

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on September 12, 2017 at 6:30 p.m., in the council chambers, Bethel, Alaska.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
Mayor Rick Robb	Council Member Mark Springer
Vice-Mayor Fred Watson	Council Member Leif Albertson
Council Member Naim Shabani	Council Member Michael Shantz
Council Member Alisha Welch	
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler
City Attorney Patty Burley	

IV. PEOPLE TO BE HEARD

No one present to be heard.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by:	Albertson
Seconded by:	Shabani
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Shantz
Opposed:	-0

Removal from

Consent: Remove Introduction of Ordinance 17-28 B and C.

Moved by: | Robb

Removal from

Consent: Remove Introduction of Ordinance 17-43

Moved by: | Watson

Removal from

Consent: Remove Resolution 17-16 and Ordinance 17-42.

Moved by: | Albertson

VI. APPROVAL OF THE MEETING MINUTES

Item A – 8-22-2017

Passed on the Consent Agenda

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission –

Potential ordinance changes in Title 5 related to the cab industry consideration.

Port Commission –

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

Planning Commission -

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

Parks, Recreation, Aquatic Health and Safety Center Committee –

Considering the development of a park in Kasayuli Subdivision. A public meeting has been tentatively scheduled September 25th.

Considering a recommendation to contract recreational activities throughout the year. The Committee has establishing a proposal that is still in the final review stages.

Art work design for the YK Fitness Center is getting close to submission deadline. The Committee is looking for an instillation time frame of a year from now.

The Committee has continued to ask for a financial accounting of the dedicated pool fund without results from the City. How much money is in the pool and where is it appropriated. The Committee would really like to determine what is needed to establish a repair and replacement fund.

The YK Fitness Center is now operating seven days a week.

PFD Sales are on the horizon.

Finance Committee -

Continue to work on the Sales Tax Ordinance.

Energy Committee –

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

Public Works Committee -

No update to provide.

VIII. UNFINISHED BUSINESS

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

Mayor Robb opened the Public Hearing.

No one present to be heard.

Mayor Robb closed the Public Hearing.

Main Motion: A motion to adopt was made at the July 25, Regular Meeting.

Moved by:	Shantz
Seconded by:	Albertson
Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Shantz

Primary Amendment:

Amend 4.16.040 (B): There is levied by the City a sales tax on all retail sales, services and rentals which ~~either commence or terminate~~ within the City, or which are in any part rendered, supplied or provided within the City, except as expressly provided otherwise in this chapter.

Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Shantz
Opposed:	-0

Primary Amendment:

Amend 4.16.090 (A): No person may engage in any taxable transactions within the City without first procuring ~~an annual~~ a sales tax collection license from the City finance department.

Amend 4.16.090 (C): ~~Existing businesses shall apply for a sales tax collection concurrent with their business license renewal. All existing businesses must be compliant with this section no later than December 31, 2019~~ Sales Tax Collection Licenses shall expire at the same time as the establishment's business license and may be renewed concurrently.

Amend 4.16.450 (A) (2): Sales Tax Collection License Registration- Existing businesses shall ~~register upon renewal of their sales tax license but in no event shall application for a sales tax collection license occur later than December 31, 2019~~ register within sixty (60) days of the passage of this Ordinance.

Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 7-0

In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Subsidiary Motion: Suspend the rules to hear from the chair of the finance committee.

Moved by: Albertson
Seconded by: Springer
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Secondary Amendment:

~~Amend to strike 4.16.450 (A) (2): Sales Tax Collection License Registration Existing businesses shall register upon renewal of their sales tax license but in no event shall application for a sales tax collection license occur later than December 31, 2019 register within sixty (60) days of the passage of this Ordinance.~~

Moved by: Albertson
Seconded by: Welch
Action: Motion does not carry by a vote of 1-6
In favor: Springer
Opposed: Robb Albertson Watson Shabani Welch Shantz

Amend 4.16.450 Transition Period. A 2. To strike "upon renewal of their sales tax license but in no event shall application for a sales tax collection license occur later than December 31, 2019." And "register within sixty (60) days of the passage of this Ordinance."

Primary Amendment:

And to insert under section 3 Effective Date "Section 4.16.450A(2) will become effective 150 days from the passage of this Ordinance."

