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# City of Bethel, Alaska

## City Council Minutes

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January 8, 2002

Regular Meeting

Bethel, Alaska

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### CALL TO ORDER

A regular meeting of the Bethel City Council was held on January 8, 2002, at 6:30 p.m. in the Council chambers, Bethel, Alaska.

Mayor Rodgers called the meeting to order at 6:34 p.m.

### ROLL CALL

Comprising a quorum of the Council, the following were present:

Jerry Drake	Stanley "Tundy" Rodgers
Carl Berger	Mary Pavil
Dario Notti	Karol Sanchez-Pobrislo

Also in attendance were the following:

Robert Herron, City Manager  
Colleen Soberay, City Clerk  
Louann Cutler, City Attorney

### PEOPLE TO BE HEARD

**Buster Richardson**, Bethel business owner, said the City has received fishing disaster relief money from the State. He said he comes to Council for help as he said the whole community is suffering from the fishing disaster, but he doesn't know anyone who has received money for the disaster from the City. He reiterated the City receives money from the State because of the fishing disaster. Mr. Richardson said AVCP is giving \$1,000 to Natives and \$500 to non-Natives. Mr. Richardson gave a detailed anecdote of his losses as a result of the fishing disaster including being behind in his dock fees owed to the City. Mr. Richardson said the City garnished his son's paycheck for the owed fees. He said this is hurting his business and the City has not even shown the amount his business has paid. Mr. Richardson asked Council for help.

Mayor Rodgers asked the City Manager to research Mr. Richardson's situation. Mr. Richardson said he has already talked with the City Manager, which he said was not helpful. Manager Herron rebutted that City Administration is given the authority in these situations by Council to proceed in collection of delinquent accounts.

**Janet Athanas**, Bethel Parks and Recreation Director and 4-H representative, said she is working on a national project that focuses on ways to improve the future for America's youth. She explained the project's current goal focuses on conversations between youth and adults as a way to open up the dialogue and share ideas on steps that could be taken to impact youth development in the community. Ms. Athanas invited Council to participate in the conversation with Bethel youth Friday, January 18 from 5 p.m. to 7 p.m.

**Mr. Ctibor**, Bethel resident, said it would be helpful if the roads most in need were to be plowed before morning traffic begins. He also said that what annoys him about this service is the City is creating a problem for residents by dumping the snow in front of driveways. He explained that it cost him \$40 to have someone plow his driveway so he could get out. He told Council the City should be careful about where the plowed snow goes. Mr. Ctibor also said he heard Council considering the adoption of a dog noise ordinance. He said in his neighborhood, the biggest problem is loose dogs that cause tied-up dogs to bark. He suggested to Council that perhaps the loose-dog owners should be fined heavily.

**Beverly Hoffman**, Bethel resident, said she has two items she is concerned about. She said she is first concerned about ordinance 01-46 and explained she has been a dog musher for 26 years in Bethel. Ms. Hoffman said she has a small dog yard and her dogs have never been a problem to her neighbors. She said she strongly urges Council not to adopt this ordinance as the new language looks like it directly affects dog yards. Ms. Hoffman reiterated that loose dogs are more of an annoyance. She said ordinance 01-46 affects her as a dog musher, but the problem is loose dogs. Ms. Hoffman said her second concern is piped water and sewer requirements in Chapter 17 of the BMC in that the cost of installing piped systems into lots will be placed on subdivision owners. Ms. Hoffman said as a subdivision owner, she wouldn't be able to afford to install piping. She said she hopes this discussion continues because this will be a serious cost to subdivision owners who would then pass the cost on to the consumers/land sellers.

**Mr. Agibnik**, Bethel resident, said the housing subdivision's water is a big issue. He brought water with him to show Council how brown the water is once it reaches a home on piped water.

**Katie Nicoli**, Bethel resident, provided Council with a water sample from her tap without a filter and said this is a major concern.

**Scott Greydanus**, Bethel resident, said he does not agree with ordinance 01-46 and asked that council not adopt this ordinance.

**John Angaiak**, Bethel resident, said he is against ordinance 01-46. He explained the K-300 only happens once a year and it's a landmark of Bethel. Mr. Angaiak said ordinance 01-46 goes against Native tradition and the K-300. He said the K-300 is good for the community as it provides good visibility and economic benefits. Mr. Angaiak said he opposes ordinance 01-46.

