

**MINUTES
NOME CITY COUNCIL
RESCHEDULED REGULAR MEETING
December 27, 2006**

The Rescheduled Regular Meeting of the Nome City Council was called to order at 7:30 P.M. by Mayor Denise Michels in the City Council Chambers of Nome City Hall located at 102 Division St.

ROLL CALL

Members Present: Stan Andersen, Jerald Brown, Mary Bourdon, Mary Knodel, Jon Larson, Randy Pomeranz

Members Absent:

Also Present: City Manager Randy Romenesko, City Clerk Leslee Wessel

In the audience: Paul Korchin, KNOM; Donald Handeland, GCI, Inc.; Matthew Culley, Mike Quinn, Kari Martin, David Habetler, Scott Henderson, Diana Adams, Mitch Erickson, Nancy McGuire, Sandra Medearis

INVOCATION

The invocation was given by Paul Korchin.

APPROVAL OF MINUTES

A. December 11, 2006 Regular Meeting

A motion was made by C. Knodel and seconded by C. Larson to approve the minutes as presented.

At the roll call:

Ayes: Andersen, Brown, Bourdon, Knodel, Larson, Pomeranz

Nays:

Abstain:

The motion CARRIED.

UNFINISHED BUSINESS

C. O-06-12-03 An Ordinance Amending Section 10.30.150(a)(6) of the Nome Code of Ordinances to Prohibit Trapping of Animals Within City Limits.
~Second Reading, Public Hearing and Final Passage

Mayor Michels explained this item will be moved to this point and discussed at this time.

A motion was made by C. Brown and seconded by C. Larson to table this Ordinance and refer it to the Planning Commission for further study.

Discussion:

C. Larson stated this seems a reasonable action as they are competing land uses within the City and that is pretty much what the Planning Commission is designed to do. He would like to have their input on this

and he hopes that the trappers and mushers and everyone else using the trail can work something out that is agreeable to everyone before government legislates on it.

C. Brown stated he is in agreement with C. Larson.

At the roll call:

Ayes: Brown, Bourdon, Larson, Pomeranz, Andersen

Nays: Knodel

The motion CARRIED.

Mayor Michels explained to those present that this has been sent to the Planning Commission and they hope the citizens will attend the meetings to discuss those land issues.

CITIZENS REQUESTS AND GRIEVANCES

Nancy McGuire stated she thinks they are ducking the issue. This is something they have been faced with in the past and it is time to make a decision. It is the Council's responsibility to do so. She is concerned this will go to the Planning Commission and they will say they aren't going to do anything with it. She is concerned as a citizen because she has taken her dogs out on a leash in the City and they get into the crap that the trappers put on their traps to lure the critters. Then she has to clean up after her dogs. It is on the public access trail and there is no reason for that. She thinks anyone who is out there trapping in the City are lazy because they have the entire wilderness outside the City limits where they can be. They don't have to be in the City. There are people in the city who are saying enough is enough, face the issue and if it is necessary to trap animals in the City then Animal Control can issue a waiver. They don't have this big tradition of trapping in town, although some people might think that. It is time to get an ordinance on this and time to take some action and the Council is the one to do it.

Scott Henderson, Bonanza Fuel, brought to their attention a program they just started in conjunction with Citizens Energy. Kawerak recently announced their low income discount heating oil program in which all of the villages of the region are distributing 100 gallons of free heating oil per household. Unfortunately, for some reason Nome was not included in that program and is not eligible for that particular discounted heating oil. With Bonanza he has entered into a separate agreement and taken advantage of what is called a discount heating oil program with Citizens Energy in which all low income residents of Nome are eligible for up to 200 gallons of discounted heating oil this winter. Essentially how the program works is the applicant fills out a simple one page application available at their office or on the Citizens Energy website and faxes it in. If approved within a day or two Bonanza Fuel receives notice and the customer pays 60% of the retail price of the fuel and Citizens Energy pays the remaining 40%. They have set this up so that low income residents of Nome can participate in a discounted oil program this winter. Bonanza is not involved in deciding who is eligible, they are just facilitating the program so the residents of Nome can participate in this program. It is good for 200 gallons of heating oil this winter per household. The fuel has to be delivered by March 14, 2007. More information is available on the Citizens Energy website. He left applications and a one page fact sheet on the table for anyone who wants them.

