

**1. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on December 8, 2020 at 6:30 p.m., in the Council chambers, Bethel, Alaska.

Mayor DeWitt called the meeting to order at 6:31 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

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

**4. PEOPLE TO BE HEARD – Five minutes per person**

Beverly Hoffman-Concerned with corporations having influence on our community concerning Sugar Sweetened Beverages (SSB). Urged the public to look at the meeting packet online to educate themselves on the health facts concerned. Listed the taxes that we have in our community. Encouraged those who sell SSB in our to help take responsibly for the area as well. In support of Peter Williams to be hired as City Manager. Supports conveying the land under the multipurpose building to Orutsararmiut Native Council (ONC).

Amber Jones- In support of Ordinance 20-25. Spoke about taxes on SSB leading to decreased consumption of those products. Concerned with incorrect information about

the tax in the public. Wanted to inform the public that the tax is on a product and the actual price of the product is determined by the seller.

Henry Hunter- In support for conveying the land under multiple purpose building to ONC. Asks the council that ONC be given the same consideration as other entities in regard to this land. The ONC Board does not support Ordinance 20-25 at this time.

Eileen Arnold- In support of Ordinance 20-25. It can be a good revenue stream for the City to use for staffing issues.

Luz Smeenk- Dietician, Alaska Diabetes coalition Member-SSB taxes lowers consumption. Spoke about the health problems of SSB such as tooth decay and obesity. SSB exceed the daily recommended amount of sugar and provide no nutritional benefits. A SSB tax supports wellness in the community; referenced a study in Berkley that showed a reduction of SSB. Revenue from the tax can be used to increase the opportunity for exercise.

Marybeth Whalen, LKSD Food Service Director, Alaska School Nutrition Association member-In support of Ordinance 20-25. The science of the SSB being harmful is not in question. Concerned with incorrect information about the tax in the public. Clarified that the tax is an excise tax, and it is asking the distributors to pay the tax, not the consumer. Revenue from the ordinance can be used to improve health in the community by being used for projects such as the fitness center, gyms, parks, and trails.

Kathy Hanson- In support of Ordinance 20-25. Asks the Council to continue to learn about SSB. Explained how an excise tax differs from a sales tax. Recommends extending the discussion to April and continuing to discuss how the revenue can be used to benefit the community.

Ruth Abigail Miller- In support of Ordinance 20-25. Spoke about other products which are taxed in the community, which can be harmful and explained that sugar can be a harmful as well. Discussed the health impact of high glucose globally and the spoke about the harmful combined effect on Health with the current pandemic. Explained that the excise tax effects the vendor. Spoke about the addictiveness of sugar and pointed out that SSB is the most concentrated way to introduce sugar into the body.

Beth Tressler- Spoke on ordinance 20-25. Encouraged the delay of the vote until the spring. Opposed to taxing the people; however, SSB has unhealthy effects on the community and chronic health conditions. Prevention is best way to combat these health effects. Encouraged educating the community. Many people do not hear prevention messages as they lack funding and are usually publicly funded.

Christy Inman- Opposes ordinance 20-25. Taxing food items is not the way to address this problem. Listed the type of beverages the tax will affect. The tax will have a negative effect on her business. Spoke about the difficulty and cost of getting quality drinking water to this area. Spoke of the poor quality of City water.

Lonnie Glaudo, Alaska Beverage Association- SSB is not responsible for all social issues. SSB is one piece of a lifestyle choice. Wanted to point out to the public that this tax is not voted on by the people, so it is not a requirement to put their names on flyers that were distributed to the community and explained the information on them. Also stated that business can't absorb the amount of tax as amended. Consumers will find ways around the tax. Education is the key and hopes the council takes in all the voices before they decide; moderation is the message.

Richard Robb- In opposition to Ordinance 20-25. Deciding what we consume and eat and drink is not the function of government. The City is financially in the black and does not need the tax. Mentioned that the Council is already receiving revenue from the remote sellers' sales tax which was made this year. Believes the SSB tax will increase inflation and cost of living. To raise taxes on ourselves is not in our best interest. Low-income citizens will be affected most. The cost of this excise tax will be passed on to the consumer.

Brent Miller, Alaska Beverage Association Member- Does not support raising taxes in trying times. Education and physical activity plays a large part in health. Health problems related to sugar have risen while sales of SSB have declined. The tax will affect those who cannot afford it the most. Government should not tell people what to eat and drink. Would like to see it brought the people to be voted on. Explained that these taxes are "passed through" and the tax does go to the consumer.

David Hicks, Swanson's manager- Talking as a citizen not a retailer. This type of tax is a "pass through" tax. Mentioned that 10 years ago a vote was brought to the people on a similar subject and it failed. Would like to see this on a ballot. Food security is important in time of crisis. Spoke about the level of poverty in our community and believes taxing people who are not able to represent themselves is irresponsible. Taxes cannot be earmarked, and there is no guarantee the money will be spend the way it was intended. This will affect many people who cannot order stuff online do not have the ability to do so. Spoke about the low quality of City water.

Zach Pleasant- Bethel resident. Spoke about the low quality of City water. Education is key. Wants the community to decide on the tax. Effects those who are not able to participle the online meeting.

Sean Davis- Dentist with YKHC, In support of 20-25. Spoke about the high rate of tooth decay and dental problems of children in the region. It is a public safety issue.

Reminded the public that children are not able to make wise decision for themselves.

Jamie Morgan AHA, American Heart Association- in support of Ordinance 20-25. Spoke about health problems associated with tooth decay and obesity. Provided statistics of the use of SSB especially in with the youth. Spoke of the need for health and education for low-income families. Supports the ordinance for the health of the community.

Joel Thomas- Does not support Ordinance 20-25. Would like an opportunity for the community to vote on the issue. The City of Bethel does not need the income.

Tucker Burette, Dentist in the region- Spoke about the alarming rate of tooth decay and dental problems of children in the area compared to other parts of the country. SSB is s major cause. SSB is not a necessary part of groceries.

Tim Meyers- Would like surplus CARES money to be used to give food to those in need.

Hugh Dymant- Against Ordinance 20-25. Original purpose was as a way of gaining revenue. The additional tax will be passed onto the consumer. The city is not in desperate need of the funds also the online sales taxes are now being collected. Spoke about past the past excise tax on Tobacco. it is a tax that will affect lower income people. Wrong time to pass an unnecessary tax.

## **5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA**

Main Motion: Approval Of Consent Agenda And Regular Agenda.

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

Removal from Consent Agenda- Item 10.2, AM 20-56- Mayor DeWitt.

## **6. APPROVAL OF MEETING MINUTES**

**Item 6.1.** - \*11-24-2020 Special City Council Meeting  
*Passed on the consent agenda.*

**Item 6.2.** - \*11-24-2020 Regular City Council Meeting  
*Passed on the consent agenda.*

## **7. REPORTS OF STANDING COMMITTEES**

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

Port Commission, Council Member Springer- Nothing to report. No meeting has been held

Planning Commission, Vice-Mayor Hanson- Next meeting on the 10th. Two items of interest will be the Public Hearing on Tanqik Subdivision agreement and discussion on short term rentals in residential zones.

Community Action Grant Technical Review Board, Council Member Barr- The Calendar for the Board is on the City of Bethel website., Please look up openings to apply for grants. Tonight, Council will be reviewing the grant awardees.

Parks, Recreation, Aquatic Health and Safety Center Committee, Mayor DeWitt- Not met since last meeting. Next meeting will be on Monday. Currently the Committee has one opening.

Finance Committee, Conrad McCormick- No meeting has been held. Nothing to report.

Public Works Committee, Council Member Leary- -Have not met since last meeting. The Committee has openings. Please apply. Encouraged the public to participate at the next meeting on the 16th.

Public Safety and Transportation Commission, Council Member Henderson- Welcomed new member Doug Boyer. Encouraged the public to join a committee. Excepted resignation of a member and removed a member for not being present. Discussed an animal control officer position for the City. Currently there are 5 vacancies at the Police Dept. The next meeting is first the Wednesday in January.

Main Motion: Take a break and reconvene at 8:30 p.m.

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|--------------|----------------|
| Moved by:    | Haley Hanson   |
| Seconded by: | Rose Henderson |

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

## 8. SPECIAL ORDER OF BUSINESS

**Item 8.1.** - Proclaiming The Week Of December 27, 2020 Frontline Healthcare Worker Appreciation Week (Mayor DeWitt)

## 9. UNFINISHED BUSINESS

**Item 9.1.** - Introduction Of Ordinance 20-25 Creating An Excise Tax On The Distribution Of Sugar-Sweetened Beverage Products (Council Member Dewitt)

Main Motion: Introduce Ordinance 20-25 was made on August 25, 2020.

