

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on September 11, 2018 at 6:30 p.m., in the council chambers, Bethel, Alaska.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
Mayor Rick Robb	Council Member Thor Williams
Vice-Mayor Fred Watson	Council Member Mitchell Forbes
Council Member Leif Albertson	
Council Member Mark Springer	
Members Absent:	
Council Member Brian Henry	
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler
City Attorney Patty Burley	

IV. PEOPLE TO BE HEARD

Daren Solesbee- As an employee of the Fire Department, spoke in favor of Ordinance 18-21.

Louie Andrew, Traditional Chief – Spoke in opposition to the terminology and reference of ‘Louse Town.’

Mary Nanuwak – Spoke in opposition to Alcohol and Drugs. Stated the importance of public officials not publicly degrading other people.

Bill Howell, Fire Chief – Informed the Council of Their 2nd Annual September 11th Remembrance.

September is National Preparedness Month and is a good time to highlight the address ordinance and spoke in favor of Ordinance 18-21.

Anny Cochran – Spoke in favor of ordinance 18-19. Spoke in favor of, but provided some suggested amendments, to Ordinance 18-21.

Fritz Charles – Spoke in favor of Ordinance 18-21. Spoke in favor of Ordinance 18-19.

Casey Burke – Spoke in favor of Ordinance 18-21.

Toby Monroe – Spoke in favor of Ordinance 18-21.

Bruce Claypool – Spoke in favor of Ordinance 18-21.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

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

Removal from Consent: Introduction of Ordinance 18-24.

Moved by: Forbes

Removal from Consent: IM 18-14.

Moved by: Williams

VI. APPROVAL OF THE MEETING MINUTES

Item A – 8-28-2018 Regular City Council Meeting.

Passed on the Consent Agenda

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission

A quorum of the body was not established.

Port Commission

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

Planning Commission

Will be considering the Blue Sky Subdivision agreement.

Parks, Recreation, Aquatic Health and Safety Center Committee

Provided an update on the Owl Park Development.

Reviewed the City of Bethel 30 year plan and the Parks and Recreation Master Parks Plan.

Passed an AM to ask Council to direct Administration to put trashcans around Pinky’s Park.

Requested an update from Administration to meet with YKHC to see if there was property at Kasayuli that could be used as a park.

Found out that there was an accident at the pool facility that is preventing the use of the wind turbine.

The final art piece, glass installation will take place at the end of September, there will be a gathering on October 1 to observe the art.

Finance Committee

There are vacancies on the Finance Committee.

Public Works Committee

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

VIII. SPECIAL ORDER OF BUSINESS

IX. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 18-19: Amending Chapter 8.10, Smoking Pollution Control.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 18-19.

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

Item B – Public Hearing Of Ordinance 18-21: Amending Chapter 17.50 Of The Bethel Municipal Code Property Numbering And Street Signs.

*Mayor Robb opened the Public Hearing.
 Bill Howell – Spoke in favor.
 Mayor Robb closed the Public Hearing.*

Main Motion:	Adopt Ordinance 18-21.
Moved by:	Forbes
Seconded by:	Springer
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0
Primary Amendment:	Amend 17.50.090 to strike "These numbers shall be a minimum of 4-inches (101.6 mm) in height, high intensity engineer grade, white retro-reflective affixed to a minimum of a 6-inches in height, high intensity, engineer grade, green retro-reflective background plaque. Background plaques shall provide a minimum 1-inch border around all characters" and insert "the numbers shall be reflective with a minimum of 4" height and contrast with their background".
Moved by:	Mitchell
Seconded by:	Springer
Action:	Motion carries by a vote of 5-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Springer
Main Motion:	Suspend the rules to hear from the Fire Chief.
Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0
Primary Amendment:	Amend to add a whereas statement the Bethel City Council excises Louse Town from the Bethel Municipal Code.
Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0
Primary Amendment:	Amend to 17.50.090 strike Signs and numbers shall be placed horizontally on buildings.
Moved by:	Albertson
Seconded by:	Forbes
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	-0

Primary Amendment: Amend 17.50.090 B. to strike "Address numbers shall not be installed on the handrails or guardrails of exterior decks or landing".

Moved by: Watson
Seconded by: Williams
Action: Motion carries by a vote of 6-0
In favor: Robb Watson Albertson Springer Williams Forbes
Opposed: -0

Amend 17.50.090 to insert as Subsection C, D E and F "

C. It is the responsibility of every property owner to affix address numbers, building numbers or approved building identification in such a position as to be plainly visible and legible from the street fronting or orienting the property.