#### APPROVAL OF MINUTES

<b>MOVED BY:</b>	Drake	To approve the minutes of the December 11, 2001 regular meeting
<b>SECONDED BY:</b>	Sanchez-Pobrislo	

*\*Correction noted by city clerk.*

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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#### APPROVAL OF AGENDA

<b>MOVED BY:</b>	Drake	To approve the regular agenda and consent agenda after adding new business item H: Res. #02-02; removing new business item F; removing new business item E off the consent agenda; and adding executive session item A: follow-up on legal negotiations with BNC
<b>SECONDED BY:</b>	Pavil	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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## MAYOR'S REPORT

The Mayor's Report included the following:

- Governor's Talking Points for the week of December 17, 24, and 31, 2001
- Letter from Office of the Governor — *Re:* Capital projects in the Bethel community included in the Governor's budget for FY03
- Press Release — *Re:* FCC grants state's petition for greater Internet access for rural communities
- Press Release — *Re:* Alaska Coastal Impact Assistance Plan approved by Feds
- Press Release — *Re:* Governor unveils "Strong Future" Budget for FY03
- Press Release — *Re:* Permanent Fund dividend opened January 2—state encourages residents to use the new online application system

<b>MOVED BY:</b>	Notti	To approve appoint Brian Glasheen to the Planning Commission; re-appoint John Hastie to the PSTC; re-appoint Buster Richardson to the Port Commission; re-appoint Rick Robb to the Parks & Recreation Committee; re-appoint Paul O'Brien to the Public Works Committee.
<b>SECONDED BY:</b>	Pavil	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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## MANAGEMENT TEAM'S REPORT

City Manager Herron noted the management reports included in Council packets.

- Landfill/lagoon feasibility study—Public workshop in January in which the contractor will present recommendations. Formal draft is estimated to be complete by end of March.

Council member Sanchez-Pobrislo asked Manager Herron about snow plowing in that she understands there is a liability issue, but asked if there were any way plowing could be done so as not to affect so many residential driveways. Manager Herron explained the difficulty in plowing around driveways and said he would look into the matter. Mayor Rodgers said two years ago it was agreed the winter schedule would work so as not to interfere with morning traffic. Manager Herron said he would look into the current schedule. Discussion briefly ensued.

## REPORTS OF STANDING COMMITTEES

### Senior Advisory Board

Council member Berger said the SAB did not meet in December. Mr. Berger reviewed the Senior Center Director's report and said the SAB will meet in January.

### Parks and Recreation Committee

*Council member Short was not present.*

### Planning Commission

Council member Notti said the commission has not met since the last meeting, but said the next meeting is scheduled for January 10 at 6:30 p.m. instead of 7:30 p.m. Mr. Notti reviewed the commission's agenda.

### Port Commission

Mayor Rodgers said the commission has not met since the last council meeting. He said the next council meeting is scheduled for January 21.

### Public Works Committee

Council member Drake said the committee met December 18, but he was not able to attend that meeting as he was at a special council meeting held at the same time as the committee meeting. Mr. Drake said the next meeting is January 15.

### Public Safety and Transportation Commission

Council member Pavil reviewed the planning commission agenda.

### Finance Committee

Council member Sanchez-Pobrislo said the committee met December 13. She explained several motions were made for recommendations to Council. Ms. Sanchez-Pobrislo recommended that item A through C of the Finance Committee minutes be forwarded to the Public Works for discussion. Ms. Sanchez-Pobrislo said the committee recommends to Council that the Finance Department be responsible for procuring all City vehicles. Ms. Sanchez-Pobrislo asked that the city manager review new business item C in the Finance Committee minutes. She also said the committee recommends that a member of the finance committee be included in the interviewing process for the Finance Director's position.

<b>MOVED BY:</b>	Drake	To approve the minutes of the December 18, 2001 special meeting
<b>SECONDED BY:</b>	Berger	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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### UNFINISHED BUSINESS

#### Item A — Public Hearing: Ordinance #01-45: An ordinance adopting standards for petroleum tank farms and associated facilities containing flammable or combustible liquids

*Mayor Rodgers opened the public hearing.*

**Bruce Barto**, Crowley Co., said he has been a business member of the Bethel community for many years. He said, in summary, Crowley is in the final stage of the construction bidding process with the intent of completing the fuel tank project before freeze up this year. Mr. Barto said his company has reviewed ordinance 01-45 and said his company has many concerns. He said specifically Crowley's objection is with 15.24 of the ordinance, as it will not bring any value to the community. Mr. Barto explained the stringent state and federal laws Crowley must follow to build such a fuel tank farm. He told council that the way this ordinance is written it could add additional costs to Crowley because the requirements are so unclear. He stressed that Crowley does not believe this ordinance is necessary. Mr. Barto requested council not pass this ordinance or at a minimum defer this ordinance for review.