Moved by DeWitt

Seconded by Franko

|           |                                                                              |
|-----------|------------------------------------------------------------------------------|
| In favor: | Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Conrad McCormick |
| Opposed:  | Perry Barr, Rose Henderson                                                   |
| Results:  | Motion Carries                                                               |

Primary Amendment: Adopt the amendments presented by the Parks Recreation Aquatic Health and Safety Center Committee.

Moved by: Council Member McCormick

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

Motion to postpone the public hearing until April 13, 2021.

|              |                                                                              |
|--------------|------------------------------------------------------------------------------|
| Moved by:    | Haley Hanson                                                                 |
| Seconded by: | Mark Springer                                                                |
| In favor:    | Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Conrad McCormick |
| Opposed:     | Perry Barr, Rose Henderson                                                   |
| Results:     | Motion Carries                                                               |

## 10. NEW BUSINESS

**Item 10.1.** - \*Resolution 20-19: Submitting A Victim Impact Statement To The United States Attorney's Office, District Of Alaska, In U.S. V. Carmichael, 3:19-Cr-00148-Tmb-Dms (Mayor DeWitt)

*Passed on the consent agenda.*

**Item 10.2.** - \*AM 20-56: Authorize And Approve City Administration To Issue Checks Totaling \$35,237.47 To Year 3, Quarter 3 And 4 Community Action Grant Awardees Based On The Community Action Grant Technical Review Board's (CAGTRB) Work On Scoring Applications And Deciding How Much To Award Each Applicant (Interim City Manager Williams)

*Mayor DeWitt declared a Conflict of Interest due to Bethel Community Services Foundation (BCSF) involvement with Library fundraising.*

Main Motion: Council Member DeWitt has a Conflict of Interest.

|              |                                                                                         |
|--------------|-----------------------------------------------------------------------------------------|
| Moved by:    | Mark Springer                                                                           |
| Seconded by: | Rose Henderson                                                                          |
| In favor:    | None                                                                                    |
| Opposed:     | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick |
| Results:     | Motion Fails                                                                            |

Main Motion: Adopt AM 20-56.

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

**Item 10.3.** - \*AM 20-57 Direct Administration To Prepare And Submit An FY 2022 Public Transit (5311) Grant Application To Fund The Operation Of The Bethel Transit System With Up To \$85,000 In Local Cash Match From The City's FY 2022 Budget (Interim City Manager Williams)

*Passed on the consent agenda.*

**Item 10.4.** - AM 20-58: Direct City Administration To Negotiate And Execute An Agreement With Myers Farm For The Purchase Of Up To 2,890 Boxes Of Produce At A Cost Of Up To \$130,050 Using CARES Act Funds, And Then Distribute The Food

Free To Those In Need (Interim City Manager Williams)

*Mayor DeWitt declared a Conflict of Interest due to BSCF involvement with CARES funds and grants.*

Main Motion: Council Member DeWitt has a Conflict of Interest.

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|--------------|---------------------------------------------------------------------------|
| Moved by:    | Mark Springer                                                             |
| Seconded by: | Perry Barr                                                                |
| In favor:    | Perry Barr, Haley Hanson, Mark Springer, Rose Henderson, Conrad McCormick |
| Opposed:     | Alyssa Leary                                                              |
| Results:     | Motion Carries                                                            |

*Mayor Dewitt does not vote or take part in discussion of this item. Vice-Mayor Hanson presides over the meeting.*

Main Motion: Approve AM 20-58.

|              |                                                                                         |
|--------------|-----------------------------------------------------------------------------------------|
| Moved by:    | Rose Henderson                                                                          |
| Seconded by: | Mark Springer                                                                           |
| In favor:    | Michelle DeWitt                                                                         |
| Opposed:     | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick |
| Results:     | Motion Carries                                                                          |

Motion to strike "Meyer's Farm" and insert "Bethel Lion's Club"

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|--------------|-----------------------------------------------------------------------------------------|
| Moved by:    | Alyssa Leary                                                                            |
| Seconded by: | Perry Barr                                                                              |
| In favor:    |                                                                                         |
| Opposed:     | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick |
| Results:     | Motion Fails                                                                            |

**Item 10.5. - AM 20-59: Council Authorization To Administration To Begin Work On Conveyance Of City Property, The Current Site Of The ONC Multi-Purpose Building (Plat 71-425, Tract A Block 9), To ONC (Interim City Manager Williams)**

*Council Member Springer declared a Conflict of Interest due to being Executive Director of ONC. Mayor DeWitt determined Council Member Springer has an indirect substantial financial interest on this issue.*

*Council Member Henderson declared a Conflict of Interest due to being a tribal member of ONC.*

*Mayor DeWitt determined Council Member Henderson has a Conflict of Interest on this issue.*

*Council Member Henderson and Springer do not vote or take part in discussion of this Item of Business.*

Main Motion: Approve AM 20-59.