D. Said numbers shall be a minimum of four (4") inches (101.6 mm) in height with retro-reflective capability to a minimum of six (6") inches in height and shall contrast with the background in such a manner and location as to be plainly visible from the street.

E. On a corner lot, the business or dwelling number shall face the street named in the address.

F. Where access is by means of a private road or driveway and the building numbers cannot be viewed from the public way, address numbers meeting the minimum requirements of this section shall be placed on a monument, pole, sign or other means, at the nearest intersection with the public way in addition to the numbers on the building.

G. If necessary to avoid confusion, additional street address signs may be placed along access road and near the entrance to a structure.

Primary Amendment:

Moved by: Forbes
Seconded by: Springer
Action: Question Divided

Main Motion: Divide the question.

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 4-2
In favor: Springer Williams Robb Watson
Opposed: Albertson Forbes

Primary Amendment:

Moved by: Williams
Seconded by: Watson
Action: Motion does not carry by a vote of 2-4
In favor: Springer Robb
Opposed: Watson Albertson Forbes Williams

C. It is the responsibility of every property owner to affix address numbers, building numbers or approved building identification in such a position as to be plainly visible and legible from the street fronting or orienting the property.

D. Said numbers shall be a minimum of four (4") inches (101.6 mm) in height with retro-reflective capability to a minimum of six (6") inches in height and shall contrast with the background in such a manner and location as to be plainly visible from the street.

Primary Amendment:

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 6-0
In favor: Springer Robb Watson Albertson Forbes Williams
Opposed: 0

E. On a corner lot, the business or dwelling number shall face the street named in the address.

Primary Amendment:

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 6-0
In favor: Springer Robb Watson Albertson Forbes Williams
Opposed:

F. F Where access is by means of a private road or driveway and the building numbers cannot be viewed from the public way, address numbers meeting the minimum requirements of this section shall be placed on a monument, pole, sign or other means, at the nearest intersection with the public way in addition to the numbers on the building.

Primary Amendment:

Moved by: Williams
Seconded by: Watson
Action: Motion does not carry by a vote of 0-6
In favor: 0
Opposed: Springer Robb Watson Albertson Forbes Williams

G. If necessary to avoid confusion, additional street address signs may be placed along access road and near the entrance to a structure.

Primary Amendment:

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 6-0
In favor: Springer Robb Watson Albertson Forbes Williams
Opposed: 0

Amend 17.50.120 to strike "In the event that the owner or occupant or person in charge of any house or building fails to comply with the terms of this chapter by failing to affix the number assigned within sixty (60) days after notification or by failing within said period of sixty (60) days to remove any numbers affixed to such house or building which may be confused with the number assigned thereto, the owner shall be subject to denial of utilities in addition to any other a penalty that may

Primary Amendment:

be imposed for violation of this chapter for failure to comply with the numbering ordinance. And insert:

A. "Any person who violates any of the provisions of this chapter or who fails to comply with any of requirements of this chapter, may be guilty of an infraction and may be issued a citation.

B. The penalty for these infractions is thirty (\$30) dollars.

C. Each day in which a violation occurs is a separate penalty.

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

Secondary Amendment:

Strike under C. Each day in which a violation occurs is a separate penalty and insert "The infraction be enacted after 60 days, at which time the fine would be assessed at \$30."

Moved by:	Watson
Seconded by:	Williams
Action:	Motion does not carry by a vote of 0-6
In favor:	0
Opposed:	<input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Forbes <input checked="" type="checkbox"/> Williams

Amend to replace the Primary Amendment language with:

A. Any person who violates any of the provisions of this chapter or who fails to comply with any of the requirements of this chapter, may be guilty of an infraction and may be issued a citation.

B. Citations issued under this section shall be Correctable within thirty (30) days.

C. The penalty for these infractions is thirty (\$30) dollars.

Secondary Amendment:

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

Secondary Amendment:

Amend to strike Subsection D. which states "Each day in which a violation occurs is a separate penalty.

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

Primary Amendment:

Amend to strike Subsections 17.50.130, 17.50.170, 17.50.180 and 17.50.190.

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

Primary Amendment: 17.50.200 to strike "of a disabled person or elder."

Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote 5-1
In favor:	<input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Robb

Primary Amendment: Amend 17.50.140 to read "The City Planner shall send official notifications of any change in property number to property owner and occupants at least thirty (30) days before the effective date of a change."

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

Item C – Public Hearing Of Budget Ordinance 18-12(c): Amending The Adopted Annual FY 2019 Budget-Public Transit System-Community Services.

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

Main Motion: Adopt Ordinance 18-12(c).

Moved by:	Forbes
Seconded by:	Springer
Action:	Postponed

Primary Amendment: Amend to strike the \$20,000 decreases under 56-50-602.

