

CALL TO ORDER

The regular meeting of the City Council was called to order at 7.35 pm by Mayor Guinn.

ROLL CALL

Present: All members present.

APPROVAL OF MINUTES

H/E by Buttane, 2nd by Twitchell to approve the 1/9/84 Council minutes as presented. Voice vote, motion carried.

H/H by Binkley, 2nd by Sullivan to approve the 1/18/84 Council minutes with the following change: p 1 - January 18 changed to January 17. Voice vote, motion carried.

APPROVAL OF AGENDA

H/E by Binkley, 2nd by Sullivan to approve the agenda with the following changes:  
UNFINISHED BUSINESS: new Item A, Police Matter; delete Items B and E, UNFINISHED BUSINESS TO READ:  
Item A. Police Matter  
Item B. Disposition Disco Building  
Item C. Lousetown Development Lease  
Item D. Planning Commission Appointment  
Item E. Port Commission Ordinance  
Item F. City Organizational Structure/Reclassification

NEW BUSINESS: add Item B - CZH Grant; add Item C - Personnel Matters, Executive Session. Voice vote, motion carried.

MANAGER'S REPORT

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City Manager Hoffman reported to Council on the following items:

- a. the meeting with Senator Sackett and Representative Vaska is scheduled for January 27, 1 pm, at the Taesan Palace;
- b. Administration anticipates receiving a reply from Attorney Gorsuch concerning the Police Dept - DA matter by the end of the week.

Councilmember Buttane requested that Council meet in Special Session to review the response once it is received from the Attorney General; Council concurred.

MAYOR'S REPORT

MAYOR'S REPORT

No Mayor's report.

REPORTS OF STANDING COMMITTEES

FINANCE COMMITTEE REPORT

Councilmember Binkley reviewed for Council the January 11 Finance Committee minutes as ratified by the Finance Committee on January 23. H/H by Binkley, 2nd by Sullivan to accept the minutes as read. Voice vote, motion carried.  
Council discussed the feasibility of pursuing a use tax on all items coming into Bethel. No action was taken pending additional review.

PEOPLE TO BE HEARD

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No public comments.

UNFINISHED BUSINESS

POLICE MATTER

Item A: Police  
Matter

Mayor Guinn reviewed for Council the Police Department - District Attorney disagreement. The Mayor indicated that Council was waiting for Attorney General Gorsuch's letter of response concerning the disagreement before taking any Council action.

Councilmember Binkley recommended that Council conclude the matter as soon as possible; that Council had sufficient information from the Attorney General's office to act now.

motion

M/M by Binkley, 2nd by Twitchell to go into executive session concerning the police matter. Councilmember Buttane opposed going into executive session. Voice vote, motion carried, 6 yes, 1 no. Executive session from 8.15 - 8.25 pm.

Council reconvened in regular session at 8.27 pm.

Andy Edge spoke in support of Chief Varnell and urged Council not to give away any of its powers to the State with respect to the selection of the Chief of Police for Bethel.

Councilmember Hoffman spoke in support of Chief Varnell.

motion

M/M by Sullivan, 2nd by Binkley to reaffirm confidence in the Chief of Police and to utilize the suggestions from Attorney General Gorsuch's Jan. 6 letter to Administration as the basis for establishing standards for the Police Department; further, directing the Administration with the assistance of the Finance Committee to implement the proposed standards through increased training of members of the Police Department and the hiring of a special investigator. Poll vote, unanimous. M/M by Buttane for reconsideration. The motion died for lack of a second. Councilmember Buttane requested that his vote on the motion be changed to no; Council voiced no objection to the change. The final vote on the motion - 6 yes, 1 on.

motion

Council directed the Administration and Chief of Police to present to Council as soon as possible a budget and training outline for the proposed investigator and C/T dispatcher position.

Councilmember Buttane objected to Council taking any action on the matter before receiving the response from the Attorney General.