Moved by: Albertson
Seconded by: Shantz
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Amend 4.16.230 A to strike All of 4.16.230 A and insert "A. All persons subject to this chapter shall file a return on a form or in a format prescribed by the City and shall pay the tax due. Each person engaged in business in the City subject to taxation shall file a return in accordance with the following:

1. All persons subject to this chapter shall file a return on a form or in a format prescribed by the city and shall pay the tax due. Each person engaged in business in the City subject to taxation shall file a return in accordance with the following:
 - a. Monthly. Unless as otherwise provided for in this section, sellers shall file on or before 3:00 p.m. Alaska Time on the last day of the month following the end of each preceding month.
 - b. Semi-Monthly. If a seller fails to file or is late in filing returns for two (2) or more months, whether or not consecutive, the finance director may require the seller to submit returns and payments semi-monthly for other good cause, including, but not limited, to a lack of sales history, seasonal sales, etc.
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Primary Amendment:

- c. Quarterly. Upon approval of the finance director, a seller that has a documented history of less than twenty-four thousand (\$24,000) dollars in taxable sales annually as well as a documented history of on-time filings and payments, may file its sales tax return and remittance of taxes on an annual basis. Returns and taxes filed and paid on an annual basis must be received no later than January 31st, following the calendar year for which the tax return is required to be submitted. Penalties for late filing of an annual return and for the late remittance of taxes shall be double the rate applicable to monthly returns and interest shall accrue on late annual remittances from January 1st of the preceding year.
- d. Filing to be continuous. A person who has filed a sales tax return will be presumed to be making sales in successive periods unless the person files a return showing a termination or sales of their business in accordance with section 4.16.380

Moved by: Albertson
 Seconded by: Welch
 Action: Motion carries by a vote of 7-0
 In favor: Robb Albertson Watson Springer Shabani Welch Shantz
 Opposed: -0

Primary Amendment: Amend 4.16.250 to strike the section.

Moved by: Albertson
 Seconded by: Welch
 Action: Motion carries by a vote of 7-0
 In favor: Robb Albertson Watson Springer Shabani Welch Shantz
 Opposed: -0

Amend to insert as a new section after Exemption Cards:

Special Exemption for Charitable Events

- A. A special sales tax exemption may be granted no more than two (2) times in a calendar year to a nonprofit organization or nonprofit institution business exempting the organization or business institution from the obligation to collect sales taxes on sales of tangible personal property or admissions sold by such organization or business as part of a project to raise funds for a particular charitable project, upon the filing of an application for a charitable project sales tax exemption permit filed not less than thirty (30) days prior to the date for commencement of the exemption on a form required by the City and compliance with each of the following requirements:
 1. The nonprofit organization or institution is organized exclusively for religious, educational or charitable purposes;
 2. The fundraising project must be to raise funds to be used and expended solely and exclusively for a qualified charitable project as set forth and specified in the application;
 3. All proceeds and revenues received from the sales from the project, less only the actual cost of the items sold, including shipping, must be used solely and exclusively for the specific charitable purpose that is identified and approved in the application and permit as issued;

Primary Amendment:

4. Separate accounting records as required by the finance department shall be kept as to all sales; and
 5. A tax return on such form as is required by the finance director shall be filed no later than thirty (30) days after the date specified in the application for conclusion of the fundraising project which tax return shall specify:
 - (i) The total amount of gross receipts received;
 - (ii) The amount actually paid to the charitable organization to be funded as specified in the application and permit; and
 - (iii) Such further and additional information, data and verification as is deemed appropriate by the finance director.
 6. Sales taxes collected shall be submitted no later than the last day of the month following the month of collection along with the properly completed tax return form.
- B. Requests for exemptions of \$999 or less may be approved by the Finance Director. All requests for exemptions totaling \$1,000 or more will require City Council approval prior to the exemption being granted.
- C. In the event a tax return is not filed as herein provided, or if all of the funds are not paid in the manner and to the specific charity as required by the permit, the permittee shall be liable and responsible for payment of the entire amount of sales tax that would have been collected and remitted had the sales not been conducted as sales tax exempt, plus interest and penalties thereon as provided for in this chapter from the date the sales tax amount would have become due.

