese Burger	\$8.95
Chili Burger	\$9.95
Chicken Burger with Cheese	\$7.95
Fish Burger with Cheese	\$8.95

## Burger Combo

Bacon Mushroom Cheese Burger	\$13.95
Hawaiian Swiss Burger	\$13.95
Western Bacon Cheese Burger	\$13.95
Bacon Egg Cheese Burger	\$13.95
Mexican Burger	\$13.95
ABC Burger	\$13.95
Malibu Chicken Burger	\$13.95

## Baskets

Chicken Strip (4)	\$15.95
Shrimp Basket (7)	\$16.95
Fish and Chips (3)	\$15.95
Malibu Basket (4)	\$15.95
Scallop Basket (15)	\$15.95
Oyster Basket (13)	\$15.95
Malibu basket(4)	\$18.95
Seafood Combo Basket	\$18.95
Deep Fried Chicken (4)	\$14.95
(8)	\$20.95
Clam Basket	\$15.95

## Salads

Chef Salad	\$15.95
Crispy or Grilled Chicken Salad	\$15.95
Chicken Fajita Salad	\$15.95
Garden Salad	\$14.95
Shrimp Salad	\$16.95
Streak Salad	\$16.95
Taco Salad (chicken or beef)	\$15.95
Dinner Salad	\$5.95

## Side Order

French Fries	\$3.95
Streak Fries	\$4.95
Curly Fries	\$5.95
Onion Rings	\$5.95
Rice	\$3.95
Kim Chee	\$4.95
Bake Potato	\$4.95
Garlic Bread	\$3.95
Tater Tots	\$5.95

## Steaks

Pork Chops	\$19.95
T-Bone Steak	\$24.95
New York Steak	\$24.95
New York w/ Prawns	\$27.95
Streak Teriyaki New York	\$25.95
Added to Sautered Mushroom and Onions	\$2.00

consuming raw or undercooked meats poultry seafood shellfish or eggs may increase your risk of food borne illness

## Sandwiches

Grilled Cheese	\$8.95
Grilled Ham & Cheese	\$9.95
B.L.T.	\$11.95
French Dip	\$13.95
Philly Cheese Steak	\$13.95
Club House	\$13.95
Turkey Sub	\$13.95
Burger Steak	\$15.95
New York Steak Sub	\$16.95
Flat Iron Steak	\$18.95
Grilled Chicken Sub	\$13.95
Club Sub	\$14.95
Patty Melt	\$11.95

## Family Pack

4 Hamburgers	\$36.95
4 Cheese Burgers	\$38.95
4 Bacon Cheese Burger	\$40.95
4 Bacon Mushroom Cheese Burger	\$44.95

## Kids Menu

Cheese Burger w/ Fries	\$8.95
Mini Corn Dog (4) w/ Fries	\$7.95
Chicken Nugget (6) w/ Fries	\$7.95
Cheese Quesadilla w/ Fries	\$7.95
Grilled Cheese w/ Fries	\$7.95
Chicken Strip(2) w/ Fries	\$8.95

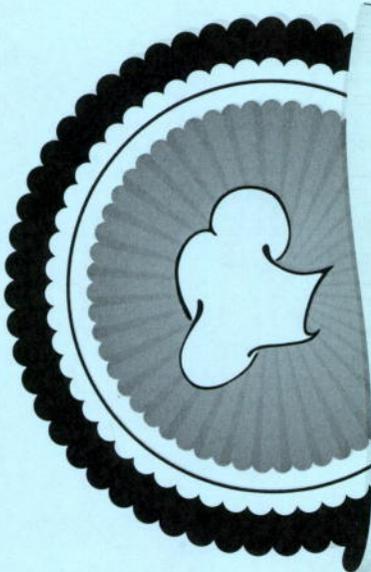
## Desserts

Scoop of Ice Cream	\$2.50
Vanilla, Chocolate or Strawberry	
Milk Shake	\$6.95
Root Beer Float	\$5.95
Cheese Cake	\$5.95
Banana Split	\$12.95
Cinnamon Roll	\$4.95

## Beverages

Soda	\$1.50
Hot Chocolate	\$2.95
Bottle of Juice	\$3.50
Bottle of Water	\$2.00
Milk	\$2.95
Frozen Bar	\$1.50
Ice Tea	\$2.95
Italian Soda	\$4.95
Coffee/ Hot Tea	\$2.00

Kaigtuten-qaq? Qayagaurlkut



# Snack Shack

American & Chinese  
Restaurant

Open 7 Days a Week

MON - SAT : 11am - 11pm  
SUN : 12noon - 11pm



Fast Delivery

T. 543-2218  
520 3rd Ave.



At Snack Shack. We don't cut corners with our food  
All prices are subject to change without notice.

JUN 2 '16 PM 12:48



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7<sup>th</sup> Avenue Ste. 1600  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

June 27, 2016

City of Bethel  
Attn: Lori Strickler  
VIA Email: lstrickler@cityofbethel.net

**Kwang H Lee – Restaurant Eating Place Liquor License #5499 Snack Shack**

- New Application       Transfer of Ownership       Transfer of Location  
 Restaurant Designation Permit       DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,



Maxine Andrews  
Business Registration Examiner  
Direct line: 907-269-0358  
Email: maxine.andrews@alaska.gov



A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is “arbitrary, capricious and unreasonable”. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

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**Note:** Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.

Sincerely,

*Maxine Andrews*  
Business Registration Examiner  
maxine.andrews@gmail.com  
907-269-0358

# RESOLUTION

## Bethel Planning Commission

### Resolution No. 2016 – 4

#### A RESOLUTION OF THE PLANNING COMMISSION APPROVING THE CONDITIONAL USE PERMIT APPLICATION BY SNACK SHACK RESTAURANT FOR A LIQUOR LICENSE AT 520 3<sup>rd</sup> AVENUE, UNITED STATES SURVEY NO. 3230 A, LOT 9, BLOCK 10

**WHEREAS**, Bethel Municipal Code (BMC) Section 5.08.060 states that any use which includes the retail sale or dispensing of alcoholic beverages is permitted only by a Conditional Use Permit; and;

**WHEREAS** Snack Shack Restaurant has submitted a Conditional Use Permit Application for obtaining a Liquor License at 520 3<sup>rd</sup> Avenue; and

**WHEREAS**, the Planning Director/Platting Officer for the City of Bethel has reviewed and wrote findings of fact for the Conditional Use Permit application and determined that it conforms to the requirements pursuant to BMC 18.60 (Conditional Use Permit Standards and Procedures) and 16.04 (Planning, Land Use, Platting, and Site Development), and recommends the Conditional Use Permit be approved.

**NOW THEREFORE BE IT RESOLVED** that the **PLANNING COMMISSION** has reviewed the Conditional Use application and staff's findings and has determined that they conform to the requirements pursuant to BMC 18.60 and BMC 16.04, and hereby approves the permit for recording in the Bethel District Recorder's Office with the following conditions:

1. The Snack Shack liquor license is for a restaurant only;
2. Remove the existing front parking area, all parking shall be along the east entrance driveway and parking in the rear of the property;
3. Install signage to direct traffic; and
4. The sand pad and property be filled as described in the application.

**PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION** by a duly constituted quorum on this 26th day of May, 2016 at a Special Meeting of the City of Bethel City Planning Commission Action:

Vote: In Favor: 5 Opposed: 0 Abstained: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Joy Shantz, Chairman  
City of Bethel Planning Commission

  
\_\_\_\_\_  
Betsy Jumper, Recorder



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**2016 – 000534 – 0**

Recording District 402 Bethel

06/06/2016 01:08 PM

Page 1 of 2



Bethel Recording District:

After recording please return to:

City of Bethel Planning Department

PO Box 1388

Bethel, Alaska 99559



# CITY OF BETHEL

P.O. Box 1388  
Bethel, AK 99559  
(907) 543-2047  
[www.cityofbethel.org](http://www.cityofbethel.org)

July 15, 2016

Bethel City Council  
P.O. Box 1388  
300 State Highway  
Bethel, AK 99559  
*via e-mail*

Mayor, Vice-Mayor and Members of City Council;

In a matter of an application by Kwang H. Lee – Restaurant Eating Place #5499, Doing Business As (DBA) Snack Shack, 520 3<sup>rd</sup> Ave., Bethel AK 99559 to State of Alaska Alcoholic Beverage Control Board (ABC) in accordance to AS 04.11.400 (g), 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e): must be approved by the governing body.

Bethel Municipal Code (BMC) 5.08.020(d) requires the City Manager provide a written report to City Council, with a copy to the applicant, listing any objections to the Board's issuance of the application.

According to BMC 5.08.020 (C) City Planner, City Finance Director, City's Fire Chief and Police Chief shall forward written statements to the City Manager outlining their findings:

- (a) City Planner - Planning Commission shall review in part (i) adequacy of parking for the facility (ii) safety of ingress and egress from the premises (iii) proximity to a school or alcoholic inpatient or outpatient treatment and (iv) other relevant factors related to the CUP.

Bethel City Planning Commission (PC) has approved said CUP in a public hearing on May 26, 2016 with the following conditions:

1. Snack Shack liquor license is for a restaurant only.
2. Eliminate the existing front parking area so there is no backing out on to the street.
3. Signage to direct traffic on and off the premises.
4. Sand pads to be filled in the 18-space parking requirement.

(b) Finance Director – determined that the *applicant is in compliance* with BMC 5.08.020 (B)(2). The applicant has no outstanding taxes, assessments, fees or payments for utilities.

(c) Police Chief – determined that there *has not been* excessive calls for service, excessive numbers of conviction or arrests for unlawful activity at the licensed location, police or ambulance reports, reports of unlawful activity at the licensed location or police, fire or ambulance dispatches to the license location.

(d) Fire Chief – determined there *has not been* excessive calls for fire or ambulance services. The applicant has complied with the requested fire, health and safety codes as previously determined by the Fire Chief.

Attached is Exhibit “A” Bethel Fire Chief’s inspection for life and safety conditions for Snack Shack as a restaurant.

Council at that time will review the said application as prescribed under BMC 5.08.030 and will determine in part or *inter alia*: “whether to protest or recommend with conditions, the issuance, renewal or transfer of a liquor license application and shall consider the following factors it believes are pertinent”.

Respectfully,



Ann K. Capela  
City Manager

CC: Kwang H. Lee  
Patty Burley, City Attorney  
Lori Strickler, City Clerk

**LIQUOR LICENSE APPLICATION REVIEW**

Date Notice Received by City Clerk's Office	6-27-2016
Date City Manager Sends Application Notice to Directors	
Deadline for Department Head Reports (14 days from Notice from City Manager)	
Date Written Report Sent to City Council from City Manager (20 days from Date Notice received by the City Clerk's Office)	7-17-2016
Date of Council Review (30-40 calendar days from Date Notice received by City Clerk)	7-26-2016
Deadline for Protest	

Doing Business As	License Type	Name of Applicant
Snack Shack	Restaurant Eating Place	Kwang H. Lee
Mailing Address	Location of Premises	Business Telephone Number
PO BOX 525	520 3 <sup>rd</sup> Avenue	907-543-2218

**Planning Department**

Review	Status	N/A
Conditional Use Permit	Cup approved by the Planning Commission on May 26,2016	yes
	Conditions on Approval were: <ol style="list-style-type: none"> <li>1. Snack Shack liquor license is for a restaurant only.</li> <li>2. Eliminate the existing front parking area so there is no backing out on to the street.</li> <li>3. Signage to direct traffic on and off the premises</li> <li>4. Sandpads to be filled in for the 18-space parking requirement</li> </ol>	
Parking at the facility	There will be 18 parking spaces.	
Adequate ingress to and Egress from location	The new access configuration will have vehicles entering from the east driveway and exiting from the west driveway.	