Councilmember Sullivan noted that the motion did not close the matter; that Council would meet in Special Session when Administration receives the letter from the Attorney General.

*(8/13/84 correction)  
W.A.H.*

UNFINISHED BUSINESS  
CONTINUED

Item B: Disposition  
Disco Bldg.

motion

DISPOSITION OF DISCO BUILDING

City Manager Hoffman reviewed for Council the limited use permit utilized by Helping Hands Inc. for use of the Disco Building for a human shelter. The limited use permit expires January 1. The review of the lease by the City Attorney has not been received by Administration. H/H by Binkley, 2nd by Hoffman to extend the limited use permit for Helping Hand Inc. until March 1 at the charge of \$1.00. Poll vote, motion carried unanimously. Councilmember Hoffman, on behalf of KVHA, paid to the City Clerk the \$1.00 limited use permit fee.

Item C: Lousetown  
Lease

LOUSETOWN LEASE

City Manager Hoffman reviewed for Council the proposed lease and recommendations from the City Attorney concerning the lease renewal for Council.

Administration recommended that the property be reappraised as to its fair market value and that the fair market value be used as the basis for the lease price.

The City Attorney recommended an increase in the liability insurance covering the property.

Councilmember Buttane objected to using the fair market value of the land as the basis for determining the lease price on land that is to be used for a public use; either let the lease price remain where it is or reduce it.

City Manager Hoffman reminded Council that if the property is to be limited to public use that the City would need to dedicate the area as a public use area.

Councilmember Hoffman informed Council that if Council enters into this lease that they will have to do the same for other parcels of land in the area.

Louie Andrew and Andy Edge, representatives of the Lousetown Association, spoke in favor of the lease renewal noting that the lease provides the residents of Lousetown a guaranteed area for boat moorage and storage.

The Planning Commission has recommended renewal of lease. Councilmember Sullivan and Mayor Guinn concurred in the renewal.

UNFINISHED BUSINESS  
LEASE

LOUSETOWN LEASE (CONTINUED)

Councilmember Binkley inquired as to the organizational status and membership of the Lousetown Association. Louie Andrew informed Council that the Association is an informal one and that it has not filed incorporation papers with the State of Alaska. Councilmember Binkley objected to renewing a lease with an association not formally organized and recommended that the City not renew the lease but rather dedicate the area as a public use area.

Councilmember Veit requested a 3 year term for the lease, an increase in the liability insurance coverage by the Lousetown Association, and the filing of formal incorporation papers by the Association before the renewal is signed by the City. Councilmembers Buttane and Binkley concurred with the need to increase the liability coverage on the property. Louie Andrew informed Council that the Association has not carried insurance coverage on the property over the period of the lease.

Councilmember Binkley recommended that the Association incorporate and show proof of insurance coverage before asking for a lease renewal.

motion

H/H by Guinn, 2nd by Sullivan to renew the lease for a period of 5 years at the same terms.

motion

H/E by Buttane, 2nd by Veit to amend the lease. The motion was ruled out of order.

motion

H/H by Buttane, 2nd by Veit to amend the main motion as follows:

1. increase insurance liability coverage on the property to the following amounts:
  - a. \$150,000 per person/\$500,000 aggregate
  - b. \$150,000 property
2. lease fee of \$1.00 per month for the term of the lease renewal
3. 3 year lease renewal term
4. renewal of the lease upon formal incorporation by the Association and the filing of an insurance binder showing required insurance coverage. Poll vote on the motion to amend, 6 yes, 1 no (Hoffman no). Motion carried. Poll vote on the amended lease renewal, 5 yes, 2 no (Binkley and Hoffman no). Motion carried.

motion

H/E by Buttane, 2nd by Binkley to go past 10 pm. Voice vote, motion carried.

UNFINISHED BUSINESS  
CONTINUED

Item D: Planning  
Commission Appt.