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

Main Motion: Motion to postpone.

Moved by:	Forbes
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Forbes

Opposed: | Williams

Item D – Introduction of Ordinance 18-22: Authorizing The Disposal Of Property (Vacant Building Formerly Known As The Police Annex And/Or The Bojangles Building) Pursuant To BMC 4.08.030(A).

Main Motion: Introduce Ordinance 18-22 was made at the August 28 Regular Meeting.

Moved by: Springer
Seconded by: Forbes
Action: Table

Main Motion : Table until October 9th Regular meeting.

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 5-1
In favor: Watson Albertson Springer Williams Forbes
Opposed: Robb

Item E – Public Hearing Of Ordinance 18-23: Amending The Disposal Of Property Pursuant To BMC 4.08.030(B) Lease Agreement Between The City Of Bethel As Landlord And The Alaska Court System Tenant Of 17,045 Square Feet Of Office Space Within The Nora Guinn Justice Center, Court House Located At 204 Chief Eddie Hoffman Highway.

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: Adopt Ordinance 18-23.

Moved by: Springer
Seconded by: Williams
Action: Postpone

Main Motion: Postpone

Moved by: Albertson
Seconded by: Williams
Action: Motion carries by a vote of 4-2
In favor: Williams Robb Watson Albertson
Opposed: Springer Forbes

Item F – IM 18-13: Presentation of the City's Water & Sewer Services Expenditures Compared to Budget from July 1, 2018 to July 31, 2018 and July 2018 – Utilities Maintenance – Water & Wastewater Activity Report.

X. NEW BUSINESS

Item A – Introduction Of Ordinance 18-24: Amending The Lease Agreement With The Yukon Kuskokwim Health Corporation (YKHC) Previously Disposed Via Lease Approved Through Disposal Ordinance 14-13.

Mayor Robb declared a conflict of interest due to his position as a manager at YKHC.

Main Motion: Introduce Ordinance 18-24.

Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Williams

Item B – AM 18-60: Authorizing The City Manager To Direct The Finance Department To Issue A Special Event Certificate Exempting The Collection Of Sales Taxes For The NRA Annual Fundraising Banquet.

Main Motion: Approve AM 18-60.

Moved by:	Albertson
Seconded by:	Forbes
Action:	Motion fails to carry by a vote of 2-4
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Williams
Opposed:	<input checked="" type="checkbox"/> Forbes <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Watson

Primary Amendment: Postpone.

Moved by:	Forbes
Seconded by:	Albertson
Action:	Motion does not carry by a vote of 3-3
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Williams
Opposed:	<input checked="" type="checkbox"/> Forbes <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Watson

Item C – AM 18-61: Directing The City Manager To (A) Send A Letter To All Non-Profits That Have Registered As Non-Profits With The City Advising Them Of The Building And Asking If They Are Interested In The Building; And (B) Putting The Building Out For Bid Again With A Longer Deadline For Removal (At Least Through The End Of February, 2019).

Main Motion: Approve AM 18-61.

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

Primary Amendment: Amend to direct administration to include a lease option in the notice.

Moved by:	Watson
Seconded by:	Williams
Action:	Motion carries by a vote of 4-2
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Williams <input checked="" type="checkbox"/> Forbes
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer

Item D – IM 18-14: Public Notice And Opportunity For Public Meeting Comments About The USDA-RD Grant Application To Cover The Cost Associated With The Development Of A Preliminary Engineering Report And Environmental Report For The Sewer System In Bethel Heights.

Item E – Leave Request- City Attorney- 9/14/2018 (1/2 day); 9/21/2018 (1/2 day); 10/22/2018 to 10/29/2018.

Passed on Consent Agenda

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

Mayor Richard Robb –
Remembered 911.
Reminded people, suicide is not a solution to a problem.

Vice-Mayor Fred Watson –
No comment.

Council Member Leif Albertson –
Remembered 911.
Encouraged people to wear reflective clothing when traveling outside.

Council Member Mark Springer –
Remembered 911, and the 17 years of war our country has faced as a result of 911.
The entire community of Bethel is keeping Kotzebue in their thoughts and prayers.

Council Member Thor Williams–

Remembered 911.
Remember to be careful when you are traveling on the river.

Council Member Mitchell Forbes—
Remembered 911.

XV. ADJOURNMENT

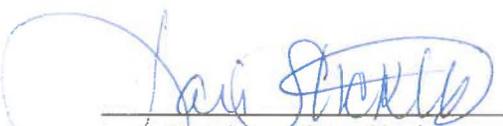
Main Motion:	Adjournment.
Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked=""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

Council adjourned at 11:01 p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk