

1. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 24, 2021 at 6:30 p.m., in the ONC Multipurpose Building, Bethel, Alaska.

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
Vice-Mayor Haley Hanson City Council Member Alyssa Leary City Council Member Mark Springer (telephonically) Mayor Michelle DeWitt City Council Member Rose Henderson City Council Member Conrad McCormick
Members Absent:
City Council Member Perry Barr
Also in attendance were the following:
City Manager Peter Williams, City Clerk Lori Strickler, City Attorney Libby Bakalar, Deputy City Clerk Kevin Morgan

4. PEOPLE TO BE HEARD – Five minutes per person

Lorin Bradbury- Spoke concerning Ordinance 21-37 and Emergency Ordinance 21-43.

Jess Schroeder- Spoke concerning Ordinance 21-37.

Ruth Abigail Miller- Spoke concerning Ordinance 21-37 and Emergency Ordinance 21-43.

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Main Motion: Approve Consent and Regular Agenda.

Moved by:	Rose Henderson
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Remove from Consent Agenda- Item 10.6, IM 21-14 - Council Member Springer

6. APPROVAL OF MEETING MINUTES

Item 6.1. - *8-10-2021 Regular City Council Meeting
Passed on the consent agenda.

7. REPORTS OF STANDING COMMITTEES

Item 7.1. - Committee/Commission/Board Agendas And Draft Meeting Minutes

Port Commission, Council Member Springer- Met on August 16th. Approved the last meeting's minutes.

Planning Commission, Vice-Mayor Hanson- Next meeting Sept 9th.

Community Action Grant Technical Review Board- No one to report.

Community Parks and Recreation Committee, Mayor DeWitt- Next meeting September 13th.

Finance Committee, Council Member McCormick- Met on August 23rd. Discussed member absences.

Public Works Committee, Council Member Leary- Discussed code enforcement, possible postponing of the Avenues Project bid due to COVID, snow removal, gravel road maintenance.

Public Safety and Transportation Commission, Council Member Henderson- Next meeting September 1st. Will discuss 4-wheelers, commission goals, and electing a chair.

8. SPECIAL ORDER OF BUSINESS

Item 8.1. - City of Bethel Proclamation Recovery Month 2021 (Mayor DeWitt)

Main Motion: To insert in the list of organizations in the 5th whereas statement "ONC Social Services".

Moved by:	Mark Springer
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

9. UNFINISHED BUSINESS

Item 9.1. - Public Hearing Of Ordinance 21-37: Amending The BMC To Adopt Bed And Breakfast Provisions In The Residential Zoning District Following A Plan Review Permit Process (Planning Commission)

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

Motion to Adopt Ordinance 21-37 was made on August 10, 2021 by Council Member Leary and seconded by Council Member Henderson.

In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to amend Section 4 to insert after unlawful: "but licensed" and insert after continue existing for one (1) year from the effective date of this ordinance. Such nonconformity shall be discontinued, brought into conformity with the requirements of this ordinance, or receive a conditional use permit in accordance with Section 5 of this ordinance within one (1) year of the effective date.

Moved by:	Alyssa Leary
Seconded by:	Conrad McCormick
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to amend to insert a new Section 5, titled: Conditional Use Permit (CUP) Standards and Procedures for Licensed Nonconforming, Bed and Breakfast Homestays in the Residential Zone. Authorization.

A. The planning commission may grant a conditional use permit for licensed but nonconforming bed and breakfast homestays that do not meet the bed and breakfast homestay definition, subject to the standards provided in this section. An applicant is not automatically entitled to a conditional use permit, but is entitled only to have the planning commission give fair consideration to an application for a conditional use permit. The planning commission shall evaluate an application for, and grant or deny, a conditional use permit application.

B. If conditions are imposed on a conditional use permit, the planning commission may delegate authority to the land use administrator to issue the conditional use permit when the conditions have been met. Application and hearing. The applicant shall complete a conditional use permit application on a form provided by the planning department and a hearing shall be conducted in accordance with BMC 18.60. Staff review. The land use administrator shall review the conditional use permit application and the accompanying plan review permit for bed and breakfast homestays for completeness and prepare a report in accordance with BMC 18.60.040. The land use administrator may recommend approval only when the proposed use and conditions clearly support the following conclusions:

1. The proposed conditional use will not be detrimental to the general public health, safety, or welfare or to the environment;
2. The proposed conditional use meets the following general standards for bed and breakfast homestays:
 - a. The structure meets the dimensional requirements of the R (residential) zoning district as outlined in BMC 18.32.
 - b. The accessory use shall protect and maintain the integrity of the residential neighborhood and not unreasonably interfere with or cause undue annoyance to residential uses by reason of visual appearance, odor, noise, dust, traffic, or other negative impacts. A bed and breakfast homestay shall not detract from the principal use and shall not place a burden on any private or public infrastructure (i.e. streets or utilities) greater than anticipated from permitted development.
 - c. An operational fire extinguisher, smoke detectors (one per guest room plus one in

each hallway) and carbon monoxide detectors shall be provided.

d. Operable egress windows must be in each guest room.

3. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located;

4. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan;

5. The proposed use will not subject surrounding properties nor vehicles or pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions;

6. The plan review permit application submitted with the conditional use permit review shall meet the standards provided for in BMC 18.32.090 D.

7. The conditional use may be exempt from the general standards for bed and breakfast homestays, as long as other standards in this section are met; except current licensed operators shall come into compliance with 18.32.090(B)(2)(e) and (f) and 18.32.090(D) within one (1) year from the effective date of this ordinance.

Planning commission review. The planning commission shall consider the conditional use permit application at a public hearing in accordance with BMC 18.60.050.

Standards for planning commission decision. The planning commission may approve a request for a conditional use permit in accordance with this section and BMC 18.60.060. Expiration of conditional use permit for nonconforming bed and breakfast homestays. An approved conditional use of a nonconforming bed and breakfast homestay shall be void and/or expire if the structure operating as the bed and breakfast homestay is removed, abandoned, substantially damaged, or sold, and/or the business operating on the premises is closed, sold, or not operational for a period of one (1) year from the expiration of the business license.

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to suspend the rules to hear from the City Planner and the DOWL Contractor.

Moved by:	Haley Hanson
Seconded by:	Mark Springer
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None

Results: | Motion Carries

Item 9.2. - Public Hearing Of Ordinance 21-42: Amending Bethel Municipal Code 18.48.190 Disabled Parking Standard (Public Safety And Transportation Commission)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Ordinance 21-42.

Moved by:	Mark Springer
Seconded by:	Rose Henderson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

10. NEW BUSINESS

Item 10.1. - Public Hearing Of Emergency Ordinance 21-43: Exempting 13.04.290 Of The Bethel Municipal Code To Prevent Water Shut Off For Non-Payment For An Additional 60 Days But Up To Specific Dollar Amounts Depending On Account Type (Council Member Henderson)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Emergency Ordinance 21-43.

Moved by:	Rose Henderson
Seconded by:	Mark Springer
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Amend section 3. to strike \$500 and insert \$1,000 and strike "this ordinance" and insert "the account delinquency."

Moved by:	Rose Henderson
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to suspend the rules to hear from Xavier Mason, Deputy Finance Director

Moved by:	Rose Henderson
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.2. - *Introduction Of Budget Ordinance 21-26(b): Amending The City Of Bethel Fiscal Year 2022 Budget- Leased Property, Court Complex- Hauled Water- Finance Department- Clerk's Office (City Manager Williams)

Passed on the consent agenda.

Item 10.3. - AM 21-25: Approve City Of Bethel's Budget For The First Tranche (Payment) Of The Coronavirus Local Fiscal Recovery Funds That Will Be Provided To The City On Or Before August 26, 2021 And Authorize City Manager To Modify It As Needed To Meet Evolving Needs Brought About By The Pandemic (City Manager Williams)

Main Motion: AM 21-25.

Moved by:	Haley Hanson
Seconded by:	Alyssa Leary
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.4. - *AM 21-26: Direct Administration To Negotiate And Execute A Contract With Caselle, Inc. To Purchase Financial And Accounting Software And Services. (City Manager Williams)

Passed on the consent agenda.

Item 10.5. - *AM 21-27: City Bulk Fuel Contract Extension #2 With Delta Western, Inc (City Manager Williams)

Passed on the consent agenda.

Item 10.6. - *IM 21-14: City Administrative Review Of Kusko Kush Retail Marijuana Store License Renewal #21227 Located At 781 3rd Avenue (Mayor DeWitt)

Council discussed this item of business.

Item 10.7. - *IM 21-15: FY 2021 Justice Assistance Grant (JAG) Application For Review And Comment (City Manager Williams)

Passed on the consent agenda.

Item 10.8. - *Personal Leave- City Clerk- August 16th, 17th, and 20th (Mayor DeWitt)

Passed on the consent agenda.

11. REPORTS

Item 11.1. - Mayor's Report

Item 11.2. - City Manager's Report

Item 11.3. - Clerk's Report

12. COUNCIL MEMBER COMMENTS

Mayor DeWitt- No comment.

Vice-Mayor Hanson- No comment.

Council Member Leary- No comment.

Council Member Springer- Discussed the Delta Variant of COVID-19. Urged the public

to help flatten the curve by getting vaccinated and getting tested if showing symptoms. It's getting darker outside. Watch out for the kids. Be careful boating at night and wear your PFD.

Council Member Henderson- No comment.

Council Member McCormick- Urged the public to reach out to YKHC if they have questions about the vaccine or COVID-19.

13. EXECUTIVE SESSION

14. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Haley Hanson
Seconded by:	Rose Henderson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Meeting ended at 8:06 p.m.


Michelle DeWitt (Sep 30, 2021 13:48 AKDT)

Michelle DeWitt, Mayor

ATTEST:



Lori Strickler, City Clerk

8-24-2021 Regular City Council Meeting Minutes

Final Audit Report

2021-09-30

Created:	2021-09-30
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