

CALL TO ORDER: Mayor Guinn called the regular meeting of the Bethel City Council to order at 7:44 pm.

ROLL CALL: Present: All present

APPROVAL OF MINUTES: M/M by Twitchell, 2nd by Anvil to accept the 4/25 and 5/19 minutes as presented. Voice vote, motion carried unanimously.

APPROVAL OF AGENDA: M/M by Buttane, 2nd by Anvil to accept the agenda with the following additions:
Unfinished Business: add Item D, Legal Matters
New Business: add Item E, Water Safety Patrol
add Item F, Summer Schedule
Voice vote, motion carried unanimously.

MANAGER'S REPORT: City Manager Hoffman reported on the following:
a. zoning and committee ordinances are under preparation
b. L.B. Foster has been awarded the steel contract for the river erosion project
c. a law suit has been filed against the City and John Binkley by KTC regarding the dock operation. The suit has been referred to the City Attorney.

MAYOR'S REPORT: Mayor Guinn made the following committee appointments:
a. Finance - John Yancy
b. Public Safety - Dan Hicklin
c. Port Commission - Frank Foster
motion M/M by Buttane, 2nd by Anvil to approve the appointments. Voice vote, unanimous approval.

REPORTS OF STANDING COMMITTEES: No Committee reports.

PEOPLE TO BE HEARD: Mayor Guinn read a letter from Gordon Hills concerning bootlegging, street fighting, and drunks on First Avenue and requesting increased police patrols in the area. Police Chief Varnell acknowledged that problems do exist in that part of town and that the department would increase patrols in that area of Bethel. City Manager Hoffman stated the planned police reserve force could assist the police department in this area with the availability of additional manpower. At the present time the Police Department has 12 officers, 10 of them uniformed patrol officers. Due to a budget freeze no additional full time personnel for the force had been included in the police budget. Councilmember Anvil suggested that VPSO's could assist patrolling that area on a limited basis. Councilmember Twitchell requested additional patrols for weekends.

PEOPLE TO BE HEARD
CONT:

City Manager Hoffman reported that the river patrol would start operations on or about June 1 with one paid employee and 2 CETA employees. The City Manager recommended that VPSO's could better assist the City in the area of local river patrol than in the area of Bethel police assistance.

Councilmember Pavil requested that the boat launch area be clearly marked and designated by signs. The matter was referred to Administration.

Councilmember Twitchell stated that 3 wheelers and dirt bikes are posing a speed problem in the City. Police Chief Varnell stated that the police department is enforcing local and state ordinances involving traffic violations. Additional options are being considered with respect to violations involving unlicensed minors, such as vehicle impoundment and citation of the parent of the unlicensed minor.

Mayor Guinn proclaimed June 3-4 as City of Bethel clean-up weekend. Garbage bags will be available at various places around Bethel. Prizes will be awarded to the top collectors.

Mayor Guinn presented a distinguished service award to Lieutenant Godfrey for his work on behalf of the residents of the City of Bethel. Lt. Godfrey also received a native basket in appreciation for his service to Bethel.

UNFINISHED BUSINESS: AUDIT REPORT

Item A: Audit
Report

Pete Donnell of Ernst/Whinney was present to answer questions concerning the audit report.

City Manager Hoffman reviewed the audit process for Council. A joint Finance Committee/City Council work session on the report was held on 5/23. Copies of the report are available at City offices. The Administration is preparing a response to the audit report which response letter will be presented to Council. The City Manager noted that as of September 30, 1982, the City carried a fund balance of \$1,700,000. A work session with Council will be held during the week of May 30 to begin the mid-year budget review.

motion

M/M by Binkley, 2nd by Hoffman to accept the audit report as presented. Voice vote, unanimous acceptance.

Mayor Guinn, on behalf of Council, thanked the Administration for its work in maintaining City finances in such a positive position.

NEW BUSINESS CONT:

CALISTA LAND REQUEST

Item B: Calista
Land Request

City Manager Hoffman reviewed for Council the letter from Calista requesting an accounting of sand removed from the City pit and the cessation of future sand removal from the area by the City. The City Manager reported to Council that the City in the spring of 1980 had received the surface rights to the land now used by the City as a sand pit and had reached an agreement with Mr. Oscar Kawagley, then chief executive officer of Calista, in May of 1980, for the removal of sand from the land by the City of Bethel. The sand removed by the City has been used only for public purposes. It was noted that the City did not have a quit claim deed for the property in question, but it did have an agreement signed by Mr. Kawagley. The Administration recommended that Council not sign the requested release but retain use of the land as a sand removal area. Council went into executive session at 8.55 to discuss the matter with the City's attorney, Roger Lubovitch. Upon return from the executive session at 9.15, Mr. Nelson Angapak, Executive Vice-President for Calista, addressed Council concerning the matter, stating that it was Calista's position that former President Kawagley only had the power to negotiate an agreement but not to sign on behalf of the Corporation, that such an agreement would entail board approval and that the Calista board had not ratified the agreement. Mr. Angapak agreed to provide the City with a copy of Calista's by-laws if so requested by the City.

motion

M/M by Buttane, 2nd by Binkley directing City Administration not to sign the release request presented by Calista. Poll vote taken, motion carried - 5 yea, 1 nay (Twitchell), 1 abstention (Hoffman)

Mr. Angapak inquired as to the accounting request by Calista regarding sand removed from the land. City Manager Hoffman stated that he would contact Calista President Raider concerning the matter.