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|--------------|---------------------------------------------------------------------------|
| Moved by:    | Perry Barr                                                                |
| Seconded by: | Alyssa Leary                                                              |
| In favor:    | Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Conrad McCormick |
| Opposed:     | None                                                                      |
| Results:     | Motion Carries                                                            |

**Item 10.6.** - AM 20-60: Authorize Administration To Distribute Funds To Bethel Community Services Foundation To Support The Outstanding Funding Requests Of The Round Two Business Recovery Grant Program, The Individual Assistance Program And The Non-Profit Grant Program, Contingent On The December 30, 2020 Expiration Of The CARES Act Grant Not Being Extended (Interim City Manager Williams)

*Mayor DeWitt declared a Conflict of Interest due to BCSF having substantial financial gain.*

Main Motion: Council Member DeWitt has a Conflict of Interest.

|              |                                                                                         |
|--------------|-----------------------------------------------------------------------------------------|
| Moved by:    | Haley Hanson                                                                            |
| Seconded by: | Mark Springer                                                                           |
| In favor:    | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick |
| Opposed:     | None                                                                                    |
| Results:     | Motion Carries                                                                          |

*Mayor DeWitt did not vote or take part in discussion on this Item. Vice-Mayor Hanson presided over the meeting.*

Main Motion: Approve AM 20-60.

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|--------------|-----------------------------------------------------------------------------------------|
| Moved by:    | Alyssa Leary                                                                            |
| Seconded by: | Haley Hanson                                                                            |
| In favor:    | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick |
| Opposed:     | None                                                                                    |
| Results:     | Motion Carries                                                                          |

**Item 10.7.** - \*IM 20-20: Presentation Of The City's Water & Sewer Services Expenditures Compared To Budget From July 1, 2020 To November 30, 2020 – Utilities Maintenance – Water & Wastewater Activity Report (Interim 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 DeWitt- Reminded the public that the front-line health care workers should be acknowledged the week of December 27th, Thanked them for their service to our community and region.

Vice-Mayor Hanson- No comment.

Council Member Barr- It is starting to get cold and people are starting to drive on the river; last reported, it is not to safe to do so.

Council Member Leary- No comment.

Council Member Springer- Complemented the other council members in the civil debate this evening. Bethel is one of the more effective places in the State at keeping the COVID-19 curve down. Keep the masks on and please don't party.

Council Member Henderson- Thanked the council members for the discussion on Ordinance 20-25. Encouraged the public to approach the members of the council with respect. We are in week two of the surrounding communities being locked down, still seeing people from nearby communities coming to Bethel to shop. We are still a COVID-19 hot spot if people do not take this seriously and stay home.

Council Member McCormick- Thanked the members of the public for reaching out to him about City issues and encouraged the members of the public to reach out to him. Encouraged people to follow the health guidelines provided by YKHC and other health personnel.

## **13. EXECUTIVE SESSION**

**Item 13.1.** - In Accordance With AS 44.62.310(C) (2) Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion; (3) Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Confidential; (4) Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure.

Filling The Vacancy Of City Manager, Review Of Applications, Discussion Of Qualifications, And Interview Questions (Mayor Dewitt)

Main Motion: Move into Execution Session- In Accordance With AS 44.62.310(C) (2) Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion; (3) Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Confidential; (4) Matters Involving Consideration Of Government Records That By Law Are Not Subject To Public Disclosure. Filling The Vacancy Of City Manager, Review Of Applications, Discussion Of Qualifications, And Interview Questions. Those attending are Council, Sarah MacKee GOVHR Representative, City Attorney Bakalar, City Clerk

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

*Council exits Executive Session*

Motion to direct the City Clerk to work with GovHR to coordinate second interviews with the two final candidates.

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

## **14. ADJOURNMENT**

Main Motion: Adjournment.

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

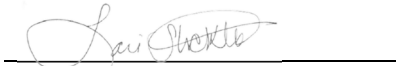
*Meeting ended at 11:20 p.m.*

*Michelle DeWitt*

Michelle DeWitt (Jan 19, 2021 08:26 AKST)

Michelle DeWitt, Mayor

ATTEST:

  
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Lori Strickler, City Clerk