**Additional Comments:**

There are currently five parking spaces in front of the Snack Shack with half of the car length situated in the Right-of-Way. The new parking configuration will eliminate these five spaces (with cars currently having to back out on to the street.) Once the new sand pads have been constructed, there will be five new 9' x 20' parking spaces on the east side of the property and 14 spaces on the new pad at the rear of the property.

Planning Director's Signature: 

## LIQUOR LICENSE APPLICATION REVIEW

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Doing Business As	License Type	Name of Applicant
Snack Shack	Restaurant Eating Place	Kwang H. Lee
Mailing Address	Location of Premises	Business Telephone Number
PO BOX 525	520 3 <sup>rd</sup> Avenue	907-543-2218

### Finance Department

Review	Status	N/A
Sales Tax Filings	Over 90 Days Due - Amount Due: _____ No. of times account was over 90 days due: _____	N/A
Utility Billing	Over 90 Days Due - Amount Due: _____ No. of times account was over 90 days due: _____	N/A
City Business License	License Year: <u>2016</u> Date Applied: <u>12/29/14</u>	
State of Alaska Business License	License Year: <u>2016</u> Date Applied: <u>11/24/2014</u>	

#### Additional Comments:

Snack Shack has both a State of Alaska License and a City of Bethel License. They are current on both their Sales Tax Filing and Utility Billing.

Finance Directors Signature:



### Planning Department

Review	Status	N/A
Conditional Use Permit	Approved by the Planning Commission	
	Conditions on Approval were:	
Parking at the facility	There are _____ parking spaces.	
Adequate ingress to and Egress from location		

#### Additional Comments:

Planning Director's Signature:

**Alaska Department of Commerce, Community, and Economic Development**

Division of Corporations, Business and Professional Licensing  
P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

**SNACK SHACK**

PO BOX 525 BETHEL AK 55995

owned by

KWANG H LEE

is licensed by the department to conduct business for the period

November 24, 2014 through December 31, 2016  
for the following line of business:

NOV 24, 2014

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Chris Hladick



# CITY OF BETHEL BUSINESS LICENSE

Licensee: **SNACK SHACK  
KWANG H LEE  
P.O. BOX 525  
BETHEL AK 99559**

License Number:  
10230

Fee Paid  
150.00

Business ID            Business Type  
**10230**                **Business License 150**

Issue Date            Expires  
**01/01/2015**        **12/31/2016**

12/29/14

City of Bethel Finance Department

License is not transferable or assignable

**THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE AT THE LOCATION**

This is to certify that the licensee named above has made application and paid the fee for a City of Bethel Business License covering the calendar year as show or fraction thereof to engage in business. This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State of Alaska or of the United States.

**LIQUOR LICENSE APPLICATION REVIEW**

**Police Department**

Review	Status	N/A
Excess calls for service at the location.	Number of Calls in calendar year <u>3</u> Since 1/1/2015 to date: 8	
Excess numbers of convictions or arrests for unlawful activities at the location.	Number of Calls in calendar year <u>0</u> Since 1/1/2015 to date: 0	

**Additional Comments:**

The aforementioned information are the results of this query.

It is my opinion, the calls for service are not deemed to be "excessive calls for service, excessive numbers of convictions or arrests for unlawful activity at the license location, police or ambulance reports, reports of unlawful activity at the license location, or police, fire or ambulance dispatches to the license location", as outlined in BMC 05.08.020(B)(3).

Chief of Police's Signature:



7/15/2016

**Fire Department**

Review	Status	N/A
Excess calls for service at the location.	Number of Calls in calendar year _____	
Excess numbers of convictions or arrests for unlawful activities at the location.	Number of Calls in calendar year _____	

**Additional Comments:**

Fire Chief's Signature:



## CITY OF BETHEL

Fire Department

William F. Howell III, Fire Chief  
P.O. Box 1388, Bethel, Alaska 99559  
Phone: (907)-543-2131  
Fax: (907)-543-2702  
bhowell@cityofbethel.net

*Celebrating 50 Years of Service*

June 28, 2016

Ann Capela  
City Manager  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Re: Snack Shack Fire/EMS Calls for Service

Dear CM Capela,

As per Bethel Municipal Code 5.08.020 Section B, Subsection 3 and Section C, the Bethel Fire Department has not received any excessive Fire or EMS related calls for service at Snack Shack, located at 520 Third Avenue, Bethel, AK 99559.

Sincerely,

Daron Solesbee  
Fire Captain

Cc: Bill Howell, Fire Chief



Celebrating 50 Years of Service

CITY OF BETHEL  
Fire Department

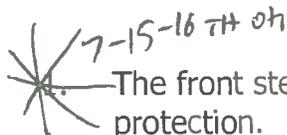
Exhibit "A"

William F. Howell III, Fire Chief  
P.O. Box 1388, Bethel, Alaska 99559  
Phone: (907)-543-2131  
Fax: (907)-543-2702  
bhowell@cityofbethel.net

Kwang H. Lee  
Snack Shack  
P.O. Box 525  
Bethel, AK 99559

July 14, 2016

This letter is a notice of correction for fire and life safety code violations found during a recent inspection of your business on July 11, 2016. You have ten business days to correct the items identified in this report. If you are unable to make corrections in the time frame provided, please contact my office to make other arrangements.



The front steps and rear exit need proper handrails and guards installed for fall protection.

- a. **1013.1 Where required.** Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.7 of the *International Building Code*.
- b. **1009.5 Stairway landings.** There shall be a floor or landing at the top and bottom of each stairway. The width of landings shall not be less than the width of stairways they serve. Every landing shall have a minimum dimension measured in the direction of travel equal to the width of the stairway. Such dimension need not exceed 48 inches (1219 mm) where the stairway has a straight run. Doors opening onto a landing shall not reduce the landing to less than one-half the required width. When fully open, the door shall not project more than 7 inches (178 mm) into a landing. When wheelchair spaces are required on the stairway landing in accordance with [Section 1007.6.1](#), the wheelchair space shall not be located in the required width of the landing and doors shall not swing over the wheelchair spaces.
- c. **1013.2 Height.** Required guards shall be not less than 42 inches (1067 mm) high, measured vertically above the adjacent walking surfaces, adjacent fixed seating or the line connecting the leading edges of the treads.
- d. **1013.3 Opening limitations.** Required guards shall not have openings which allow passage of a sphere 4 inches (102 mm) in diameter from the walking surface to the required guard height.
- e. **13AAC50.070(a)9** Any condition found to be hazardous.

2. Electrical panel in kitchen needs to have 30 inches of clearance from the freezer. Provide for adequate access.
  - a. **605.3 Working space and clearance.** A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
  - b. **605.1 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.
  
3. Extension cords are being used in place of permanent wiring. Extension cords in the back shower room and kitchen need to be removed. Permanent wiring and adequate outlets need to be installed by a qualified electrician.
  - a. **605.5 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.
  - b. **605.4 Multiplug adapters.** Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.
  
4. Grease laden vapor cooking requires use of a Type-1 UL300 Fire Suppression system range hood and annual inspection per code. The cooking hood needs to be cleaned of all residue. Service is in date.
  - a. **609.1 General.** Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code*. [M]
  - b. **609.2 Where required.** A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors. [M]
  - c. **609.3 Operations and maintenance.** Commercial cooking systems shall be operated and maintained in accordance with Sections 609.3.1 through 609.3.4.
  - d. **609.3.1 Ventilation system.** The ventilation system in connection with hoods shall be operated at the required rate of air movement, and classified grease filters shall be in place when equipment under a kitchen grease hood is used.
  - e. **609.3.2 Grease extractors.** Where grease extractors are installed, they shall be operated when the commercial-type cooking equipment is used.
  - f. **609.3.3 Cleaning.** Hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals as required by Sections 609.3.3.1 through 609.3.3.3. **609.3.3.1 Inspection.** Hoods, grease-removal devices, fans, ducts and other appurtenances shall be inspected at intervals specified in Table 609.3.3.1 or as approved by the fire code official. Inspections shall be completed by qualified individuals.
  - g. **TABLE 609.3.3.1 COMMERCIAL COOKING SYSTEM INSPECTION FREQUENCY**

TYPE OF COOKING OPERATIONS	FREQUENCY OF INSPECTION
High-volume cooking operations such as 24-hour cooking, charbroiling or wok cooking	3 months
Low-volume cooking operations such as places of religious worship, seasonal businesses and senior centers	12 months
Cooking operations utilizing solid-fuel burning cooking appliances	1 month

All other cooking operations

6 months

- h. **609.3.3.2 Grease accumulation.** If during the inspection it is found that hoods, grease-removal devices, fans, ducts or other appurtenances have an accumulation of grease, such components shall be cleaned.
  - i. **609.3.3.3 Records.** Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years and be copied to the *fire code official* upon request.
  - j. **609.3.4 Extinguishing system service.** Automatic fire-extinguishing systems protecting commercial cooking systems shall be serviced as required in Section 904.11.6
  - k. **904.11.2 System interconnection.** The actuation of the fire extinguishing system shall automatically shut down the fuel or electrical power supply to the cooking equipment. The fuel and electrical supply reset shall be manual.
5. Propane storage is non-compliant and unprotected from collision. Propane tanks need to have collision protection installed per code.
- a. **603.9 Gas meters.** Above-ground gas meters, regulators and piping subject to damage shall be protected by a barrier complying with Section 312 or otherwise protected in an *approved* manner.
  - b. **3807.3 Clearance to combustibles.** Weeds, grass, brush, trash and other combustible materials shall be kept a minimum of 10 feet (3048 mm) from LP-gas tanks or containers.
  - c. **3807.4 Protecting containers from vehicles.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.
5. Provide proper address numbering. The Bethel Fire Department requires 4" white reflective numbers on a 6" wide green reflective background. The current black numbers affixed to the building provide for inadequate visibility at night.
- a. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.
6. Type K extinguishers must be provided per code. There needs to be a Type K extinguisher in the kitchen.
- a. **904.11.5 Portable fire extinguishers for commercial cooking equipment.** Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment. Cooking equipment involving solid fuels or vegetable or animal oils and fats shall be protected by a Class K rated portable extinguisher in accordance with Sections 904.11.5.1 or 904.11.5.2, as applicable.
7. Exit signs shall be internally and externally illuminated. The exit sign in back needs to be illuminated.
- a. **1027.3 Exit Signs** shall be internally / externally illuminated.
8. Uncovered electrical wiring was observed in the area of the freezer. Proper permanent wiring in conduit should be installed by a qualified electrician.

July 15, 2016

- a. **605.6 Unapproved conditions.** Open junction boxes and open-wiring splices shall be prohibited. *Approved* covers shall be provided for all switch and electrical outlet boxes.
- b. **605.1 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

Sincerely,

Thomas Haviland, F-3, Firefighter/EMT.

CC: William F. Howell III, Fire Chief  
Alaska Fire Marshal's Office  
City Manager Capela

I Kwang H Lee, as the authorized representative have  
Print

received a copy of this notification. [Signature] Date 7.15.16



Celebrating 50 Years of Service

## CITY OF BETHEL

Fire Department

William F. Howell III, Fire Chief  
P.O. Box 1388, Bethel, Alaska 99559  
Phone: (907)-543-2131  
Fax: (907)-543-2702  
bhowell@cityofbethel.net

Kwang H. Lee  
Snack Shack  
P.O. Box 525  
Bethel, AK 99559

July 14, 2016

This letter is a notice of correction for fire and life safety code violations found during a recent inspection of your business on July 11, 2016. You have ten business days to correct the items identified in this report. If you are unable to make corrections in the time frame provided, please contact my office to make other arrangements.