*With no one else to speak to this ordinance, Mayor Rodgers closed the public hearing.*

<b>MOVED BY:</b>	Drake	To adopt ordinance #01-45
<b>SECONDED BY:</b>	Berger	

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Council member Drake said this ordinance gives the City oversight on construction. He said

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ordinances like this are in place in many cities for the protection of the community. Council member Drake said this ordinance requires nothing extra of a company that isn't already required. He reiterated this ordinance gives the City the legal authority, if needed, for the protection of the community.

Council member Berger pointed out the word "may" throughout the ordinance in that the City engineer has a right to oversee a project such as the construction of a fuel tank farm. Council member Notti asked that Mr. Barto review his concerns about the ordinance. Mr. Barto reviewed his concerns with the ordinance item-by-item.

Council member Drake reiterated that this ordinance has already been reviewed and discussed by BNC, Crowley and the City during negotiations and all of the engineers agreed. Council member Drake said it's not every day a fuel tank farm is built, so now is the time to make sure the City has the necessary ordinances in place to address such construction projects.

City Attorney, Louann Cutler, addressed the concerns brought up by Mr. Barto. She said this isn't something just dreamt up, as Council has been discussing this since the very first discussion of a fuel tank farm. Ms. Cutler said because there is no building code in Bethel, this ordinance is important. She also said there is no point in having this ordinance without section 15.24 of the ordinance, as the sections all work together and add value to the City. Ms. Cutler also pointed out that this ordinance applies to any tank farm being built or similar construction. Discussion briefly ensued.

<b>VOTE ON MOTION</b>	Motion carried by roll-call vote 6-0
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**Item B — Public Hearing: Ordinance #01-46: An ordinance amending certain sections of chapter 6.04 of BMC regarding care and restraint of dogs**

*Mayor Rodgers opened the public hearing.*

**Suzi Israelsson**, Bethel resident, thanked Council for their service and for supporting the K-300 as a sponsor. She said if ordinance 01-46 passes, dog mushers would cease to exist. Ms. Israelsson said she would rather see the City implement zoning ordinances. She gave an anecdote in that she and her husband relocated to a neighborhood that allowed dog teams. She reiterated zoning would be more appropriate and that it would free up police officers to deal with more serious issues rather than barking dogs.

**John Simon**, Bethel resident, said he has 30 dogs. Mr. Simon said he lives on his own property with his dogs and his children are very involved with the dogs. He said these dogs make noise, but he has not heard any complaints. He said he enjoys having his dogs and it keeps his kids busy, as a hobby. Mr. Simon said this ordinance interferes with his livelihood, as he has been involved in it for 20 years. He said this is a tradition and a part of Bethel. He told Council to stick to environmental issues, not noise issues.

**Jackie Klejka**, veterinary assistant for Bering Sea Animal Clinic, said she has a lot of contact with pet owners and has a dog team herself. She said dog mushers don't want their team to bark or bother anyone. She said the kids come home from school and run the dogs and a lot of kids are getting into dog mushing as a sport. She asked Council not to pass this ordinance.

**R. Dillon**, Tundra Drums editor, said he has a dog team in City Subdivision. He said he has had every loose dog in the neighborhood bothering his dog team and gave an anecdote. Mr. Dillon said dog mushers go to extremes to take care of their dogs and it is expensive. He said this ordinance would put a burden on dog mushers.

**Bob Carlson**, Bethel resident, said he agrees the City has a problem with loose dogs, but said he is surprised dog mushers can't support this ordinance. Mr. Carlson said this ordinance is not an attack on dog mushers. He said dog mushers should train their dogs not to bark and provided an anecdote of a musher who had his dogs trained not to bark regardless of the distraction. Mr. Carlson said if no one complains then there is no problem. He also said he earlier heard a council member say council needs to look out for all residents, not just a popular group. Mr. Carlson said he hopes council will pass this ordinance.

**Victoria Mathews**, Bethel resident, said she used to be a dog musher and still has dogs. Ms. Mathews said she doesn't agree with the times set forth in the ordinance, as most people are at work and unable to hear their dogs bark or prevent a dog from barking. She said most dog owners are caring of noise when they are home. She said if this ordinance passes, it will hurt the K-300.