Item C: Disco
Building

DISCO BUILDING DISPOSITION

The Administration was awaiting City Attorney preparation of a bid document. M/M by Buttane, 2nd by Hoffman to table the item pending completion of work on the bid document by the City Attorney. Voice vote, motion carried unanimously

motion

NEW BUSINESS CONT:

LEGAL MATTERS - KTC LAWSUIT

Item D: Legal
Matters (KTC Law-
suit)

M/M by Buttane, 2nd by Pavil to place the item at the end of the agenda. Voice vote, motion carried unanimously.

Council recessed from 9.25 - 9.40 pm.

NEW BUSINESS

CONSTRUCTION OF 5th AVENUE

Item A: Construc-
tion 5th Avenue

Mayor Guinn reviewed for Council the previous action taken by the City concerning the construction of 5th Avenue.

City Manager Hoffman stated that 3 options were available to the City regarding construction:

- a. place on legislative priority list
- b. access local owners cost to construct
- c. use general funds

Councilmember Binkley recommended that the item be placed on the capital projects list for next year. Councilmember Buttane agreed with the recommendation.

motion

M/M by Binkley, 2nd by Hoffman to refer the construction of 5th Avenue to the Capital Projects Committee. Voice vote, carried unanimously.

Item B: Dispo-
sition of Day
Care/TWC Buildings

DISPOSITION OF DAY CARE/TWC BUILDING

City Manager Hoffman reviewed the efforts by the City to dispose of the two buildings. The City Administration is not interested in the buildings for use by the City. Parks/Recreation indicated they would be interested in the Day Care building.

The Administration recommended that the buildings be auctioned off with the requirement that the buildings be removed within a specified time.

motion

Councilmember Binkley recommended that Administration approach Elm Fisheries to discuss with Elm the possibility of letting the Day Care building at the present site. The City Manager stated that he would contact Elm concerning the recommendation. M/M by Binkley, 2nd by Pavil to advertise the sale of the TWC building to include removal within 30 days; if no bids are received, the City is to destroy the building. Poll vote, motion carried unanimously.

motion

M/M by Twitchell, 2nd by Anvil to go past 10.00. Voice vote, motion carried unanimously.

NEW BUSINESS CONT:

GUINN LAND LEASE

Item C: Guinn
Land Lease

Mayor Guinn abstained from the discussion and vote on the matter.

motion

M/M by Binkley, 2nd by Hoffman to go into executive session concerning the lease. Voice vote, motion carried. Executive session from 10.05 - 10.20 pm.

motion

M/M by Buttane, 2nd by Twitchell to re-negotiate the lease with the following provisions:
Part I to be completed within 100 days, the parties being the City of Bethel, John Guinn, Palmer-Lewis, and Emory Bell

- a. 30 year lease (City and John Guinn)
- b. \$6900 yearly lease fee
- c. shall be forfeiture of lease for failure to abide by the terms of the lease
- d. consent to sublease to Emory Bell
- e. permit general sales, personal services to be performed at the location
- f. \$20,000 from Guinn to the City, \$15,000 in escrow until back City taxes are cleared
- g. Palmer-Lewis agreement with lease arrangement

If the above is not completed within 100 days, the following provisions shall come into force:

- a. \$70,000 from City to Palmer-Lewis
- b. lease to the City
- c. City retain right on 2nd mortgage of duplex owned by Mayor Guinn in City sub-division
- d. building and inventory to the City with the right to sell

Poll vote, motion carried. 6 yea, 1 abstention (Mayor Guinn)

Item D: FY '83
Budget Modification

FY '83 BUDGET MODIFICATION

M/M by Buttane, 2nd by Pavil to introduce the FY '83 budget modification and to hold a public hearing on the modifications at the first Council meeting in June. Voice vote, carried unanimously. A Council work session will be held on the budget on June 2.

Item E: Water
Safety Patrol

WATER SAFETY PATROL

Councilmember Hoffman requested police enforcement in the slough area. City Manager Hoffman stated that the safety patrol will be operating 40 hours per week beginning June 1. The Administration will be contacting the villages concerning village funding of the river patrol and/or use of VPSO's to assist in the patrol.

NEW BUISNESS CONT: SUMMER SCHEDULE

Item F: Summer
Schedule

M/M by Binkley, 2nd by Twitchell to go to the summer Council schedule for the months of June, July, and August with Council meetings to be held on the third Wednesday of each of those months. Voice vote, motion carried, 6 yea, 1 nay (Buttcane)

LEGAL MATTERS - KTC LAWSUIT

Executive session on the pending lawsuit from 11 - 11.25 pm. No Council action on the matter.

ADJOURNMENT

M/M by Pavil to adjourn. Meeting adjourned at 11.26 pm.

PASSED AND APPROVED THIS ^{15th} DAY OF JUNE, 1983.



John Guinn, Mayor

ATTEST:



Wayne J. Maiers
City Clerk