1. The front steps and rear exit need proper handrails and guards installed for fall protection. Done/ Completed
  - a. **1013.1 Where required.** *Guards* shall be located along open-sided walking surfaces, including *mezzanines, equipment platforms, stairs, ramps* and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. *Guards* shall be adequate in strength and attachment in accordance with Section 1607.7 of the *International Building Code*.
  - b. **1009.5 Stairway landings.** There shall be a floor or landing at the top and bottom of each *stairway*. The width of landings shall not be less than the width of *stairways* they serve. Every landing shall have a minimum dimension measured in the direction of travel equal to the width of the *stairway*. Such dimension need not exceed 48 inches (1219 mm) where the *stairway* has a straight run. Doors opening onto a landing shall not reduce the landing to less than one-half the required width. When fully open, the door shall not project more than 7 inches (178 mm) into a landing. When *wheelchair spaces* are required on the *stairway* landing in accordance with [Section 1007.6.1](#), the *wheelchair space* shall not be located in the required width of the landing and doors shall not swing over the *wheelchair spaces*.
  - c. **1013.2 Height.** Required *guards* shall be not less than 42 inches (1067 mm) high, measured vertically above the adjacent walking surfaces, adjacent fixed seating or the line connecting the leading edges of the treads.
  - d. **1013.3 Opening limitations.** Required *guards* shall not have openings which allow passage of a sphere 4 inches (102 mm) in diameter from the walking surface to the required *guard* height.
  - e. **13AAC50.070(a)9** Any condition found to be hazardous.

2. Electrical panel in kitchen needs to have 30 inches of clearance from the freezer. Provide for adequate access. Completed/ Done
  - a. **605.3 Working space and clearance.** A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
  - b. **605.1 Abatement of electrical hazards.** Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.
  
3. Extension cords are being used in place of permanent wiring. Extension cords in the back shower room and kitchen need to be removed. Permanent wiring and adequate outlets need to be installed by a qualified electrician. Done/ Completed.
  - a. **605.5 Extension cords.** Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.
  - b. **605.4 Multiplug adapters.** Multiplug adapters, such as cube adapters, unfused plug strips or any other device not complying with NFPA 70 shall be prohibited.
  
4. Grease laden vapor cooking requires use of a Type-1 UL300 Fire Suppression system range hood and annual inspection per code. The cooking hood needs to be cleaned of all residue. Service is in date. Cleaned/ Completed
  - a. **609.1 General.** Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code*. [M]
  - b. **609.2 Where required.** A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors. [M]
  - c. **609.3 Operations and maintenance.** Commercial cooking systems shall be operated and maintained in accordance with [Sections 609.3.1](#) through [609.3.4](#).
  - d. **609.3.1 Ventilation system.** The ventilation system in connection with hoods shall be operated at the required rate of air movement, and classified grease filters shall be in place when equipment under a kitchen grease hood is used.
  - e. **609.3.2 Grease extractors.** Where grease extractors are installed, they shall be operated when the commercial-type cooking equipment is used.
  - f. **609.3.3 Cleaning.** Hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals as required by [Sections 609.3.3.1](#) through [609.3.3.3](#). **609.3.3.1 Inspection.** Hoods, grease-removal devices, fans, ducts and other appurtenances shall be inspected at intervals specified in Table 609.3.3.1 or as *approved* by the *fire code official*. Inspections shall be completed by qualified individuals.
  - g. **TABLE 609.3.3.1 COMMERCIAL COOKING SYSTEM INSPECTION FREQUENCY**

TYPE OF COOKING OPERATIONS	FREQUENCY OF INSPECTION
High-volume cooking operations such as 24-hour cooking, charbroiling or wok cooking	3 months
Low-volume cooking operations such as places of religious worship, seasonal businesses and senior centers	12 months
Cooking operations utilizing solid-fuel burning	1 month

cooking appliances	
All other cooking operations	6 months

- h. **609.3.3.2 Grease accumulation.** If during the inspection it is found that hoods, grease-removal devices, fans, ducts or other appurtenances have an accumulation of grease, such components shall be cleaned.
  - i. **609.3.3.3 Records.** Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years and be copied to the *fire code official* upon request.
  - j. **609.3.4 Extinguishing system service.** Automatic fire-extinguishing systems protecting commercial cooking systems shall be serviced as required in Section 904.11.6
  - k. **904.11.2 System interconnection.** The actuation of the fire extinguishing system shall automatically shut down the fuel or electrical power supply to the cooking equipment. The fuel and electrical supply reset shall be manual.
5. Propane storage is non-compliant and unprotected from collision. Propane tanks need to have collision protection installed per code. Done/ Completed
- a. **603.9 Gas meters.** Above-ground gas meters, regulators and piping subject to damage shall be protected by a barrier complying with [Section 312](#) or otherwise protected in an *approved* manner.
  - b. **3807.3 Clearance to combustibles.** Weeds, grass, brush, trash and other combustible materials shall be kept a minimum of 10 feet (3048 mm) from LP-gas tanks or containers.
  - c. **3807.4 Protecting containers from vehicles.** Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with [Section 312](#).
5. Provide proper address numbering. The Bethel Fire Department requires 4" white reflective numbers on a 6" wide green reflective background. The current black numbers affixed to the building provide for inadequate visibility at night. Improved needs better sign.
- a. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.
6. Type K extinguishers must be provided per code. There needs to be a Type K extinguisher in the kitchen. Waiting on company to send Extinguisher.
- a. **904.11.5 Portable fire extinguishers for commercial cooking equipment.** Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment. Cooking equipment involving solid fuels or vegetable or animal oils and fats shall be protected by a Class K rated portable extinguisher in accordance with [Sections 904.11.5.1](#) or [904.11.5.2](#), as applicable.
7. Exit signs shall be internally and externally illuminated. The exit sign in back needs to be illuminated. Completed/ Done
- a. **1027.3 Exit Signs** shall be internally / externally illuminated.



## City of Bethel Action Memorandum

Action memorandum No.			
Date action introduced:		Introduced by:	
Date action taken:		Approved	Denied
Confirmed by:			

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s):

Amount of fiscal impact:	Account information:
No fiscal impact	
Funds are budgeted for.	
Funds are not budgeted. Budget modification is required.	

## City of Bethel Action Memorandum

Action memorandum No.	16-52		
Date action introduced:	August 9, 2016	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

### SUBJECT/ACTION:

Approve Mayor's Appointment of Jon Cochrane to the Planning Commission.

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s): None |

Amount of fiscal impact		Account information:
X	No fiscal impact	

Action Memorandum 16-52 is sponsored by the Mayor at the request of the City Clerk.

Jon Cochrane has requested appointment to the Planning Commission. If appointed, he would be appointed to a term of three years with a term expiration of December 1, 2019.

## City of Bethel Action Memorandum

Action memorandum No.	16-53		
Date action introduced:	8/23/16	Introduced by:	Parks/Rec/Aquatic Comm
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

Direct administration to provide the Council with an implementation date for the Employee Wellness Program.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	City Manager Capela		
<input checked="" type="checkbox"/>	Finance Director, Mathlaw		
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Attachment(s):

Amount of fiscal impact:		Account information:
	No fiscal impact	
\$31,200	Funds are budgeted for.	54-50-725
	Funds are not budgeted. Budget modification is required.	

Council provided funding in the Fiscal Year 17 budget for the Employee Health and Wellness Program. It is important to utilize this funding to ensure the Health and Wellness program is a success for as much as 2016-2017 as possible. An Employee Health and Wellness Program is a program that promotes and supports the health, safety, and well-being of its employees.

Implementing health programs inside the workplace has become a vital piece of a healthy lifestyle of which many businesses have recognized. The implementation of this program and could reduce the amount of spending for the City on their self-insured health coverage.

## City of Bethel Action Memorandum

Action memorandum No.	16-54		
Date action introduced:	8-23-2016	Introduced by:	Councilman Albertson
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

Authorizing the City Attorney to attend training from September 28 to October 3 at the annual IMLA municipal attorney training to be held in San Diego, California.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Finance Director		
<input type="checkbox"/>			

Attachment(s): Conference Information; schedule; estimated flight & hotel costs

Amount of fiscal impact:		Account information:
	No fiscal impact	
\$2800	Funds are budgeted for.	10-56-545
	Funds are not budgeted. Budget modification is required.	

Authorizing the City Attorney to attend the annual IMLA conference from September 28 to October 3rd in San Diego, California. This training will replace her attendance at the annual Municipal League training in Anchorage in November as it does not appear that training will occur this year (nothing is currently planned).

T.A. #: \_\_\_\_\_

## City of Bethel Travel Authorization Form

City Attorney	IMLA Conference	IMLA Annual Training
Department Patty Burley	Activity City Attorney	Program August 23, 2016
Employee Requesting Authorization IMLA 81st Annual Conference	Title San Diego, CA	Date Sept. 28 to Oct. 2, 2016
Conference Title and Sponsor	Conference Site	Date of Meeting

**Explanation of Travel Request:**

Travel to San Diego, California to attend 81st annual IMLA Conference. Municipal Law specific CLE training, especially since it does not appear AML will be putting on a municipal lawyer's training this year.

	<u>Estimated Totals</u>	<u>Account #</u>																																				
<b>Registration Fees</b> (Specify whom check is payable to and attach copy of documentation) Payable to: <u>IMLA</u> P.O. #: _____	\$880.00	10-56-545																																				
<b>Transportation</b> Airline(s): <u>Alaska Air</u> Travel Agency: _____ Confirmation #: _____ P.O. #: _____	\$740.00	10-56-545																																				
Car Rental Co.: <u>EZ Ride Shuttle</u> Confirmation #: _____ P.O.# _____	\$25.00	10-56-545																																				
Hotel Name: <u>Hilton Doubletree</u> Confirmation #: _____ P.O. #: _____	\$1100.00	10-56-545																																				
<b>Meals:</b> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 5%; text-align: center;">#</th> <th style="width: 5%;"></th> <th style="width: 5%; text-align: center;">Daily Rate</th> <th style="width: 5%;"></th> </tr> </thead> <tbody> <tr> <td>Breakfast</td> <td style="text-align: center;">1</td> <td style="text-align: center;">X</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">10-56-545</td> </tr> <tr> <td>Lunch</td> <td style="text-align: center;">1</td> <td style="text-align: center;">X</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">10-56-545</td> </tr> <tr> <td>Dinner</td> <td style="text-align: center;">1</td> <td style="text-align: center;">X</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">=</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">10-56-545</td> </tr> </tbody> </table>		#		Daily Rate						Breakfast	1	X	\$	=	\$	=	\$	10-56-545	Lunch	1	X	\$	=	\$	=	\$	10-56-545	Dinner	1	X	\$	=	\$	=	\$	10-56-545		
	#		Daily Rate																																			
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Lunch	1	X	\$	=	\$	=	\$	10-56-545																														
Dinner	1	X	\$	=	\$	=	\$	10-56-545																														
Cab Fare: _____																																						
<b>Miscellaneous:</b> (Explain in written detail on an attached sheet) _____ _____																																						
<b>TOTAL EXPENSES:</b>																																						
<b>Per Diem Advance Requested:</b>																																						

*2745*

**Approvals:**

_____ <b>Department Head / Date</b>	_____ <b>City Manager / Date</b>	_____ <b>Finance Director / Date</b>
--	-------------------------------------	---



**DoubleTree by Hilton Hotel San Diego Downtown**

1646 Front Street, San Diego, California, 92101, USA  
+1-619-239-6800

HOORAY! You're just a few clicks away from a worry-free stay:

**No booking fees, the best possible rates, and easy changes and cancellations.**

**Reservation Summary**

Mrs. PATTY BURLEY  
btvpatty@yahoo.com  
HHonors #: 840895357  
27 Sep 2016 - 02 Oct 2016  
1 room for 1 adult

2 DOUBLE BEDS-NONSMOKING

Price (5 nights x 189.00):	945.00	
Taxes:		120.96
Room Subtotal:		1,065.95
<a href="#">ITL MUNICIPAL LAWYER</a>		
Total for stay:	\$1,065.96 USD	

**Optional services for an additional charge**

Self parking: \$25.00, Narrow garage/ramps  
All guests get free standard Wi-Fi in-room and in the lobby.

