

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on August 25, 2015 at 6:30 p.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 6:30 p.m.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

<b>Comprising a quorum of the Council, the following members were present:</b>	
<input checked="" type="checkbox"/> Mayor Rick Robb	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Leif Albertson	<input checked="" type="checkbox"/> Council Member Chuck Herman
<input checked="" type="checkbox"/> Council Member Heather Pike	<input checked="" type="checkbox"/> Council Member Mark Springer
<b>Also in attendance were the following:</b>	
<input checked="" type="checkbox"/> City Manager Ann Capela	<input checked="" type="checkbox"/> City Attorney Patty Burley
<input checked="" type="checkbox"/> City Clerk Lori Strickler	
<b>Council Members Absent:</b>	
<input checked="" type="checkbox"/> Council Member Byron Maczynski	

**IV. PEOPLE TO BE HEARD**

*Eric Middlebrook –*

Stated his opposition to the Proclamation recognizing Victory over Japan Day. It is important to think about the greater accomplishment that Japan has become our friends and allies.

*David Trantham Jr. –*

Encouraged the Council to end the investigation that began in the early part of 2014.

*Nikki Hoffman –*

Stated she does not feel the Alcohol Beverage Control Board was wrong in their denial of the City Council's appeal of the Bethel Spirits Liquor License Application.

## V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

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

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Moved by: Pike  
Seconded by: Springer  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

**Primary Amendment:** Amend the Agenda to move Executive Session Item A to the first item under Unfinished Business.

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Moved by: Pike  
Seconded by: Springer  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

**Secondary Amendment:** Amend the motion to allow for the Council to hear the juvenile's statement but to follow up at the end of the meeting with the Council consideration of the item.

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Moved by: Pike  
Seconded by: Albertson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

### Removal from the Consent

**Agenda:** Remove AM 15-28 from the Consent Agenda.

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Moved by: Robb

## VI. APPROVAL OF THE MEETING MINUTES

**Item A – 8-11-2015 Regular Meeting Minutes**  
*Passed on the consent agenda.*

## VII. REPORTS ON STANDING COMMITTEES

### Public Safety and Transportation Commission

*Council Representative, Chuck Herman –*

A meeting has not been held since the last City Council meeting. The Commission is still in need of members only have three, in need four more members.

**Port Commission**

*Port Director, Pete Williams –*

A quorum of the body was not established, the Commission is still in need of members.

**Planning Commission**

*Council Representative, Heather Pike –*

A public hearing was held for the combining of two lots.

Considered options for the new planning department locations to allow ADA compliancy.

Commission Members requested the Council refer more items to the Commission.

**Parks and Recreation Committee**

*Council Representative, Richard Robb –*

The Parks and Recreation committee effective Sept. 1<sup>st</sup> a new committee which includes the Fitness Center.

**Finance Committee**

*Council Representative Leif Albertson –*

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

**Public Works Committee**

Nothing to report.

**Energy Committee**

*Council Representative, Zach Fansler –*

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

**VIII. SPECIAL ORDER OF BUSINESS**

**Item A** – Liquor License Applicant’s Opportunity To Defend Their Application Before The Governing Body As Per 3 AAC 304.145.

- 1) Dimitri’s Restaurant License # 5402.

*Representative from Dimitri’s did not attend the meeting to defend their application.*

**Item B** – Proclamation September 2, 2015 As Victory Over Japan (V-J) Day.

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

Moved by: Springer

Seconded by: Pike

Action: Motion carries by a vote of 6-0

In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike

Opposed: 0

**IX. UNFINISHED BUSINESS**

**X. 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/Potential Settlement Of State Of Alaska vs. N.J. (a minor child).

Council Member Herman declared a conflict of interest due to his employment and relations with the minor.

Move into Executive Session to discuss Alaska Statutes 44.62.310 (c) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Settlement Of State Of Alaska VS. N.J. (a minor child)

Those participating in the Executive Session will be the Council Members, City Attorney Burley, and City Manager Capela and the representing attorney of the N.J. (juvenile), N.J. and N.J.’s great aunt.

**Main Motion:**

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

**Main Motion:**

Move to amend the agenda to move Ordinance 15-27 to the next item on the agenda.

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

**Item B** – Public Hearing On Ordinance 15-27: Establishing Chapter 16.10 Tall Towers.

*Mayor Robb opened the Public Hearing.*

Becky Windtpeason, GCI Attorney Representative stated some concerns on the ordinance.

Steve Gilbert, AVEC Representative provided some concerns on the Ordinance.