Mitch Erickson stated in light of the recent NSEDC election he has been following Skagway's Borough application for probably the last ten years and he recently received the latest Skagway News and they actually did become a Borough. This is just a single town/community. This may be a situation where people who live outside the city that have kids attending the school district have a chance to vote legally and an opportunity for the fisherman to participate legally in a NSEDC vote by making the community a Borough.

Lucille Evans stated on December 21 her husband received a letter of non renewal of chauffeur's license. She provided a letter of appeal that he had written. He has had a chauffeur's license here in Nome for five years. They are a two parent family who attends church. No one is perfect. In the past he may have strayed. What he is trying to do is provide them with income and he hasn't hurt anyone driving in the cab. A lot of times elderly customers favor him because he treats them with respect. He has elderly parents.

His father has passed but his mother is elderly. With him being raised with elderly parents he has a special respect for them. People in this town know him. He is from here.

Mayor Michels stated they need to schedule a hearing date to be able to hear his appeal.

City Clerk Wessel stated she had tentatively scheduled the hearing before their next Council meeting on January 8. It may be that the family is requesting a date earlier than that.

C. Andersen asked if he is driving now. Ms. Evans stated he is able to drive until January 1. If they don't have the hearing until the 8th he will be out of work for two weeks.

C. Larson asked City Manager Romenesko if he was going to do a work session before the 8th. City Manager Romenesko stated he hadn't planned one.

C. Andersen asked if there is a provision where he can drive until they have the hearing. City Clerk Wessel stated he applied for a renewal of his chauffeur's license which ends December 31st and he will not be able to drive until there is a decision made on the appeal.

C. Andersen asked what the delay to January 8 was. City Clerk Wessel stated she was giving time for the appellant to gather any information he needed and the Police Department to gather their information. City Manager Romenesko stated they will bring the application and the chief's decision to them and the person making the appeal has the right to make a presentation to the Council for their consideration.

C. Knodel suggested having a hearing on January 2, 2007 at noon. City Clerk Wessel confirmed she would have a quorum.

Mike Quinn thanked the Council for tabling and moving the trapping ordinance to the Planning Commission. He had a handout but he will save that for the Commission meeting.

COMMUNICATIONS

Mayor Michels asked if there were any questions to the communications. There being none she mentioned the Ambulance Department was recertified for EMS.

PLANNING AND ZONING

SPECIAL ORDERS

UNFINISHED BUSINESS

- A. O-06-12-01 an Ordinance Authorizing the Disposal of Municipal Property by Lease of Space at the Gold Hill Tutit Ininat Child Care Building to Kawerak, Inc., for the Uiviilat Play and Learn Center.
~Second Reading, Public Hearing and Final Passage

Hearing no objection the Mayor asked the Clerk for the second reading of O-06-12-01.

For the purpose of holding a public hearing the Council recessed at 7:43 p.m.

Discussion:

Kari Martin, Director of the Uiviilat Play and Learn Center, thanked the Council and the City of Nome for all the support they have shown them for the Uiviilat Play and Learn and wished the Council a Happy New Year.

The Council reconvened at 7:44 p.m.

A motion was made by C. Pomeranz and seconded by C. Knodel to adopt this Ordinance.

At the roll call:

Ayes: Bourdon, Knodel, Larson, Pomeranz, Andersen, Brown
Nays:

The motion CARRIED.

**B. O-06-12-02 An Ordinance Amending the Nome Code of Ordinances, Chapter 17.20, Property Tax to Eliminate the Personal Property Tax on Business Inventories Held for Resale.
~ Second Reading, Public Hearing and Final Passage**

Hearing no objection the Mayor asked the Clerk for the second reading of O-06-12-02.

For the purpose of holding a public hearing the Council recessed at 7:45 p.m. The Council reconvened at 7:45 p.m.

A motion was made by C. Knodel and seconded by C. Andersen to adopt this Ordinance.

A motion was made by C. Brown and seconded by C. Andersen to amend this Ordinance to add at the end of Paragraph h, "and also other personal property up to the amount of \$10,000."

Discussion:

C. Brown stated there is a lot of personal property that is not declared by residents. For less than the value of \$10,000 which is \$110 of tax at the current mill rate, he thinks it streamlines things a little and eliminates what he thinks is a nuisance tax on citizens.