Moved by: Springer
 Seconded by: Albertson
 Action: Motion carries by a vote of 6-1
 In favor: Robb Albertson Watson Springer Shabani Welch
 Opposed: Shantz

Secondary Amendment: Amend to strike "nonprofit institution" and "institution" after the word business.

Moved by: Springer
 Seconded by: Albertson
 Action: Motion carries by a vote of 7-0
 In favor: Robb Albertson Watson Springer Shabani Welch Shantz
 Opposed: -0

Secondary Amendment: Amend to strike Subsections A. 4, 5 and 6.

Moved by: Springer
 Seconded by: Shantz
 Action: Motion does not carry by a vote of 2-5
 In favor: Springer Shabani
 Opposed: Robb Albertson Watson Welch Shantz

IX. NEW BUSINESS

Item A – Introduction Of Ordinance 17-42: An Ordinance By The Bethel City Council Amending Fees And Charges Related To Electronic Records For The City Of Bethel.

Main Motion: Introduce Ordinance 17-42.

Moved by: Springer
Seconded by: Shabani
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Item B – Introduction Of Ordinance 17-43: Amending The Bethel Municipal Code Section 4.04.020 Budget Estimate-Preparation.

Main Motion: Introduce Ordinance 17-43.

Moved by: Shantz
Seconded by: Watson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Primary Amendment: Amend to insert "proposed" between "The" and "budget."

Moved by: Welch
Seconded by: Shantz
Action: Motion does not carry by a vote of 1-6
In favor: Welch
Opposed: Robb Albertson Watson Springer Shabani Shantz

Item C – Introduction of Budget Ordinance 17-28 (b): Amending The Adopted Annual FY 2018 Budget-Increase in Gravel for Street Repairs.

Main Motion: Introduce Budget Ordinance 17-28 (b).

Moved by: Springer
Seconded by: Shabani
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Item D – Introduction of Budget Ordinance 17-28 (c): Amending The Adopted Annual FY 2018 Budget-Changes in line Items to YK H&F Center and Water/Sewer Utility Fund.

Main Motion: Introduce Budget Ordinance 17-28 (c).

Moved by: Welch
Seconded by: Springer
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Item E – Resolution 17-16: Supporting Public Employees Retirement System Reform.

Main Motion: Adopt Resolution 17-16.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 7-0
In favor: Robb Albertson Watson Springer Shabani Welch Shantz
Opposed: -0

Item F – AM 17-58: Appointment of Jennifer Dobson to the Community Action Grant Technical Review Board.

Passed on the consent agenda.

Item G – AM 17-59: Appointment of Eileen Henrikson to the Public Safety and Transportation Commission for a term of three years.

Passed on the consent agenda

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

Mayor Richard Robb –
Provided acknowledgement of the first swim meet at the YK Fitness Center.
Congratulated everyone that caught a moose.

Vice-Mayor Fred Watson –
No comment.

Council Member Leif Albertson –
No comment.

Council Member Mark Springer –
No comment.

Council Member Naim Shabani –
No comment.

Council Member Alisha Welch–
Thanked everyone for their support, this will be her last meeting. Urged the public to make educated votes.

Council Member Michael Shantz–

No comment.

XIV. EXECUTIVE SESSION

Item A– In Accordance With AS 44.62.310 C 1 Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Union Negotiations.

Move into Executive Session- In Accordance With AS 44.62.310 C 1 Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Union Negotiations. Those attending Item B were: City Manager, City Clerk, and City Attorney.

Main Motion:

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Shantz
Opposed:	-0

Council Member Welch departed the meeting at 9:45p
Council Member Shabani departed the meeting at 9:51p.
Council Member Springer departed at 10:25p.

XV. ADJOURNMENT

Main Motion: Adjournment.

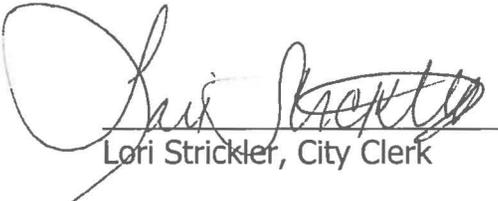
Moved by:	Shantz
Seconded by:	Albertson
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Shantz
Opposed:	-0

Council adjourned at 10:27p.m.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk