

1. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on April 12, 2022 at 6:30 p.m., in the Council Chambers, Bethel, Alaska.

Mayor Springer 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:
Council Member Michelle DeWitt City Council Member Rose Henderson City Council Member Eric Whitney Vice-Mayor Conrad McCormick City Council Member Beth Hessler Mayor Mark Springer
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 (telephonically)

4. PEOPLE TO BE HEARD – Five minutes per person

Kathy Hanson- Spoke about the Planning Commission Conditional Use Permit process and recognized John Guinn's service to the City of Bethel over the years.

Lorin Bradbury- Opposed to marijuana use and shops.

Shane Iverson- Updated the Council on the AM radio tower project.

Item 4.1. Written Public Comments submitted by:

Lukas Vanasse- Opposed to Resolution 22-04 and 22-05.

Betsy Jumper- In favor of Resolution 22-04 and 22-05.

Ashley Glasheen- Opposed to Resolution 22-04 and 22-05.

Madelene Reichard- Opposed to Resolution 22-04 and 22-05.

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by:	Conrad McCormick
Seconded by:	Michelle DeWitt
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Remove from Consent Agenda- 10.1 Introduction of Ordinance 22-11-Vice Mayor McCormick.

6. APPROVAL OF MEETING MINUTES

Item 6.1. - *3-22-2022 Regular City Council Meeting
Passed on the consent agenda.

7. REPORTS OF STANDING COMMITTEES

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

Port Commission, Council Member Hessler- A meeting has not been held since the last City Council meeting.

Planning Commission, Council Member Henderson- No meeting since last meeting.

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

Community Parks and Recreation Committee, Council Member DeWitt- Welcomed Brian Jackson, new member of the Committee. Reviewed the proposed budget to include the YK Fitness Center Budget. Reviewed the current comprehensive plan and discussed ways to incorporate recreational activities in the plan updates. Summarized the recommendation from the Committee that was included in the packet to provide an in-kind contribution to the Pool Enterprise fund for Water and Sewer Utility.

Finance Committee, Council Member Whitney- Looking forward to working with the new Finance Director.

Public Works Committee, Mayor Springer- No meeting since last meeting.

Public Safety and Transportation Commission, Vice-Mayor McCormick- Received a presentation from DOWL on the Comprehensive Plan. Reviewed complaints related to the transportation industry. Discussed the ATV ordinance, and recommended a postponement to September 13th. Postponed the discussion of the public defender's office and animal control.

8. SPECIAL ORDER OF BUSINESS

Item 8.1. - Recognizing John Guinn For His Years Of Service To The City Of Bethel

(Mayor Springer)

9. UNFINISHED BUSINESS

Item 9.1. - Public Hearing Of Ordinance 22-09: Amending BMC 01.01.120 Code Adoption, Supplements To Code (Mayor Springer)

Mayor Springer opened the Public Hearing.

No one present to be heard.

Mayor Springer closed the Public Hearing.

Main Motion: Adopt Ordinance 22-09.

Moved by:	Rose Henderson
Seconded by:	Beth Hessler
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Item 9.2. - Public Hearing Of Ordinance 21-45: Authorizing The Disposal Of Property To Orutsararmiut Native Council Through Transfer Pursuant To BMC 4.08.030 (F) Disposal To Native Tribal Council Under Fee Simple Ownership (Mayor Springer)

Mayor Springer opened the Public Hearing.

No one present to be heard.

Mayor Springer closed the Public Hearing.

Main Motion: Adopt Ordinance 21-45.

Moved by:	Rose Henderson
Seconded by:	Conrad McCormick

Motion to amend **Amendment Number 1**

Motion to amend the first whereas statement to strike 87,695 and insert 88,095:

WHEREAS, the City of Bethel owns a parcel of land situated in Tract A of Block 9, USS 3770 Northwest Addition, Bethel Townsite, 334 Akiachak Avenue, Bethel containing ~~87,695~~ 88,095 square feet, located in the Public Lands and Institutions District;

Amendment Number 2

Motion to amend the fifth whereas statement to strike December 1, 2020 was approximately \$44.42 and insert January 12, 2022 is 190,000, just under 2.16:

WHEREAS, the fair market value of the land as of ~~December 1, 2020~~ was approximately ~~\$44.42~~ January 12, 2022 is \$190,000, just under \$2.16 per square foot excluding building improvements;

Amendment Number 3

Amend under Section 2. Terms of Disposal, the Description of the City's Interest Being disposed of to strike 87,695 and insert 88,095.

SECTION 2. Terms of Disposal

Legal Description. The property that is the subject of the disposal is described as: a parcel of land situated in Tract A of Block 9, USS 3770 Northwest Addition, Bethel Townsite, 334 Akiachak Avenue.

Description of the City's Interest Being Disposed of: A parcel of property containing ~~87,695~~ 88,095 square feet of level to sloping land with about two-third filled with sand. Electricity, telephone, water, and sewer lines serve the site. The land is located within the Public Lands and Institutions District.

Amendment Number 4

Amend under Section 2. Terms of Disposal, the Value of the City's Interest to strike December 1, 2020 was approximately \$3,895,411 and insert January 12, 2022 is \$190,000:

Value of the City's Interest: The appraised value of the property as of ~~December 1, 2020~~ was approximately ~~\$3,895,411~~ January 12, 2022 is \$190,000.

Amendment Number 5

Amend the title to insert after Fee Simple Ownership: to Orutsararmiut Traditional Native Council, A Federally Recognized Tribe.

If passed, the title will read:

AN ORDINANCE BY THE BETHEL CITY COUNCIL AUTHORIZING THE DISPOSAL OF PROPERTY THROUGH TRANSFER PURSUANT TO BMC 4.08.030 (f) DISPOSAL TO NATIVE TRIBAL COUNCIL UNDER FEE SIMPLE OWNERSHIP, Orutsararmiut Traditional Native Council, A Federally Recognized Tribe

Amendment Number 6

Amend the 6th whereas statement to strike: ~~exempting the transfer from the stated waived immunity from suit for the purpose of enforcing any conditions attached to the disposal of the City's interest and without compensation to the City;~~ and insert in accordance with BMC 4.08.030 (f)

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If passed, the whereas statement would read:

WHEREAS, the City wishes to transfer the above-described land to ONC under fee simple ownership ~~the transfer from the stated waived immunity from suit for the purpose of enforcing any conditions attached to the disposal of the City's interest and without compensation to the City~~ in accordance with BMC 4.08.030 (f);

Amendment Number 7

Amend the 7th whereas statement to strike ~~partnership~~ and insert relationship, to strike ~~organizational~~ and insert intergovernmental, to strike ~~host public programs~~ and insert community.

If passed, the whereas statement would read:

WHEREAS, the City Council appreciates and respects our ~~partnership~~ relationship with ONC and recognizes ~~organizational~~ intergovernmental collaboration between the entities is essential to the viability of our ~~hosted public programs~~ community;

Amendment Number 7

Amend Section 3. Authority and Immunity Waiver to strike ~~Pursuant to~~ and insert As required by ONC and insert Orutsararmiut Traditional Native Council, a Federally Recognized Tribe,

If passed Section 3 would read:

SECTION 3. Authority and Immunity Waiver. ~~Pursuant~~ As required by ~~to~~ Bethel Municipal Code 4.08.030(f), Disposal to Native Tribal Council, the disposal made by the City to ~~ONC~~ Orutsararmiut Traditional Native Council, a Federally Recognized Tribe, shall include a requirement that ONC waive any immunity from suit for the purpose of enforcing any conditions attached to the disposal of the City's interest in the above-described real property to ONC.

Moved by:	Rose Henderson
Seconded by:	Conrad McCormick
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Motion to postpone until June 14, 2022 with an additional public hearing on that date.

Moved by:	Rose Henderson
Seconded by:	Michelle DeWitt
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric

Whitney, Beth Hessler
Opposed: None
Results: Motion Carries

10. NEW BUSINESS

Item 10.1. - *Introduction Of Ordinance 22-11: Amending The Bethel Municipal Code, Chapter 5.10, To Prohibit The Operation Of Marijuana Establishments In The City Of Bethel (Council Member Hessler)

Main Motion: Introduce Ordinance 22-11.

Moved by: Beth Hessler
Seconded by: None

Motion does not carry due to a lack of a second.

Item 10.2. - *Introduction Of Ordinance 22-12: Amending And Adopting Fees And Charges For The City Of Bethel (City Manager Williams)

Passed on the consent agenda.

Item 10.3. - *Introduction Of Budget Ordinance 21-26 (I): Amending The City Of Bethel Fiscal Year 2022 Budget (City Manager Williams)

Passed on the consent agenda.

Item 10.4. - Resolution 22-04: Protesting The Issuance Of A Retail Marijuana License To Good Vibes LLC, License No. 30563, Proposing To Operate At 323 Chief Eddie Hoffman Highway, Bethel, Alaska (Council Member Hessler)

Main Motion: Adopt Resolution 22-04.

Moved by: Beth Hessler
Seconded by: None

Does not carry due to a lack of a second.

Item - 1. Opportunity For Applicant To Defend

Item 10.5. - Resolution 22-05: Protesting The Issuance Of A Restaurant Eating Place License To Uncommon Pizza, License No. 6072, Proposing To Operate At 401 Chief Eddie Hoffman Highway, Bethel, Alaska (Council Member Hessler)

Main Motion: Adopt Resolution 22-05.

Moved by: Beth Hessler

Seconded by: | None
Does not carry due to a lack of a second.

Item - 1. Opportunity For Applicant To Defend

Item 10.6. - *AM 22-10: Appointment of Committee and Commission Members for a term of three years (Mayor Springer)
Passed on the consent agenda.

Item 10.7. - *AM 22-11: Re-appointment of Committee Members for a term of three years effective February 1, 2022 (Mayor Springer)
Passed on the consent agenda.

Item 10.8. - AM 22-12: Authorize and direct City Administration to issue checks not to exceed \$38,820 to Year 5, Quarter 1 Community Action Grant (CAG) awardees based on the recommendation of the CAG Committee (City Manager Williams)

Council Member DeWitt declared a conflict of interest as the Executive Director of Bethel Community Service Foundation, and will see a 5% value of the income of the nonprofits they support in this AM.
Mayor Springer determined Council Member DeWitt does not have a conflict of interest.

Main Motion: Approve AM 22-12.

Moved by:	Conrad McCormick
Seconded by:	Rose Henderson
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Item 10.9. - AM 22-13: Approving The Special Meeting Dates And Times For The City Council To Review And Amend The City Manager's Proposed Fiscal Year 2023 Budget (Mayor Springer)

Main Motion: Approve AM 22-13.

Moved by:	Rose Henderson
Seconded by:	Eric Whitney
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Item 10.10. - *IM 22-06: Presentation Of The City's Water And Sewer Services Expenditures Compared To Budget From July 1, 2021 To March 31, 2022 – Utilities Maintenance – Water And Wastewater Activity Report (City Manager Williams)

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 Springer- Thanked the Fire Department for the Public Safety Camp. Expressed thanks to Mary Peltola for stepping up in Don Young's absence. Recommended staying off the river during this time of year.

Vice-Mayor McCormick- The Volunteer Fire Department will be selling raffle tickets until the 4th of July. Congratulated Xavier Mason for his nomination to the Top 40 under 40. Thanked everyone that contributed to Camai this year.

Council Member DeWitt- No comments.

Council Member Henderson- No comments.

Council Member Whitney-Tripod for the Ice Classic was installed last night.

Council Member Hessler- Enjoyed participating in the Public Comprehensive Plan meetings.

13. EXECUTIVE SESSION

14. ADJOURNMENT

Main Motion: Adjournment.

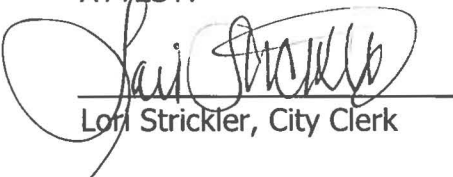
Moved by:	Conrad McCormick
Seconded by:	Eric Whitney
In favor:	Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick, Eric Whitney, Beth Hessler

Opposed: | None
Results: | Motion Carries

Meeting ended at 7:43 p.m.


Mark Springer, Mayor

ATTEST:


Lori Strickler, City Clerk