Item E: Port  
Commission

motion

Item F: City Or-  
ganizational Struc-  
ture

Council directed Ad-  
ministration to pre-  
sent to Council at  
the Feb. 13 Council  
meeting an implemen-  
tation plan for the  
proposed reorganiza-  
tion of City Depart-  
ments and an over-  
view of the impact  
that implementation  
will have on the  
City departments  
with respect to  
staffing and person-  
nel costs.

(2/13/84 correction)  
*G. Maier*

motion

PLANNING COMMISSION APPOINTMENT

M/M by Guinn, 2nd by Binkley to approve the ap-  
pointment of Louie Andrew to the Planning Commis-  
sion. Voice vote, motion carried unanimously.

PORT COMMISSION ORDINANCE

M/M by Sullivan, 2nd by Hoffman to introduce the  
draft modifications to the Port Commission Ordi-  
nance and to set the modifications for a public  
hearing at the 2nd meeting in February. Voice  
vote, motion carried.

Council recessed from 10.15 - 10.35 pm.

CITY ORGANIZATIONAL STRUCTURE/RECLASSIFICATION

Mayor Guinn reviewed the organizational plan as  
drafted by Council at the 1/16/84 Council work  
session. A discussion took place concerning the  
establishment of a Public Safety Commissioner who  
would oversee the operations of both the police  
and fire department. Police Chief Varnell and  
Fire Chief Barker spoke in opposition of combining  
the two departments under a Public Safety Commis-  
sioner. Councilmembers Twitchell and Guinn con-  
curred in opposition to the establishment of a  
combined police/fire Department of Public Safety.

Councilmember Sullivan recommended that Council  
pursue the divestment of the Bowling Alley and  
Laundromat by the City.

Councilmember Buttane recommended establishing  
a separate department of Ports/Harbors and that  
utility services remain under the Public Works De-  
partment with utility billings handled by the  
Business/Finance Department.

Councilmember Veit recommended that all billings  
by the City should be handled by the Business/  
Finance Department.

M/M by Binkley, 2nd by Sullivan to give prelimi-  
nary approval to the proposed organizational struc-  
ture as prepared by Council at the 1/16/83 Council  
work session with the following changes:

- a. keep the Police and Fire Departments as sepa-  
rate departments within the City
- b. create a separate department of Ports/Harbors  
and to amend the City's position classification  
to reflect the proposed organizational structure.  
Voice vote, motion carried.

(attachment A - organizational chart)

NEW BUSINESS

COUNCIL ON THE ARTS REQUEST FOR USE OF CITY BUS

Item A: Council  
on the Arts Re-  
quest for Bus

M/M by Binkley, 2nd by Buttane to permit the Council on the Arts use of the City bus through May 31, 1984 and to review continued use of the bus by the Council on the Arts when the proposed City vehicle use policy is implemented. Voice vote, motion carried.

motion

Item B: CZR  
Resolution

COASTAL ZONE MANAGEMENT RESOLUTION

Rescheduled for the first meeting in February.

Item C: Execu-  
tive Session

EXECUTIVE SESSION - PERSONNEL MATTER

M/M by Binkley, 2nd by Sullivan to go into executive session on personnel matters. Voice vote, motion carried. Executive session from 11.43 to 12.33 am.

ADJOURNMENT

M/M by Sullivan to adjourn. The meeting adjourned at 12.35 am.