**Tomas Israelsson**, Bethel resident, said he is a dog musher and has 40 dogs. He said he works hard to keep his dogs quiet. He said this ordinance targets dog mushers and could run dog mushing out of town.

<b>MOVED BY:</b>	Notti	To adopt ordinance #01-46
<b>SECONDED BY:</b>	Sanchez-Pobrislo	

Mayor Rodgers said dogs have rights, too. He said a raven constantly teases his dog, which he said, makes it difficult to keep his dog quiet. Mayor Rodgers said he does not support this ordinance.

Council member Notti said the City does need some type of ordinance to cover the whole town, but an ordinance doesn't need to be as strict as ordinance 01-46. Council member Notti said dog teams are noisy, but said there are subdivisions that don't allow dog teams. He said we can't start banning everything that is noisy.

City manager Herron said Council has the authority to organize a committee to work on this ordinance and bring recommendations back to Council within 45 days. Council member Sanchez-Pobrislo said she wants to put this ordinance to rest. She said if people have a problem with a dog barking, that person should contact the dog owner.

Council member Pavil said the City does need to address the loose-dog problem. Council member Pavil also said she wished the city manager would talk with the [animal control officer] about this situation. Mayor Rodgers said the city manager was directed months ago to talk to the [animal control officer] about the loose-dog situation.

City manager Herron agreed there is a loose-dog problem. He explained part of this ordinance should be stricken out, but part of this ordinance is needed for care and restraint of dogs.

<b>VOTE ON MOTION</b>	Motion failed by roll-call vote 0-6
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City Attorney, Louann Cutler, explained to Council what is in the code in regard to dogs. She said if Council wants administration to work on a loose-dog ordinance, she would. She said, however, the problem is a cost issue because the City doesn't have a facility for loose dogs. Council member Drake said Council is not going to solve this issue tonight and that loose dogs have been a problem for the 23 years he has been in Bethel. Council member Berger said Council has heard from some responsible dog owners and said maybe the community could use some community pressure to deal with the people who don't take care of their animals.

**Item C — Public Hearing — Ordinance 01-47: An ordinance amending sections 5.20.010 of the BMC regarding taxicab dispatch services**

*Mayor Rodgers opened the public hearing. With no one to speak to this ordinance, Mayor Rodgers closed the public hearing.*

<b>MOVED BY:</b>	Drake	To adopt ordinance #01-47
<b>SECONDED BY:</b>	Sanchez-Pobrislo	

<b>VOTE ON MOTION</b>	Motion carried by roll-call vote 6-0
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**Item D — Public Hearing — Ordinance #01-48: An ordinance amending the official city land use map dated July 10, 1990 pursuant to section 18.08.020 of the BMC 109**

*Mayor Rodgers opened the public hearing.*

**Marc Stemp**, BNC President, asked for Council to approve this ordinance, as it is the next step to bring an alternative tank farm to Bethel.

*With no one else to speak to this ordinance, Mayor Rodgers closed the public hearing.*

<b>MOVED BY:</b>	Notti	To adopt ordinance #01-48
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by roll-call vote 6-0
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**Item E — Ordinance #01-49: FY02 Mid-year budget modifications**

*Mayor Rodgers opened the public hearing. With no one to speak to this ordinance, Mayor Rodgers closed the public hearing.*

<b>MOVED BY:</b>	Berger	To adopt ordinance #01-49
<b>SECONDED BY:</b>	Drake	

Acting Finance Director, Celeste Kanli, explained the changes to ordinance 01-49. Council member Drake said because Council just received justifications from the police and planning departments, he hasn't had time to read the justifications. He said he needs more time to review the justifications and recommended postponing the adoption of this ordinance until the January 22 meeting.

<b>VOTE ON MOTION</b>	Motion withdrawn
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**NEW BUSINESS**

**Item A — Discussion Item: Piped Water**

**Mark Charlie**, Bethel resident, explained the problems caused by the recent piped water such as damage to sinks and facets. He said the water is causing people a lot of problems. Mr. Charlie said he hopes the City will do something about the problem.

**Cindy Andrecheck**, Bethel resident, said she has been through every water system in Bethel. She said about a week ago she put a white t-shirt over her sink facet and that t-shirt is now brown. She gave the t-shirt to Council to pass around. Ms. Andrecheck said every time she does laundry she has to clean the washer screens and it is an inconvenience. She said she understands the water starts

out good, but the pipes are causing a serious sediment problem. She continued that consumers are paying for a service and that service has to be at least acceptable. Ms. Andrecheck said the problem is serious and something has to be done.