*Mayor Robb closed the Public Hearing.*

**Subsidiary Motion:** Suspend the rules to hear from members of the public for the next fifteen minutes.

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Moved by: Springer  
Seconded by: Pike  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: 0

**Main Motion:** Postpone and refer to the Planning Commission.

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Moved by: Springer  
Seconded by: Pike  
Action: Motion does not carry by a vote of 2-4  
In favor:  Springer  Pike  
Opposed:  Robb  Albertson  Herman  Fansler

**Main Motion:** Adopt Ordinance 15-27.

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Moved by: Albertson  
Seconded by: Herman  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: 0

**Item A – Public Hearing On Ordinance 15-26: Approving The Disposal Of City Property Identified As 1.43 Acres Located At Plat 93-92, Lagoon Parcel Bethel Native Corporation ANCSA 14 (c) Survey, Situated Within A Portion of Section 5, Township 8 North, Range 71 West, Seward Meridian, In Accordance With 4.08.030 Disposal Of City Property.**

*Mayor Robb opened the Public Hearing.*

Steve Gilbert, AVEC Representative stated his support for the ordinance.

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 15-26.

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Moved by: Fansler  
Seconded by: Pike  
Action: Postponed until the next regular meeting.

**Main Motion:** Suspend the rules to hear from Steve Gilbert, AVEC Representative.

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Moved by: Fansler  
Seconded by: Albertson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: 0

**Main Motion:** Postpone Ordinance 15-26.

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Moved by: Albertson  
Seconded by: Pike  
Action: Motion carries by a vote of 5-1  
In favor:  Robb  Albertson  Springer  Herman  Pike  
Opposed:  Fansler

**Subsidiary**

**Motion:** Ten minute break.

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Moved by: Pike  
Seconded by: Albertson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

**XI. NEW BUSINESS**

**Item A – AM 15-28:** Travel Request For City Attorney To Travel To Kotzebue To Attend The ABC Board Meeting On September 15, 2015.

**Main Motion:** Approve AM 15-28.

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Moved by: Herman  
Seconded by: Pike  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

**Item B – AM 15-29:** Change Order To DOWL’s Contract For The I.C. Piped Water Supply Project.

**Main Motion:** Approve AM 15-29.

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Moved by: Herman  
Seconded by: Springer  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  
Opposed: -0

**Item C – AM 15-30:** Approve The Selection Of Three Electrician Firms Resulting From Use Of Bid Process In Order By High Score: TecPro Ltd, Oilfield Services Co, LLC, And Star Electric, Inc.

**Main Motion:** Approve AM 15-30.

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

**XII. MAYOR’S REPORT**

**XIII. MANAGER’S REPORT**

**XIV. CLERK’S REPORT**

**XV. COUNCIL MEMBER COMMENTS**

*Council Member Zach Fansler –*

Wanted to remind the public of the upcoming elections, be sure to register to vote. The Bethel Fair will be held this weekend and is sure to be an enjoyable event.

*Council Member Mark Springer –*

Welcome President Obama to the State of Alaska next week. Thankful the president is taking the time to visit rural Alaska.

In the Police Department report, there are a number of taxi cab chauffeurs who have received citations for alcohol related offences. Thanked the police department for their increased efforts.

Stressed that other organizations within the community were not mentioned in the Council’s 2014 Investigation. The investigation is not ongoing.

*Council Member Chuck Herman –*

Encouraged members of the community to join the Public Safety and Transportation Commission.

*Council Member Heather Pike –*

Provided notice to the public that she does have the intent to move from the community within the next few months.

*Vice-Mayor Albertson –*

Want to encourage people in the community to register to vote in time for the election. The Bethel Fair will be held this weekend.

Provided thanks to KYUK reports, Ben Matheson who will be leaving town.

*Mayor Robb –*

Winter is around the corner, wished everyone safe hunts.  
Thankful for the commercial fish openings.

**Main Motion:** Amend the agenda to move item B before Item A.

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Moved by: Herman

Seconded by: Pike

Action: Motion carries by a vote of 6-0

In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  Maczynski

Opposed: 0

## XVI. 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/Potential Settlement Of State Of Alaska vs. N.J. (a minor child).**

Move into Executive Session to discuss Alaska Statutes 44.62.310 (c) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Settlement Of State Of Alaska VS. N.J. (a minor child)

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

**Main Motion:** City Attorney Burley, and City Manager Capela.

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Moved by: Springer

Seconded by: Albertson

Action: Motion carries by a vote of 6-0

In favor:  Robb  Albertson  Springer  Fansler  Herman  Pike  Maczynski

Opposed: 0

Council Member Herman declared a conflict of interest for Item A due to his professional capacity at the High School.

Council Member Herman departed the meeting at 10:17 p.m.

Council Member Springer departed the meeting at 10:31 p.m.

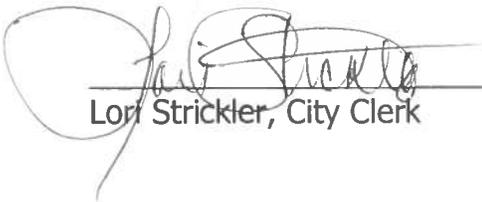
**Item B – AS 44.62.310 (c) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Litigation Regarding The Investigation Of Administrative And Personnel Matters As Authorized By The City Council, February 11, 2014.**

**XVII. ADJOURNMENT**

*Council adjourned due to lack of a quorum at 11:07 p.m.*

ATTEST:

  
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Richard Robb, Mayor

  
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Lori Strickler, City Clerk