**Guarantee and Cancellation Policy**

There is a Credit Card required for this reservation. If you wish to cancel, please do so 48 hours prior to arrival to avoid cancellation penalties.

If you use a debit/credit card to check in, a hold may be placed on your card account for the full anticipated amount to be owed to the hotel, including estimated incidentals, through your date of check-out and such hold may not be released for 72 hours from the date of check-out or longer at the discretion of your card issuer.

**Choose Payment Method**

All fields are required unless otherwise indicated.

Sorry, this hotel doesn't accept that card type. Please try a different card.

Your Payment Methods Expiration

ending in 4831 Expiration Apr 2017

[Change Payment Method](#)

ending in 1007 Expiration Feb 2017



Flight summary [Change](#) | [Remove](#)

Flight	Departs	Arrives	Total price for 1 passenger \$740.00
<i>Alaska</i> Alaska 42 Coach (K)   Nonstop   <a href="#">Details</a>	Bethel (BET) 8:30 am <a href="#">Tue, Sep 27</a>	Anchorage (ANC) 9:35 am <a href="#">Tue, Sep 27</a>	<a href="#">Taxes, fees and charges</a>
This flight uses a Boeing 737-400 <a href="#">Combi aircraft</a> . When boarding this type of aircraft, customers will use two sets of stairs, board from the rear of the aircraft, and be exposed to the weather.			<a href="#">Low-price guarantee</a>
<i>Alaska</i> Alaska 52 Coach (K)   Nonstop   <a href="#">Details</a>	Anchorage (ANC) 11:25 am <a href="#">Tue, Sep 27</a>	Seattle (SEA) 3:49 pm <a href="#">Tue, Sep 27</a>	<a href="#">Shop again using a discount code.</a>
<i>Alaska</i> Alaska 492 Coach (T)   Nonstop   <a href="#">Details</a>	Seattle (SEA) 5:30 pm <a href="#">Tue, Sep 27</a>	San Diego (SAN) 8:09 pm <a href="#">Tue, Sep 27</a>	

Distance: 2,892 mi | Duration: 10h 39m

<i>Alaska</i> Alaska 487 Coach (L)   Nonstop   <a href="#">Details</a>	San Diego (SAN) 2:50 pm <a href="#">Sun, Oct 2</a>	Seattle (SEA) 5:30 pm <a href="#">Sun, Oct 2</a>
<i>Alaska</i> Alaska 109 Coach (L)   Nonstop   <a href="#">Details</a>	Seattle (SEA) 6:15 pm <a href="#">Sun, Oct 2</a>	Anchorage (ANC) 8:50 pm <a href="#">Sun, Oct 2</a>

Distance: 2,495 mi | Duration: 7h 0m

<i>Alaska</i> Alaska 43 Coach (L)   Nonstop   <a href="#">Details</a>	Anchorage (ANC) 11:05 am <a href="#">Mon, Oct 3</a>	Bethel (BET) 12:19 pm <a href="#">Mon, Oct 3</a>
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This flight uses a Boeing 737-400 [Combi aircraft](#). When boarding this type of aircraft, customers will use two sets of stairs, board from the rear of the aircraft, and be exposed to the weather.

Distance: 397 mi | Duration: 1h 14m

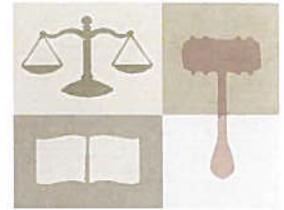
- ▶ [Fare rules](#)
- ▶ [Baggage rules](#)

Total due now \$740.00 USD  
[Currency converter](#)

NEXT →



International Municipal Lawyers Association  
 7910 Woodmont Avenue, Suite 1440  
 Bethesda, MD 20814  
 Phone: 202-466-5424  
 Fax: 202-785-0152  
 Email: [info@imla.org](mailto:info@imla.org)



**IMLA's 81st Annual Conference - Institute for Local Government Lawyers (ILGL)  
 Hilton San Diego Bayfront Hotel – San Diego, CA  
 Wednesday, September 28, 2016**

**INSTITUTE FOR LOCAL GOVERNMENT LAWYERS —**

The Institute for Local Government Lawyers (ILGL) is an beginners-level program geared towards law students, attorneys new to local government, as well as seasoned attorneys who need a “refresher” in various general topics of local government law. Presenters are law school professors and/or local government lawyers with a vast amount of experience throughout the United States. The presentations will provide a broad overview on a number of topics of interest to local government attorneys and will be in a classroom-type setting.

The tentative program for this year's ILGL is forthcoming.

The fee for this event is \$175. This fee includes the programming, a brown bag type lunch as well as a materials associated with the presentation. If you have any questions regarding ILGL Programming please contact IMLA at [info@imla.org](mailto:info@imla.org).

*\*\*Cancellations must be received in writing by August 1, 2016 to qualify for a refund. All cancellations are subject to a \$25.00 administrative processing fee.*

**ATTENDEE INFORMATION**

Name: \_\_\_\_\_  
 Badge Name: \_\_\_\_\_  
 \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**PAYMENT INFORMATION:**

Send a copy of this form along with your payment to:

IMLA  
 P.O. Box 200016  
 Pittsburgh, PA 15251-0016

Your check made payable to IMLA in the amount of \$175.00 in US Currency

or authorize IMLA to charge to the following account:

Visa  MasterCard

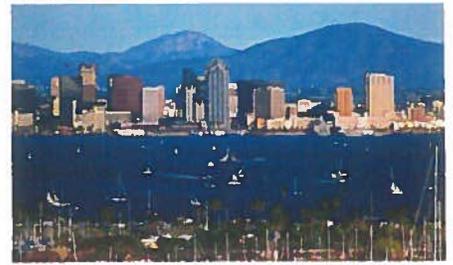
Account Number

Expiration Date

Cardholder Name

Signature

For hotel reservations, program updates & to register online visit our web site: <http://www.imla.org>  
Click on conference page to access hotel room block



# IMLA's 81<sup>st</sup> Annual Conference

## Hilton San Diego Bayfront | Sept. 28-Oct. 2, 2016

Save the Date!

### REGISTRATION INFORMATION

Name Patty Burley Title City Attorney

Badge Name \_\_\_\_\_ Local Government Entity \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Guest Name \_\_\_\_\_ Guest Badge Name \_\_\_\_\_

*(Complete only if registering Guest) Badges are required for all functions. Guest Rates Below*

**Please indicate your registration type and options listed below (check all that apply)**

CLE Credits, please specify state(s) \_\_\_\_\_ Your Bar No.'s. \_\_\_\_\_

**Breakfast:**  STATE/PROVINCE \$15 |  WONK \$15 Attended Las Vegas Conference See Loyalty Rate Below!

**\*\*\* If you are from AZ, CA, ID, HI, MT, NM, NV, OR or WA contact IMLA at [info@imla.org](mailto:info@imla.org) for additional rate information \*\*\***

**Registration Fees include:** Admission to program, all sessions, conference materials, IMLA social functions, Conference Luncheon (CL) and all coffee breaks (not applicable to guest). **Guest Fees include:** Attendance at the events selected below. **Cancellation / Refund Policy:** Cancellations must be received in writing by **August 1, 2016** to qualify for a refund. All cancellations are subject to a \$50.00 administrative processing fee. **After August 1, 2016** those not attending will receive the event materials in full consideration of registration fees paid. Replacements are always welcomed. **Guest Cancellations** are subject to a \$25.00 administrative processing fee. All refunds will be remitted 90 days after the event. Send all cancellations in writing to the IMLA Events Department. **Full participation required to qualify for discounted rates (see below).** \*Register same time.

**Discounted Registration Fees-Expire 15 Days After Rate Ends, If Payment Is Not Received, Next Rate Will Apply.** The discounted registration fees below are available for those staying in IMLA Conference Hotel, otherwise \$100 will be added to your registration fee to help defray IMLA Conference expenses (local attendees exempt from \$100). Conference payment must be received within 15 days.

**HARD COPY POLICY:** Registration fees include speaker's materials, available electronically. These materials will be available for registrants from IMLA's App one to two weeks prior to the meeting. **If you require paper copies of speaker materials IMLA encourages you to download and print these materials yourself if you want IMLA to produce them for you at the Conference you must add an additional \$550 to your registration fee and check here.** \_\_\_\_\_

Registration Type	Regular Rate Ends 8/19/16	Rate After 8/19/16
First Member <input type="checkbox"/>	\$700	<del>\$725</del>
Add'l. Member <input type="checkbox"/>	\$475	\$500
3 or More From Same Office		
Each person* <input type="checkbox"/>	\$425	\$450
Member-First Time Attendee or New Attorney 1-5 yrs. <input type="checkbox"/>	\$435	\$460
Las Vegas Loyalty <input type="checkbox"/>	\$650	<u>\$675</u>
Judicial <input type="checkbox"/>	\$380	\$430
Nonmember <input type="checkbox"/>	\$1,200	\$1,600
Guest-Reception <input type="checkbox"/>	\$125	\$150
Guest-Reception Plus Breakfast <input type="checkbox"/>	\$150	\$175
Guest-Luncheon Ticket <input type="checkbox"/> CL	\$75 each	\$75 each

### FIVE EASY WAYS TO REGISTER!

MAIL: International Municipal Lawyers Association, P.O. Box 200016, Pittsburgh, PA 15251-0016 | PHONE: 202-466-5424 | FAX: 202-785-0152 | E-MAIL: [info@imla.org](mailto:info@imla.org) | MyIMLA Online: [www.imla.org](http://www.imla.org)

### REGISTRATION PAYMENT INFORMATION

Bill Me  Check Enclosed  Visa  Master Card

**Make all checks payable to IMLA; U.S. currency only.**

Amount \$ \_\_\_\_\_

Name Patty Burley

Card No. \_\_\_\_\_

Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

# ILGL

Institute for Local Government Lawyers

Wednesday, September 28th  
San Diego, CA - Hilton Bayfront Hotel

**8:45AM- 9:00AM**

**Opening Remarks**

**Speaker: Frank Gummey, City Attorney, New Smyrna Beach, FL**

**9:00AM- 9:45AM**

**Fundamentals of Municipal Finance and Borrowing**

Municipal attorneys are often asked, “Can we do this?”, when “this” relates to getting, spending, and borrowing money by their municipal clients. This session will consider the essential legal issues attendant to that question. We will discuss basic constitutional issues like public purpose, corporate purpose, and lending of the public credit; the theoretical distinction between taxes and fees; the legal ramifications of that distinction; and other limitations on the ways that municipalities can get and spend money. We will also briefly consider the role and types of municipal borrowing. Because the laws vary widely from state to state, the session will focus on issue spotting and general questions that the municipal attorney should consider when asked financial questions.

**Speaker: Eric Shytle, City Attorney, Sumter South Carolina**

**9:45AM- 10:30AM**

**Parliamentary Procedure**

Municipal and county governing boards are often populated with well-meaning public servants who have little or no understanding of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This “down-home” approach might appear to work well when the board is dealing with noncontroversial matters. Yet when controversy arises – and it always does – the result can be multiple motions made in rapid succession and members who are confused about what they are being asked to vote on. In such situations, the presiding officer is likely to seek the advice of counsel. This presentation will arm local government attorneys with basic principles of parliamentary procedure, examine the legal sources of those principles, and review common



procedural problems.

**Speaker: Trey Allen, Assistant Professor of Public Law & Government, The University of North Carolina at Chapel Hill**

**10:30AM- 10:45AM**

**Coffee Break**

**10:45AM- 11:30AM**

**Sunshine Laws—Key Concepts and Hot Topics**

Public Record (FOIA) laws and open meeting requirements provide transparency and accountability in local government. New city and county attorneys must be familiar with the basic coverage and scope of the transparency laws that govern their clients, as well as the exceptions that apply (whether by statute or court interpretation). These laws vary from state to state, but some issues are universal. Hot topics to be discussed include electronic records and metadata, virtual meetings and remote participation in meetings, status of records in social media, standing requests, status of citizen information in public records, public information on private devices and accounts, and private information on government devices and accounts. Using scenarios involving common transparency issues as prompts, participants will be invited to talk about the basic rules and emerging issues in their jurisdictions.

**Speaker: Frayda Bluestein, Professor Public Law & Government, University of North Carolina**

**11:30AM- 12:15PM**

**Personnel and Employment Law**

It often has been said that one of the largest components of a local government budget is for personnel and labor costs. While there are many similarities between guiding employers between the public and private sectors, public employers have some



# IMLA's 2016 Annual Conference OVERVIEW

## WEDNESDAY, SEPTEMBER 28th

TIME	TITLE	SPEAKER(S)	
7:00 am	5:00 pm	Registration	
8:00 am	4:45 pm	Code Enforcement Program- Day 1	<a href="#">View Schedule</a>
8:00 am	4:30 pm	ILGL Program	<a href="#">View Schedule</a>
8:00 am	12:00 pm	Board of Directors Meeting	
1:00 pm	2:00 pm	Legal Hold and E-Discovery Working Group Meeting	Pete Haskel
2:00 pm	3:00 pm	Large Population Meeting	Foster Mills
3:00 pm	3:15 pm	BREAK	
3:15 pm	4:45 pm	State League Counsel & Municipal Attorneys Association Department Meeting	
5:00 pm	6:00 pm	State League Reception	
7:10 pm	-----	Padres Baseball Game	

## THURSDAY, SEPTEMBER 29th

7:00 am	5:00 pm	Registration	
8:00 am	11:45 am	Code Enforcement Program- Day 2	
9:00 am	10:30 am	WORK SESSION: Hot Topics in Land Use - Regional Growth Management & Takings	Julian Juergensmeyer Raymond Young Alyssa Bradley Susan Trevarthen
		WORK SESSION: IMLA's Construction Contract Drafting Initiative	John Markovs Christopher Petrini Roy Cooper
10:30 am	10:45 am	BREAK	
10:45 am	11:45 am	WORK SESSION: Autonomous Cars & the Future of Transportation: Not a Horse and Buggy, but Not Quite Starship Enterprise... Yet	Greg Rodriguez Steven DeBaun
		WORK SESSION: When Disaster Strikes: What Will Your City be Expected to Do and Defending Municipalities Against Disaster Related Claims	Marc L. Zafferano David N. Bruce
		WORK SESSION: An Aging Workforce- Reviewing Pension Status and Age Discrimination and Public Pension Reform Efforts from Around the Country	Patricia Beety Steven Goodin
11: 55 am	12:55 pm	Technology Section Meeting: Ethics/Techno Competence and the Local Government Lawyer	Pete Haskel
		LexisNexis Training	
		Westlaw Luncheon Focus Group	Ann Murray Haag
		County Department Meeting	Marc Hansen
12:55 pm	2:00 pm	Lunch (On your own)	
2:00 pm	5:00 pm	Code Enforcement and Land Use Mobile Workshop Tours *Advanced registration is required*	
2:00 pm	3:00pm	Westlaw Research: Spend Less Time Digging and More Time Doing	
6:00 pm		Welcome Reception	

# FRIDAY, SEPTEMBER 30th

7:00 am	5:00 pm	Registration	
7:00 am	7:45 am	<b>State/Province Breakfast &amp; Fellows Award Ceremony</b> **Pre-Registration is required	
8:00 am	8:45 am	Opening Ceremony & James Epps Award Ceremony	
8:00 am	5:00 pm	Canada Day	
8:45 am	10:15 am	<b>WORK SESSION: Hot Topics in Employment Law- Workplace Investigations, Employee Speech &amp; Employment Discrimination Case Law Update</b>	Camille Pating Barry Uhrman Frances Rogers
		<b>WORK SESSION: Litigation, A Sword and a Shield: A Case Study for Affirmative Litigation- Monsanto's PCBs &amp; Defending Class Action Employment Litigation</b>	Scott Summy John Fiske Kenneth Willner Tammy Daub
10:15 am	10:30 am	BREAK	
10:30 am	11:30 am	Nominating Committee Meeting	
10:30 am	12:00 pm	<b>WORK SESSION: Reed's Impact on Solicitation Ordinances: Are You Regulating Content, Conduct and/or Communication?</b>	John Baker Deborah Fox Christine O'Connor Michael Carlson
		<b>WORK SESSION: Municipal Finance- Public Money &amp; Public Projects: Local Counsel's Role in Municipal Borrowing and Contractor Bankruptcy</b>	Alice Ostdiek Eric Shytle Rita Dumain
12:10 pm	1:10 pm	<b>WORK SESSION: The Safe Drinking Water Act and the Nation's Aging Water Infrastructure &amp; Liability for Lead Contamination of Water Supplies- Is it Covered by Insurance?</b>	Andre Monette Finley Harckham
		<b>WORK SESSION: Governmental Use of Drones- A Practical Look at their Use by Municipalities &amp; Related Fourth Amendment Implications</b>	Gregory Priamos Captain Frank Taylor (Ret) Professor Gregory McNeal
1:10 pm	2:40pm	Conference Luncheon- Speaker & Awards Ceremony	Ruben Navarrette
2:40 pm	3:40pm	<b>CONCURRENT: Crisis Communications and Reputation Management for Attorneys and Their Clients- Part 1</b>	Bruce Hennes
		<b>CONCURRENT: Synthetic Turf- Issues for Local Government</b>	William Anderson Renee M. Kalmes
		<b>Land Use Section Meeting: "A Decade After Kelo"</b>	Andrew Schwartz
		<b>Health &amp; Environment Section Meeting: Where Did the Year Go? A Case Law Update</b>	Gene Tanaka
		<b>Personnel Section Meeting: Dealing with Conduct of Elected Officials and their Interactions with Municipal Employees</b>	Daniel Crean Roberta "Robin" Cross
		<b>CONCURRENT: Antitrust Actions: Why Cities Paid Too Much for Water Chemicals</b>	Scott Summy John Fiske
		<b>CONCURRENT: Local Government Appellate Practice</b>	Lisa Soronen Kira Klatchko
<b>CONCURRENT: Data Breach Trends: What Local Government Lawyers Need to Know- Part I</b>	Melodi (Mel) Gates Zach Ratzman		
3:40 pm	3:55pm	BREAK	

3:55 pm	4:55 pm	CONCURRENT: Crisis Communication Part II	Bruce Hennes
		CONCURRENT: REPEAT: Synthetic Turf- Issues for Local Government	William Anderson Renee M. Kalmes
		Finance/Economic Development Section Meeting	Clay Binford Dave Sanchez
		CONCURRENT: REPEAT: Antitrust Actions: Why Cities Paid Too Much for Water Chemicals	Scott Summy John Fiske
		CONCURRENT: REPEAT: Local Government Appellate Practice	Lisa Soronen Kira Klatchko
		CONCURRENT: Cybersecurity Basics: Data Breach Prevention & Response- Part 2	Melodi (Mel) Gates Zach Ratzman

## SATURDAY, OCTOBER 1

7:00 am	5:00 pm	Registration	
7:30 am	8:30am	WONK Breakfast *Pre-Registration is required	
9:00 am	10:30 am	WORK SESSION: Body Worn Cameras: From Policy Considerations to Boots on the Ground Deployment	Professor Richard Myers Henry Brandis Jack Ryan
		WORK SESSION: Telecommunications- New Challenges for Local Counsel in a Broadband World: Why Public Safety, Economic Development, Planning and Zoning and Elected Officials will be Knocking On Your Door	Gail Karish Joseph Van Eaton Barry Fraser Brian Grogan
10:30 am	10:45 am	BREAK	
10:45 am	12:15 pm	WORK SESSION: Negotiating and Administrating Effective Claims and Change Procedures in Public Construction Contracts	Steven "Tip" Torres John Ridilla
		WORK SESSION: Hot Topics Under Section 1983: Litigating Deadly Force Claims; Malicious Prosecution Claims; & Arrest and Custody Issues Involving the Mentally Ill	John Wilkerson Moses Johnson Melinda Barlow
12:30 pm	2:00 pm	LUNCH (On your own)	
2:00 pm	3:00 pm	CONCURRENT: Trial Preparation and Trial Techniques	Tamara Baines
		CONCURRENT: University Cities Meeting: Hot Topics for University Cities Roundtable	Michael May
		CONCURRENT: Litigation Section Meeting	Ashley Ulbricht
		CONCURRENT: Overview of Federal Stormwater Regulations and Local Implementation	Ade Bakare Stephen Matzura Scott Gould
		CONCURRENT: Illicit Massage Businesses: How Strong Codes and Partnership with NGO's Can Help Cities Win Against Human Trafficking	Scott Bergthold Brad Myles
		CONCURRENT: Dangerous Dogs/Feral Cats	Lee Greenwood Ledy VanKavage
		CONCURRENT: Applicant Testing: How to Select the Best Applicants, Comply with EEO and Validation Requirements and Avoid Class Actions	Kenneth Willner Tammy Daub
		CONCURRENT: Comcast	Michael Ruger

3:00 pm	3:15 pm	BREAK	
3:15 pm	4:15 pm	International Committee Department Meeting	Cyvette Gibson
		Telecommunication & Franchise Section Workshop Meeting	Mike Watza
		CONCURRENT: REPEAT: Trial Preparation and Trial Techniques	Tamara Baines
		CONCURRENT: REPEAT: Overview of Federal Stormwater Regulations and Local Implementation	Ade Bakare Tim Horstmann Scott Gould
		CONCURRENT: REPEAT: Illicit Massage Businesses: How Strong Codes and Partnership with NGO's Can Help Cities Win Against Human Trafficking	Scott Bergthold Brad Myles
		CONCURRENT: REPEAT: Dangerous Dogs/Feral Cats	Lee Greenwood Ledy VanKavage
		CONCURRENT: REPEAT: Comcast	Michael Ruger

## SUNDAY, OCTOBER 2nd

7:00 am	12:00 pm	Registration	
8:00 am	8:45 am	Business Meeting	
8:45 am	9:45 am	WORK SESSION: Annual Review of Cases that Affect Local Government: The Good, the Bad, and the Funny	Douglas Haney
9:45 am	10:00 am	BREAK	
10:00 am	11:00 am	WORK SESSION: "Debtor's Prison" Litigation	The Honorable Sherry Statman Chris Edwards Robin Harris
11:05 am	12:05 pm	WORK SESSION: Ethics and the Municipal Lawyers: Common and Not-So-Common Issues Among Retained and In-House Counsel	Daniel Crean Sheila Gladstone
12:05		ADJOURNMENT	

**APPROXIMATELY 21 HOURS OF CLE CREDIT PLUS ETHICS**

**Click here to register today!**

To review the program with full topic descriptions, [CLICK HERE](#)

## City of Bethel Action Memorandum

Action memorandum No.	AM 16-55		
Date action introduced:	August 23, 2016	Introduced by:	Ann K. Capela
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

### Action Title

Direct Administration to complete and submit the Intent to Apply form for SFY 2018 Alaska Community Transit grant to fund Bethel Transit System.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Finance	ALM	Recommend approval.
<input checked="" type="checkbox"/>	Public Works	ML	Recommend approval.
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Attachment(s): SFY 2018 Intent to Apply form.

Amount of fiscal impact:		Account information:
	No fiscal impact	
	Funds are budgeted for.	
\$80,580	Funds are not budgeted. Budget modification is required.	56-50-

### Summary Statement

The City of Bethel has an opportunity to complete the SFY 2018 Intent to Apply form to notify the Alaska Community Transit Office that the City intends to complete and submit a SFY 2018 Alaska Community Transit grant in December 2016. The Intent to Apply form must be submitted by August 31, 2016 for the City to qualify for transit funding. The grant funding performance period would be July 1, 2017 to June 30, 2018.

The City intends to ask for the same amount of funding it received in SFY 2017: \$166,124 for Administration and \$84,473 for Operating. The City's required cash match is \$16,490 for Administration and \$64,090 for Operating. The amounts vary dramatically because the match rate is 9.03% for Administration and 43.14% for Operating.

This funding supports the Bethel Transit System at its lowest ever funding level. It runs the red and green lines Monday through Friday from 6:30 am to 6:00 pm. It typically delivers 1,500 rides a month by visiting 19 stops.

The City's bus stop shelters are expected to be delivered to Bethel by barge on August 25, 2016 and installed by fall 2016. The shelters are expected to encourage ridership.

The City's FY2017 match was reduced by \$13,912 SFY 2017 State Transit Match grant.

## City of Bethel Action Memorandum

Action memorandum No.	AM 16-56		
Date action introduced:	August 23, 2016	Introduced by:	Ann K. Capela
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

### Action Title

Authorizing the City Manager to contract with ETrac, Inc. to conduct a hydrographic survey of the Kuskokwim River section for the Port of Bethel.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Finance	HLM	Recommend approval.
<input checked="" type="checkbox"/>	Port	PAW	Recommend approval.
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Attachment(s): Contract between the City of Bethel and eTrac Inc.

Amount of fiscal impact:		Account information:
	No fiscal impact	
\$40,000	Funds are budgeted for.	52-50-776
	Funds are not budgeted. Budget modification is required.	

### Summary Statement

Per the requirements of the Seawall Maintenance Agreement between the City of Bethel and the U. S. Army Corps of Engineers, the City of Bethel prepared and issued a Request for Proposals for a company to complete a hydrographic survey of the Kuskokwim River section for the Port. After a successful procurement process was completed, ETrac, Inc. was chosen and a contract was negotiated. The proposed contract between the City of Bethel and ETrac, Inc. is attached for council review and approval.

**PROFESSIONAL SERVICES AGREEMENT  
FOR  
HYDROGRAPHIC SURVEY OF KUSKOKWIM RIVER SECTION**

THIS AGREEMENT made and entered into this \_\_\_\_\_day of August 2016, by and between the CITY OF BETHEL (a municipal corporation) and eTrac Inc., (a Small Business Entity based in Alaska).

**Section 01 Definition**

In this Agreement:

- A. The term "City" means the City of Bethel.
- B. The term "Surveyor" means eTrac Inc.

**Section 02 Employment of Surveyor**

The City hereby agrees to engage the Surveyor and the Surveyor hereby agrees to perform the services hereafter set forth.

**Section 03 Scope of Services**

The Surveyor will conduct a hydrographic survey for the City of Bethel. The minimum footprint for the hydrographic survey work to be performed is as follows:

Petro Port- downriver;

The Lat and Land lines are: N 60.46.874 X W 161.46.704  
and on the opposite side of the river: N 60.46.874 X W 161.44.181

Small Boat Harbor entrance-upriver:

N 60.47.432 X W 161.44.181  
N 60.47.224 X W 161.44.271

Surveying will be performed using an all-multibeam approach. The deeper parts of the Kuskokwim River (>10 feet) will be surveyed will full bottom coverage and overlap, while the shallow areas (<10 feet) will be surveyed using a striping pattern, including cross lines for Quality Assurance, suitable for creating cross sections at 10 feet intervals.

During operations, an RTK GNSS Base Station will be deployed transmitting CMR corrections via a 450-470 MHz radio modem to the Survey Vessel. The Horizontal and Vertical positions will be acquired through an Applanix POS MV Version 5 dual antenna Global Navigation Satellite System, receiving RTK corrections from the Base Station. Motion data (heave, pitch and roll) will be acquired through an Applanix POS MV Version 5 inertial motion unit as well. The RTK Position and motion data will be applied to the multibeam soundings on-the-fly within the survey software. QPS Quinsy/Qlound software will be used for acquisition and data processing tasks.

Sounding data will be acquired using an R2 Sonic 2022 multibeam system. The sonar will be operated at 200 kHz with a 110-degree swath width for the project in conformance with USACE EM 1110-2-1003 (Hydrographic Surveying) Manual requirements with vertical sounding depths to the nearest 0.1 US Survey. Two Hundred (200%) percent will be achieved in the critical areas outlined in this contract.

A factory-calibrated AML Base X Sound Velocity Profiler is to be used. The sound velocity cast information will be acquired and applied to the real-time information within the survey acquisition software. Casts will be performed frequently to determine changes in sound velocity throughout the survey area and during changing in tidal direction, etc. An additional Valeport Sound Velocity Profiler mounted to the sonar head will be utilized to provide real-time Speed-of-Sound corrections to the sonar processor unit to steer the sonar beams correctly.

Adjacent swaths are to be overlapped to ensure complete bottom coverage. A 1x1 foot depth colored sounding grid showing corrected soundings will be updated and logged in real-time to ensure sufficient coverage. In addition to the depth colored grid, a 1x1 sounding grid showing standard deviation values is to also be displayed.

Bathymetric data is to be collected such that elevations are referenced to MLLW, based on the published value for tidal bench mark "96 6477 TIDAL 7".

The final product shall include a detailed summary report, Auto CAD Civil 3D Drawings, DTMs in LandXML format, site & navigation aid photographs, field notes and log sheets, USACE USMART benchmark recovery forms, ASCII bathymetric data point files, and obstruction navigation aid tables.

**Quality of Work.** Surveyor will conduct the agreed upon tasks diligently and professionally, consistent with standards set forth in the industry.

#### **Section 04 Personnel**

Personnel shall be limited to those of eTrac Inc.

#### **Section 05 Term**

This Agreement shall be deemed in force as of August 25, 2016 and shall remain in effect until December 10, 2016 unless extended or terminated as hereinafter provided subject to funds properly appropriated by the City Council.

## **Section 06 Contract Renewal**

Surveyor shall have the right to renew this Contract by providing notice to the City no later than January 3<sup>rd</sup> 2018 of Surveyor's desire to renew. Surveyor's request to renew shall include the following:

1. Any requested changes to this Agreement;
2. Proposed Price;
3. Any other requested amendments

City shall respond to Surveyor's request, in writing, no later than sixty (60) days from the date of receipt of Surveyor's request to renew.

## **Section 07 Compensation**

A. Subject to the provisions of this Agreement, the City shall pay the Surveyor a fixed rate of Forty Thousand (\$40,000) Dollars.

B. Except as otherwise provided in this Agreement, the City shall not provide any additional compensation, payment, service or other thing of value to the Surveyor in connection with performance of agreed upon duties. The parties understand and agree that, except as otherwise provided in this section, administrative overhead and other indirect or direct costs the Surveyor may incur in the performance of its obligations under this Agreement have already been included in computation of the Surveyor's fee and may not be charged to the City.

C. Total compensation shall not exceed Forty Thousand (\$40,000) Dollars without the express written authorization of the City.

## **Section 08 Method and Time of Payment**

A. Surveyor shall invoice City upon completion of the Survey. Payment is due within thirty (30) days of the invoice date. Such payment shall constitute the full and complete compensation for the Surveyor's professional services.

B. All invoices must be submitted in duplicate and addressed as follows:

Peter Williams, Port Director  
City of Bethel  
PO Box 1388  
Bethel AK 99559-1388

D. It is expressly understood and agreed that in no event shall the total compensation due the Surveyor exceed FORTY THOUSAND (\$40,000) DOLLARS.

## **Section 09 Termination of Agreement for Cause**

If, through any cause, the Surveyor shall fail to fulfill in a timely and proper manner the obligations under this Agreement or if the Surveyor shall violate any of the covenants, agreements, or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement by giving written notice to the Surveyor of such termination and specifying the effective date thereof, at least five calendar (5) days before the effective date of such termination. All finished or unfinished documents, and reports or other material prepared by the Surveyor under this Agreement are the property of the City and shall be delivered to the City by or upon the effective date of termination. The Surveyor shall be entitled to receive compensation in accordance with the payment provisions of this Agreement only for work completed to the City's satisfaction in accordance with Section 3 of this Agreement and the other terms of this Agreement.

## **Section 10 Modifications**

A. The parties may mutually agree to modify the terms of the Agreement. Modifications to the Agreement shall be incorporated into the Agreement by written amendments.

## **Section 11 Equal Employment Opportunity**

A. The Surveyor will not discriminate against any party because of race, national origin, color, age, creed, religion, sex, sexual orientation, gender identity, political affiliation, marital status, ancestry, disability, or status as a disabled veteran.

## **Section 12 Assignability**

A. The Surveyor shall not assign any interest in this Agreement and shall not transfer any interest in the same (whether by assignment or novation) without the prior written consent of the City, thereto; provided, however that claims for money due or to become due to the Surveyor from the City under this Agreement may be assigned by court order or to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the City, or the Surveyor shall be responsible to the City for any moneys due the assignee of this Agreement which are paid directly to the Surveyor.

B. The Surveyor shall not delegate duties or otherwise subcontract work or services under this Agreement without the prior written approval of the City.

## **Section 13 Permits, Laws and Taxes**

The Surveyor shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to the performance under this Agreement. All actions taken by the Surveyor under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations. The Surveyor shall pay all taxes pertaining to its performance under this Agreement.

## **Section 14 Relationship of the Parties**

In the performance of services under this Agreement, the Surveyor shall be, and acknowledges that Surveyor is, in fact and law, an independent contractor and not an agent or employee of the City. Surveyor has and retains the right to exercise full supervision and control of the manner and methods of providing services to City under this Agreement. The City may administer this Agreement and monitor the Surveyor's compliance with this Agreement but shall not supervise or otherwise direct the Surveyor.

## **Section 15 Agreement Administration**

A. The Port Director, or his designee, will be the representative of the City administering this Agreement.

## **Section 16 Defense and Indemnification**

A. The Surveyor shall indemnify, hold harmless, and defend the City from and against any claim of, or liability for negligent acts, errors or omissions of the Surveyor under this Agreement. The Surveyor shall not be required to indemnify the City for a claim of, or liability for, the independent negligence of the City. If there is a claim of, or liability for, the joint negligent error or omission of the Surveyor and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. "Surveyor" and "City," as used within this article, include the employees, agents and other Surveyors/contractors who are directly responsible, respectively, to each. The term "independent negligence" is negligence other than in the City's selection, administration, monitoring, or controlling of the Surveyor and in approving or accepting the Surveyor's work.

## **Section 17 Interpretation and Enforcement**

This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.

## **Section 18 Surveyor Insurance**

At all times during the duration of this Contract, Surveyor agrees to maintain the following minimum insurance coverage/limits:

- A. General Liability: \$1,000,000 per Occurrence
- B. Commercial Auto Liability \$1,000,000 endorsed to cover non-owned and hired autos
- C. Worker's Compensation (statutory) Employer's Liability: \$1,000,000

D. The City of Bethel shall be additional insured on a primary/non-contributory basis under each policy required to be maintained. Such additional insured endorsement shall also include a Waiver of Subrogation.