Council member Drake asked when the problem started. Ms. Andrecheck said it started about two years ago, but the heavy particles started about three months ago.

**Ron Hoffman**, Executive Director of AVCP Housing Authority, explained he has received numerous angry complaints from residents. He said residents are paying for inadequate water. Mr. Hoffman urged Council to direct administration to come forth with a solution to remedy this problem. Mr. Hoffman also explained Council is dealing with primarily low to moderate income families in regard to piped water and these families don't have an alternative. He said it is the City's responsibility and the City can't just brush this problem off. He also suggested Council reprioritize water in the community.

**Jeff Sanders**, Bethel resident, provided Council with anecdotes to illustrate the problem with the current piped water and said the pipes need to be replaced. He also said he is concerned that the new pipes might block access to snow machine trails, for example.

City manager Herron explained the new pipes, HDPE fusible plastic, to be installed in City Subdivision.

Manager Herron also briefly reviewed the three-page discussion paper he prepared on the current piped water problem. Items discussed in the paper include: the problems with water color/quality in Bethel Heights; remedial actions such as working with agencies to find funding to replace the iron ductile pipes with HDPE fusible plastic pipes, flushing of the pipes, rigorously monitoring of the injection schedule and procedures, installation of more purging outlets. Council member Drake asked that the city manager include polymer injections in his list of remedial actions. Council member Drake also clarified the City's immediate actions to be taken, mid-term actions and long-term goals. Council member Notti asked the city manager to provide council with a bi-weekly update in his management report.

<b>MOVED BY:</b>	Drake	To continue the council meeting past 10:00 p.m.
<b>SECONDED BY:</b>	Berger	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote
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Council member Drake showed Council and members of the audience water samples taken from the water plant. He reiterated the water produced is adequate and that it is a result of the pipes. Discussion ensued.

**Item B — Discussion Item: 17.24.228 to 17.24.250 of the BMC—Piped water and sewer in new subdivisions**

City manager Herron said the reason he put this on the agenda is to point out the effective date of 17.24.228 to 17.24.250 of the BMC. He said last April Council voted to defer the effective date until January 1, 2002, which requires that if a developer wants to build a new subdivision that developer must pay for the development of the piped water and sewer system. Manager Herron also addressed Beverly Hoffman's concerns raised early in the meeting in regard to this code creating a cost burden for subdivision owners.

Manager Herron reiterated he wanted to go on record announcing this requirement is now part of the Code and is effective. He said Council may later chose to change the Code.

Council member Notti said he was against this at the Planning Commission level and at Council level because he doesn't think there will be any new development due to the cost to install water and sewer pipes in new subdivisions. Council member Drake said people pay more for a lot in Anchorage with buried water and electric infrastructure. Council member Drake also asked why should a consumer not be able to buy a lot with water and sewer pipe infrastructure. Mayor Rodgers said he agrees with the city manager and Council member Drake. Mayor Rodgers said this could be dealt with as developers come to Council asking for an exemption. Discussion briefly ensued.

**Item C — Resolution #02-01: Support for a public bus system in Bethel**

Council member Berger read resolution 02-01. Council member Drake said he doesn't understand the point of this resolution for the purposes of directing administration to do the research requested in the resolution. Council member Berger said he thinks it's important to show support among all of the Council members.

City manager Herron said the estimated cost of a bus driver for one year would be \$82,000. City manager Herron said his concern is the cost, but would think the City would need to subsidize a bus system for about five years before the business would have enough riders to pay for itself. He said Anchorage and Barrow both subsidize a bus system.

Council member Berger said Central Area Rural Transit System wrote in a press release that it received a \$500,000 grant from the federal government for its public transit system in the Kenai Peninsula. Council member Berger said this organization uses the \$500,000 with various other funds they receive including some local money. He said these are things the City should be working towards. He also explained that the DOT requires that the City provide a study. Council member Berger said what this resolution proposes would be an approach to at least investigate options.

<b>MOVED BY:</b>	Drake	To amend the resolution #02-01 to read as long as a study doesn't cost the City any money
<b>SECONDED BY:</b>	Pavil	

Council member Drake said he is not willing to throw City money at this right now. He said even if it takes a couple of years to get a grant, the City should pursue a grant for any money needed. Council member Drake said he is opposed to a subsidized public transit system.