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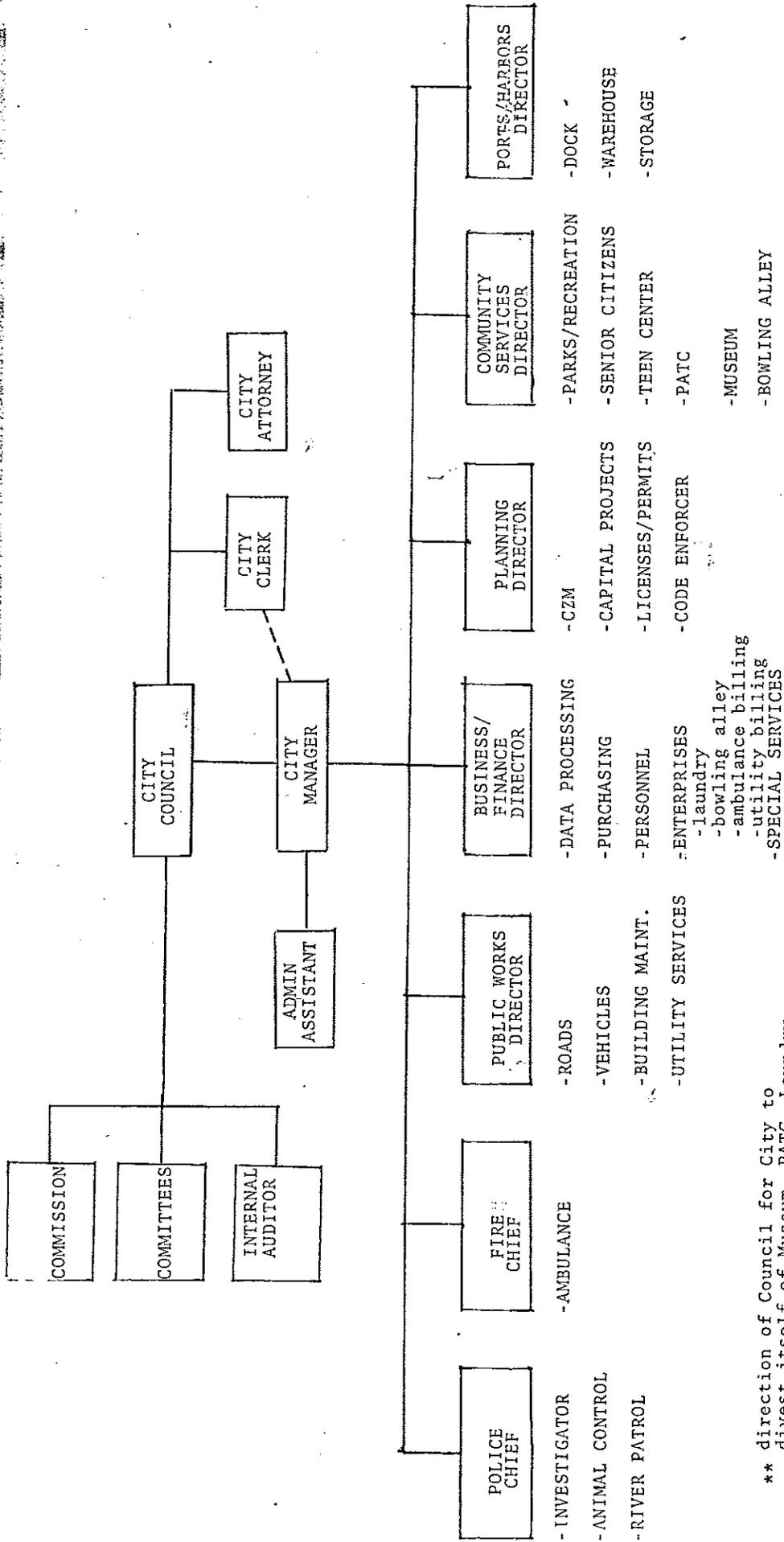
PASSED AND APPROVED THIS <sup>27<sup>th</sup></sup> DAY OF FEBRUARY, 1984.

  
ACTING MAYOR

2-27-84

ATTEST:

  
Wayne J. Maiers, City Clerk



\*\* direction of Council for City to divest itself of Museum, PATC, Laundry, Bowling Alley

\*\* money matters will be handled by Business/Finance under Enterprises; the work of the Enterprise will remain in another department (i.e. Utility Service will be done out of Public Works, the billing for the service by Business/Finance)