**Section 19 Severability**

If any section or clause of this Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under the law, the remainder of this Agreement shall remain in full force and effect.

**Section 20 Understanding**

The Surveyor acknowledges that the Surveyor has read and understands the terms of this Agreement, has had the opportunity to review the same with counsel of their choice, and is executing this Agreement of their own free will.

**Section 21 Notices**

Any notice required pertaining to the subject matter of the Agreement shall be personally delivered or mailed by prepaid first-class, registered or certified mail to the following address:

City: Patty Burley, City Attorney  
City of Bethel  
PO Box 1388  
Bethel AK 99559

Surveyor: eTrac Inc.  
Gregory Gibson, PLS  
Sr. Vice President of Survey  
637 Lindaro Street, Suite 100  
San Rafael, CA 949-01

CITY OF BETHEL

ETRAC INC.

\_\_\_\_\_  
By: Ann K. Capela

Title: City Manager

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Gregory Gibson, PLS

Title: Sr. Vice President of Survey

Dated: \_\_\_\_\_

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# *Mayor's Report*

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# ***City Manager's Report***

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# ***City Clerk's Report***

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# City of Bethel, Alaska

## City Clerk's Office

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### **Council Meetings and Events**

August 23, 2016 Regular City Council Meeting

### **City Manager Recruitment Process**

As of August 18, 14 city manager application packets were received.

Round one interviews were conducted with 4 applicants on August 12 additional round one interviews will be conducted on August 25, and 26.

### **Elections**

As the manager and coordinator for the State of Alaska Elections that take place in Bethel, the office has been busy coordinating election officials and administering the August Primary Election.

### **City of Bethel Regular Election**

Candidacy Filing Period, August 5-August 22 at 12p. As of August 18, 2016 one person has submitted an application.

Deadline to register to vote, September 4.

Absentee in person/by mail voting opens September 19.

### **City of Bethel Facebook Page**

- The City's Facebook page has been set up but has not been made public.
- Three weeks ago, the City Clerk's Office sent a request to the appointment members of the Social Media Committee. They were asked to provide the group with a sample post for the City's Facebook page by August 19<sup>th</sup>. Out of the seven people three people responded. This request was a test to see if the departments would be engaged in the use of the page. Prior to the launch of the page, the City Clerk's Office needs reassurance that the other departments are going to regularly participate in the page.
- The City Clerk's Office is waiting to hear back from the Chief of Police on the use of Archive Social. The Police Department entered into a contract with Archive Social (retention of page info) and the City has the opportunity to place other pages under that contract-if this works out it could save the City money.

### **City Clerk Out of the Office**

The City Clerk will be out of the office from August 26 – September 9. While out of the Office, the hours will be from 1-4p Monday through Thursday. While out of the Office, the City Clerk will have access to email.

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# ***Executive Session***

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# *Additional Information*

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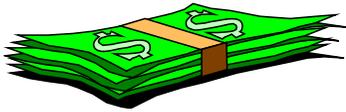
# City of Bethel Finance Department

## Monthly City Council Financial Report

Period thru June 30, 2016

**Note 1:** When reviewing this report it is important to remember that sales tax revenues, including transient lodging tax and gaming fees, are due the month following the period collected; therefore, these revenues always appear to be lagging behind budget until the after the end of the fiscal year, when June revenue is remitted to the City in July.

**Note 2:** This report represents recorded revenues, expenditures, budget modifications and line items transfers with balance sheet account balances through June 30, 2016. It is possible that not all of the June 30, 2016 aforementioned transactions may be recorded by the date of this report. The unaudited figures in this report, especially the balance sheet accounts are subject to further modification and correction by the Finance Department, if necessary, and should not be considered final.



**CITY OF BETHEL  
FINANCIAL REPORT**

Bank & Investment Accounts  
As of June 30, 2016



CITY OF BETHEL  
FINANCIAL REPORT  
Bank and Investment Accounts

**A. Introduction**

The City of Bethel operates under a central treasury. A central treasury concentrates cash in order to maximize the return on the investments and to provide adequate liquidity for planned cash flows. Therefore, cash accounts do not correspond to “funds” in the City’s financial records. All transactions between funds are accounted for in interfund receivables and payables which are also called “Due To” and “Due From” accounts.

Cash and investments accounts marked with an asterisk are not part of the central treasury. These accounts are legally restricted from being part of the central treasury or segregated because of policy or purpose.

Investments in the Bethel Endowment Fund are physically segregated by ordinance. The assets of this fund are invested in accounts with Piper Jaffray Investments.

All investments are categorized as “Category 1” for credit risk according the categories described in Governmental Accounting Standards Board Statement No. 3, *Deposits with Financial Institutions, Investments [Including Repurchase Agreements], and Reverse Repurchase Agreements*. This means that the City’s investments are either insured or registered, or that the securities are held by the City or its agent in the City’s name. Category 1 investments contain less credit risk than other categories; therefore, City funds are invested with the lowest reasonable credit risk. The City’s investments are earning a competitive yield.

**Summary of Cash and Investments as of June 30, 2016**

**1. Cash, Deposits, and Certificates of Deposit**

<u>Description</u>	Balance 5/31/2016	Balance 6/30/2016	Year-to-Date Increase (Decrease)
Wells Fargo-General/Sweep Accounts	\$12,843,663	11,956,089	\$ (887,574)
Wells Fargo-Payroll Account	-		-
Wells Fargo-Asset Forfeiture Account (Police) *	5,434	5,434	-
Wells Fargo-Evidence Holding Account (Police) *	8,671	8,671	-
First National Bank CD (Lease Revenue Bond Reserve) *	** 450,557	450,557	(1)
Petty Cash-Finance	250	250	-
Petty Cash-Police	300	300	-
Petty Cash-Port	50	50	-
Petty Cash-Youth Center	70	70	-
Petty Cash-Recycling	-		-
Petty Cash-Public Works	-		-
<b>Total</b>	<b>\$0</b>	<b>\$13,308,995</b>	<b>\$12,421,420</b> (887,575)

\* - Restricted Funds

CITY OF BETHEL  
FINANCIAL REPORT  
Bank and Investment Accounts

**2. Investments held in the Central Treasury:  
As of June 30, 2016**

<u>Description</u>	Market Value 5/31/2016	Market Value 6/30/2016	Year-to-Date Increase (Decrease)
01-12700 Wells Fargo Investments	\$1,739,348	1,739,601	\$253
01-12800 Wells Fargo Investments (Lease Revenue Bond Pmt Acct)	\$319,420	\$319,474	\$54
01-12900 Time Value Investments	\$1,015,724	\$1,016,316	\$593
01-12500 Alaska Municipal League Investment Pool	\$154,904	\$154,934	\$30
<b>T ot</b>	<b>\$3,229,396</b>	<b>\$3,230,325</b>	<b>\$930</b>

**3. Restricted Accounts \*  
As of June 30, 2016**

<u>Description</u>	Market Value 5/31/2016	Market Value 6/30/2016	Year-to-Date Increase (Decrease)
90-12600 Piper Jaffray Investments *	\$ 1,910,380	\$ 1,913,468	\$ 3,088
40-12200 BATH Center Account *	4,643,857	4,977,634	333,777
52-12300 Deferred Seawall Maintenance Account *	1,879,897	1,880,981	1,084
52-12500 Pro Equities - Dock Deferred Maintenance *	611,561	611,708	147
<b>T ot</b>	<b>9,045,695</b>	<b>9,383,791</b>	<b>338,096</b>

**TOTAL BANK AND INVESTMENT FUNDS ON HAND  
As of June 30, 2016**

<u>Description</u>	Balance 5/31/2016	Balance 6/30/2016	Year-to-Date Increase (Decrease)
Cash, Deposits, and Certificates of Deposit	\$13,308,995	12,421,420	(\$887,575)
Investments	\$3,229,396	3,230,325	\$929
Restricted Accounts	9,045,695	\$9,383,791.00	\$ 338,095.81
<b>T al</b>	<b>\$25,584,086</b>	<b>\$25,035,536</b>	<b>(\$548,550)</b>

**Total Central Treasury and Unrestricted Funds as of June 30, 2016: \$15,187,084**  
**Total Restricted Funds as of June 30, 2016: 9,848,452**  
**\$ 25,035,536**

\* - Restricted Funds

CITY OF BETHEL  
 FUND SUMMARY  
 FOR THE 12 MONTHS ENDING JUNE 30, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
TAXES	595,256.49	6,581,618.74	7,993,889.00	1,412,270.26	82.3
STATE & FEDERAL REVENUES	.00	1,229,693.17	1,848,284.00	618,590.83	66.5
CHARGES FOR SERVICES	18,185.86	132,600.14	154,500.00	21,899.86	85.8
RENTAL INCOME	790.00	3,055.00	3,000.00	( 55.00)	101.8
LICENSES, PERMITS & FEES	16,874.77	613,027.15	663,300.00	50,272.85	92.4
OTHER FINANCING SOURCES	.00	.00	5,000.00	5,000.00	.0
MISCELLANEOUS	7,373.98	58,165.13	40,700.00	( 17,465.13)	142.9
<b>TOTAL FUND REVENUE</b>	<b>638,481.10</b>	<b>8,618,159.33</b>	<b>10,708,673.00</b>	<b>2,090,513.67</b>	<b>80.5</b>
<u>EXPENDITURES</u>					
ADMINISTRATION	24,601.18	377,054.83	516,778.00	139,723.17	73.0
CITY CLERKS OFFICE	9,472.67	125,457.92	179,696.00	54,238.08	69.8
FINANCE	77,321.38	605,506.30	852,246.00	246,739.70	71.1
PLANNING	17,274.76	164,566.47	309,679.00	145,112.53	53.1
TECHNOLOGY DEPARTMENTS	57,048.89	516,514.80	479,715.00	( 36,799.80)	107.7
CITY ATTORNEY'S OFFICE	16,549.40	301,987.81	326,802.00	24,814.19	92.4
FIRE DEPARTMENT	132,105.25	1,032,704.41	1,153,078.00	120,373.59	89.6
POLICE	233,020.83	2,114,972.23	3,015,612.00	900,639.77	70.1
PUBLIC WORKS-ADMIN	8,097.53	100,796.92	142,457.00	41,660.08	70.8
PW-STREETS & ROADS	55,613.38	1,291,996.13	1,697,798.00	405,801.87	76.1
PROPERTY MAINTENANCE	79,697.33	613,866.09	723,954.00	110,087.91	84.8
PARKS & REC/BYC	28,052.74	246,105.79	377,718.00	131,612.21	65.2
COMMUNITY SERVICE	4,220.00	186,733.28	193,220.00	6,486.72	96.6
IN KIND MATCH & TRANSFERS	.00	.00	745,828.00	745,828.00	.0
<b>TOTAL FUND EXPENDITURES</b>	<b>743,075.34</b>	<b>7,678,262.98</b>	<b>10,714,581.00</b>	<b>3,036,318.02</b>	<b>71.7</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 104,594.24)</b>	<b>939,896.35</b>	<b>( 5,908.00)</b>	<b>( 945,804.35)</b>	<b>15908.</b>

CITY OF BETHEL  
 FUND SUMMARY  
 FOR THE 12 MONTHS ENDING JUNE 30, 2016

PARKS DEVELOPMENT FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>EXPENDITURES</u>					
PARKS DEVELOPMENT	2,893.95	2,893.95	73,277.00	70,383.05	4.0
TOTAL FUND EXPENDITURES	2,893.95	2,893.95	73,277.00	70,383.05	4.0
NET REVENUE OVER EXPENDITURES	( 2,893.95)	( 2,893.95)	( 73,277.00)	( 70,383.05)	( 4.0)