Council member Berger said he is not advocating any particular outcome, but would like the City to explore possibilities. He said let the city manager report back to Council his findings.

Council member Pavil asked how much it would cost to operate a bus system on a trial basis. She also recommended putting it to bid to the public. Council member Pavil said she thinks the bus the City owns in Oregon is too large for Bethel roads. Council member Berger reiterated that he is only requesting the City explore the options.

Council member Sanchez-Pobrislo said she supports this resolution and has faith in the city manager that he will bring back a plan for council to review.

<b>VOTE ON MOTION</b>	Motion failed by voice vote 3-3
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<b>MOVED BY:</b>	Sanchez-Pobrislo	To adopt resolution #02-01 after adding "within 45 days" at the end of the <i>Be it Resolved</i> clause
<b>SECONDED BY:</b>	Berger	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote
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**Item D — Introduction — Ordinance #02-01: An ordinance amending certain sections of Chapter 5.20 and 5.30 of the BMC regarding payment of fees and display of permit in vehicles**

*Ordinance #02-01 was introduced under the consent agenda and set for public hearing January 22, 2002.*

**Item E — Introduction — Ordinance #02-02: An ordinance amending section 4.16.040.I of the BMC regarding exemption of financial institution services from sales tax**

<b>MOVED BY:</b>	Drake	To introduce ordinance #02-02 and set public hearing for January 22, 2002
<b>SECONDED BY:</b>	Sanchez-Pobrislo	

Manager Herron said during the committee process, he was against this exemption. Manager Herron also said the City can tax Alaska USA. He recommended this ordinance be rewritten when Council has a public hearing.

Manager Herron said Wells Fargo Bank manager, Mark Renner, didn't ask the committee to recommend exempting all bank services. Manager Herron said for someone to say that exempting only one bank service is too difficult is a false statement. He recommended that administration bring back new language to Council for consideration. City attorney Cutler explained the taxing process in regard to credit unions such as Alaska USA and reiterated the City can tax a credit union. Discussion briefly ensued.

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote
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Manager Herron said for clarification that Council directs administration to bring back new language for ordinance #02-02.

**Item F — Introduction: Ordinance #02-03: An ordinance exempting the Bethel Recycling Center's consulting agreement with Bill Hauser, Inc. from the provisions of Chapter 4.20 of the BMC**

*Item F was removed from the agenda.*

**Item G— Introduction: Ordinance #02-04: An ordinance exempting the City of Bethel from the provisions of Chapter 4.20 of the BMC to purchase Laser Fiche for City records management**

*Ordinance #02-04 s introduced under the consent agenda and set for public hearing January 22, 2002.*

**Item H— Resolution #02-02: A resolution supporting the Bethel Fire Department's Cooperative Fire Protection Agreement with the State of Alaska for the Protection of Natural Resources and watersheds on land and protection of life and property from wildland fires**

<b>MOVED BY:</b>	Notti	To pass resolution #02-02
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote
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**COUNCIL MEMBER COMMENTS**

**Council Member Berger**—*no comment.*

**Council Member Sanchez-Pobrislo** said her husband has been relocated to Anchorage and that her last meeting will be in March.

**Council Member Drake**—*no comment.*

**Council Member Rodgers** gave his condolence to the Littlefish family and wished his wife a happy birthday. He also said Napakiak is paying taxes to Bethel for electricity bought and received in Napakiak. Manager Herron responded that the power is generated in Bethel and as BMC requires, it is taxed. Manager Herron said Napkiak can ask Council for an exemption, but has not done so.

Mayor Rodgers presented an award of appreciation to former Council member Mike O'Brien.

**Council Member Notti** gave his condolence to the Littlefish family. He also said the Governor's budget looks worth defending and thanked Louie Andrew for serving on the Planning Commission.

**Council Member Pavil**—*no comment.*

**Council Member Short, Jr.**—*not present.*

#### **EXECUTIVE SESSION**

<b>MOVED BY:</b>	Sanchez-Pobrislo	To go into executive session to discuss A: legal negotiations with BNC
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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*Council came out of executive session.*

#### **ADJOURNMENT**

<b>MOVED BY:</b>	Pavil	To adjourn the meeting.
<b>SECONDED BY:</b>	Sanchez-Pobrislo	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 11:15 p.m.

**APPROVED THIS 22<sup>nd</sup> DAY OF JANUARY 2002.**

ATTEST:

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Stanley "Tundy" Rodgers, Mayor

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Colleen Soberay, City Clerk