CITY OF BETHEL  
 FUND SUMMARY  
 FOR THE 12 MONTHS ENDING JUNE 30, 2016

YK REG AQUA HLTH & SAFETY CTR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
SOURCE 43	65,827.71	414,919.94	578,000.00	163,080.06	71.8
TRANSFERS IN	.00	.00	570,833.00	570,833.00	.0
MISCELLANEOUS	36.41	428.80	.00	( 428.80)	.0
TOTAL FUND REVENUE	<u>65,864.12</u>	<u>415,348.74</u>	<u>1,148,833.00</u>	<u>733,484.26</u>	<u>36.2</u>
<u>EXPENDITURES</u>					
LOCAL FUNDED EXPENDITURES	163,131.92	1,175,768.11	1,547,700.00	371,931.89	76.0
STATE FUNDED EXPENDITURES	.00	3,000.00	.00	( 3,000.00)	.0
TOTAL FUND EXPENDITURES	<u>163,131.92</u>	<u>1,178,768.11</u>	<u>1,547,700.00</u>	<u>368,931.89</u>	<u>76.2</u>
NET REVENUE OVER EXPENDITURES	<u>( 97,267.80)</u>	<u>( 763,419.37)</u>	<u>( 398,867.00)</u>	<u>364,552.37</u>	<u>(191.4)</u>

CITY OF BETHEL  
 FUND SUMMARY  
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E-911 SYSTEM/SURCHARGE

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>REVENUE</u>					
E-911 SURCHARGE	8,875.64	152,267.07	233,000.00	80,732.93	65.4
TOTAL FUND REVENUE	8,875.64	152,267.07	233,000.00	80,732.93	65.4
<u>EXPENDITURES</u>					
E-911 SERVICES	14,759.78	218,559.15	316,852.00	98,292.85	69.0
TOTAL FUND EXPENDITURES	14,759.78	218,559.15	316,852.00	98,292.85	69.0
NET REVENUE OVER EXPENDITURES	( 5,884.14)	( 66,292.08)	( 83,852.00)	( 17,559.92)	( 79.1)

CITY OF BETHEL  
 FUND SUMMARY  
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SOLID WASTE SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE AND FEDERAL SOURCES	.00	.00	52,034.00	52,034.00	.0
SOLID WASTE & RECYLING	97,414.60	1,169,461.08	1,126,883.00	( 42,578.08)	103.8
TOTAL FUND REVENUE	97,414.60	1,169,461.08	1,178,917.00	9,455.92	99.2
<u>EXPENDITURES</u>					
HAULED REFUSE	44,876.27	280,838.10	387,024.00	106,185.90	72.6
LANDFILL OPERATIONS	24,550.66	207,125.47	448,240.00	241,114.53	46.2
RECYCLING OPERATIONS	( 7,972.04)	8,696.57	14,879.00	6,182.43	58.5
TOTAL FUND EXPENDITURES	61,454.89	496,660.14	850,143.00	353,482.86	58.4
NET REVENUE OVER EXPENDITURES	35,959.71	672,800.94	328,774.00	( 344,026.94)	204.6

CITY OF BETHEL  
 FUND SUMMARY  
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WATER & SEWER SERVICES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE FUNDING	.00	.00	252,751.00	252,751.00	.0
WATER	304,864.64	3,885,689.30	3,528,562.00	( 357,127.30)	110.1
SEWER	226,005.50	2,718,619.70	2,735,097.00	16,477.30	99.4
MISCELLANEOUS	69.84	( 2,163.51)	303,778.00	305,941.51	( .7)
MISCELLANEOUS	256.95	3,542.19	100.00	( 3,442.19)	3542.2
<b>TOTAL FUND REVENUE</b>	<b>531,196.93</b>	<b>6,605,687.68</b>	<b>6,820,288.00</b>	<b>214,600.32</b>	<b>96.9</b>
<u>EXPENDITURES</u>					
UTILITY BILLING	11,557.61	109,269.10	142,643.00	33,373.90	76.6
HAULED WATER	92,727.48	1,296,819.31	1,732,057.00	435,237.69	74.9
PIPED WATER	50,003.80	447,418.73	456,786.00	9,367.27	98.0
BETHEL HTS WTR TREATMENT	55,259.72	553,877.61	983,404.00	429,526.39	56.3
CITY SUB WTR TREATMENT	35,212.97	378,261.61	1,060,725.00	682,463.39	35.7
HAULED SEWER	117,827.15	1,288,011.31	1,639,239.00	351,227.69	78.6
PIPED SEWER	94,959.94	623,105.75	796,598.00	173,492.25	78.2
SEWER LAGOON	6,189.52	110,266.87	143,481.00	33,214.13	76.9
<b>TOTAL FUND EXPENDITURES</b>	<b>463,738.19</b>	<b>4,807,030.29</b>	<b>6,954,933.00</b>	<b>2,147,902.71</b>	<b>69.1</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>67,458.74</b>	<b>1,798,657.39</b>	<b>( 134,645.00)</b>	<b>( 1,933,302.39)</b>	<b>1335.9</b>

CITY OF BETHEL  
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MUNICIPAL DOCK

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
INTEREST & PENALTIES	( 1,363.78)	2,512.81	12,000.00	9,487.19	20.9
STATE FUNDING	.00	.00	15,500.00	15,500.00	.0
CHARGES FOR SERVICES	385,194.42	1,071,506.50	1,053,500.00	( 18,006.50)	101.7
LEASE REVENUE	2,030.00	26,180.00	24,000.00	( 2,180.00)	109.1
MISCELLANEOUS	13,906.00	44,710.50	42,000.00	( 2,710.50)	106.5
MISCELLANEOUS	2,328.78	12,523.42	6,000.00	( 6,523.42)	208.7
TOTAL FUND REVENUE	402,095.42	1,157,433.23	1,153,000.00	( 4,433.23)	100.4
<u>EXPENDITURES</u>					
DOCK EXPENDITURES	56,965.57	675,272.89	1,007,470.00	332,197.11	67.0
SMALL BOAR HARBOR	17,148.24	106,499.57	153,782.00	47,282.43	69.3
TOTAL FUND EXPENDITURES	74,113.81	781,772.46	1,161,252.00	379,479.54	67.3
NET REVENUE OVER EXPENDITURES	327,981.61	375,660.77	( 8,252.00)	( 383,912.77)	4552.4

CITY OF BETHEL  
 FUND SUMMARY  
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LEASED PROPERTIES

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
LEASE INCOME	( 136,617.31)	667,142.59	662,488.00	( 4,654.59)	100.7
TRANSFERS	.00	.00	26,977.00	26,977.00	.0
MISCELLANEOUS	( 30.00)	20,507.92	15,000.00	( 5,507.92)	136.7
TOTAL FUND REVENUE	( 136,647.31)	687,650.51	704,465.00	16,814.49	97.6
<u>EXPENDITURES</u>					
LEASED PROPERTIES-MISC	195.00	17,571.18	23,900.00	6,328.82	73.5
LEASED PROP-COURT COMPLEX	22,831.95	377,527.71	606,347.00	228,819.29	62.3
TOTAL FUND EXPENDITURES	23,026.95	395,098.89	630,247.00	235,148.11	62.7
NET REVENUE OVER EXPENDITURES	( 159,674.26)	292,551.62	74,218.00	( 218,333.62)	394.2

CITY OF BETHEL  
 FUND SUMMARY  
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EMPLOYEE GROUP HEALTH BEN.

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>REVENUE</u>					
EMP GROUP BENEFITS REVENUES	164,975.82	1,583,897.44	1,738,857.00	154,959.56	91.1
TOTAL FUND REVENUE	<u>164,975.82</u>	<u>1,583,897.44</u>	<u>1,738,857.00</u>	<u>154,959.56</u>	<u>91.1</u>
<u>EXPENDITURES</u>					
EMPLOYEE GROUP HEALTH BENEFITS	60,723.45	1,683,968.22	2,667,509.00	983,540.78	63.1
TOTAL FUND EXPENDITURES	<u>60,723.45</u>	<u>1,683,968.22</u>	<u>2,667,509.00</u>	<u>983,540.78</u>	<u>63.1</u>
NET REVENUE OVER EXPENDITURES	<u>104,252.37</u>	<u>( 100,070.78)</u>	<u>( 928,652.00)</u>	<u>( 828,581.22)</u>	<u>( 10.8)</u>

CITY OF BETHEL  
 FUND SUMMARY  
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BETHEL PUBLIC TRANSIT SYSTEM

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
FEDERAL SOURCES	.00	.00	342,270.00	342,270.00	.0
CHARGES FOR SERVICES	2,664.00	34,559.00	33,000.00	( 1,559.00)	104.7
MISC REVENUE	.00	5.00	.00	( 5.00)	.0
TOTAL FUND REVENUE	<u>2,664.00</u>	<u>34,564.00</u>	<u>375,270.00</u>	<u>340,706.00</u>	<u>9.2</u>
<u>EXPENDITURES</u>					
TRANSIT SYSTEM EXPENDITURES	<u>24,022.59</u>	<u>312,699.91</u>	<u>483,455.00</u>	<u>170,755.09</u>	<u>64.7</u>
TOTAL FUND EXPENDITURES	<u>24,022.59</u>	<u>312,699.91</u>	<u>483,455.00</u>	<u>170,755.09</u>	<u>64.7</u>
NET REVENUE OVER EXPENDITURES	<u>( 21,358.59)</u>	<u>( 278,135.91)</u>	<u>( 108,185.00)</u>	<u>169,950.91</u>	<u>(257.1)</u>

CITY OF BETHEL  
 FUND SUMMARY  
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VEHICLES & EQUIP MAINTENANCE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
STATE AND FEDERAL FUNDING	.00	.00	55,865.00	55,865.00	.0
CHARGES FOR SERVICES	32,090.07	631,546.40	1,162,631.00	531,084.60	54.3
TOTAL FUND REVENUE	32,090.07	631,546.40	1,218,496.00	586,949.60	51.8
<u>EXPENDITURES</u>					
VEHICLE & EQUIP MAINT	69,258.25	664,274.58	1,218,498.00	554,223.42	54.5
TOTAL FUND EXPENDITURES	69,258.25	664,274.58	1,218,498.00	554,223.42	54.5
NET REVENUE OVER EXPENDITURES	( 37,168.18)	( 32,728.18)	( 2.00)	32,726.18	(16364

CITY OF BETHEL  
 FUND SUMMARY  
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FLEET REPLACEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
LOCAL SOURCES	.00	25,225.00	.00	( 25,225.00)	.0
TOTAL FUND REVENUE	.00	25,225.00	.00	( 25,225.00)	.0
<u>EXPENDITURES</u>					
FLEET REPLACEMENT-VEHICLES	.00	43,998.81	.00	( 43,998.81)	.0
TOTAL FUND EXPENDITURES	.00	43,998.81	.00	( 43,998.81)	.0
NET REVENUE OVER EXPENDITURES	.00	( 18,773.81)	.00	18,773.81	.0

CITY OF BETHEL  
 FUND SUMMARY  
 FOR THE 12 MONTHS ENDING JUNE 30, 2016

BETHEL ENDOWMENT FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>REVENUE</u>					
TRANSFERS	.00	.00	( 3,500.00)	( 3,500.00)	.0
MISCELLANEOUS	3,088.06	35,282.31	5,000.00	( 30,282.31)	705.7
TOTAL FUND REVENUE	<u>3,088.06</u>	<u>35,282.31</u>	<u>1,500.00</u>	<u>( 33,782.31)</u>	<u>2352.2</u>
NET REVENUE OVER EXPENDITURES	<u>3,088.06</u>	<u>35,282.31</u>	<u>1,500.00</u>	<u>( 33,782.31)</u>	<u>2352.2</u>