Mayor Michels stated this Ordinance is specific to business inventory held for resale in the normal course of business of a seller as defined and who is issued a sales tax certificate.

C. Brown stated then he would suggest adding a subsection "i" that would say personal property up to the level of \$10,000. Or should they do that as a completely separate ordinance at some future point.

Mayor Michels clarified that this is specific to business. City Manager Romenesko stated they already have some exemptions in place under 17.20.020 regarding certain things. The ordinance before them adds a new exemption "h" which is business inventory. He understands what the amendment is, but it would be nice to have a better look at the fiscal impact. Mayor Michels stated she thinks it is a separate issue.

C. Brown withdrew the motion for amendment. C. Andersen withdrew his second.

At the roll call on the main motion:

Ayes: Knodel, Larson, Pomeranz, Andersen, Brown, Bourdon
Nays:

The motion CARRIED.

NEW BUSINESS

- A. O-06-12-04 An Ordinance Authorizing the Vacation of Portions of the Rights of Way Platted Within Blocks 135 and 138 of the Official Plat of the Townsite of Nome, Alaska.
~First reading.

Hearing no objection the Mayor asked the Clerk for the first reading of O-06-12-04.

A motion was made by C. Knodel and seconded by C. Pomeranz to place this Ordinance into second reading, public hearing and final passage.

At the roll call:

Ayes: Pomeranz, Andersen, Brown, Bourdon, Knodel, Larson
Nays:

The motion CARRIED

- B. R-06-12-05 A Resolution of the City of Nome, Alaska in Support of the Alaska-Siberia Lend Lease Memorial.

Hearing no objection the Mayor asked the Clerk to read R-06-12-05.

A motion was made by C. Brown and seconded by C. Bourdon to approve R-06-12-05.

Discussion:

C. Andersen asked if they are getting grant funds and the City is helping them along. Mayor Michels explained they are looking for a site here in Nome. City Manager Romenesko stated the Memorial in Fairbanks has been installed and dedicated. C. Andersen asked if there is an organization in town accepting grant funds. City Manager Romenesko stated the Alaska Siberia Research Center is the organization that has been capturing funds for both the memorial in Fairbanks and in Nome. They completed the Fairbanks part and now they want to do the one in Nome also. C. Andersen clarified they haven't asked the City for land or money. City Manager Romenesko stated all they are asking at this time is support of the project so they can finish putting together the financial package. Mayor Michels stated they provided information last year saying Nome is the next site to be developed and what they needed once they get to that point is to find a site. The Council may need to create a little committee and figure out where it will be. C. Bourdon added they want it to be in a central location where it is accessible to a lot of people.

At the roll call:

Ayes: Andersen, Brown, Bourdon, Knodel, Larson, Pomeranz
Nays:

The motion CARRIED.

- C. Motion to Adopt Snow Storage & Disposal Site License Agreement and Associated Annual Use Fee of \$500.00.

A motion was made by C. Knodel and seconded by C. Andersen to approve the Snow Storage & Disposal Site License Agreement and Associated Annual Use Fee as submitted.

Discussion:

C. Larson stated he has noticed the street lights are on at this site all the time. City Manager Romenesko explained the City contracted with NJUS to install the poles and the lights and the City's contractor, Q-Trucking, is to install the meter base and the switch on those lights. His electrician has not been able to do that yet. As soon as that happens those lights will be switched by the City crews on an as need basis.

C. Larson asked if they should put something in there that requires them to take care of the lights also if they are on when the City crews aren't working. City Romenesko clarified if he is talking about turning them on or off. C. Larson stated he doesn't think they need to be burning all the time. City Manager Romenesko stated they have talked about developing a license agreement and then if they need to adopt usage rules. They can adopt them administratively. He started down that path, but he wasn't sure what the issues were until they actually got contractors and whatnot starting to use the facility.

C. Larson stated in the back of his mind he has the figure of \$6,000 a year for street lights. City Manager Romenesko stated it is actually \$200 a year for a street light.

C. Andersen asked if there are many private contractors who will be using this. City Manager Romenesko stated DOT will be a signatory on this thing, Bonanza Fuel is a private contractor, Q-Trucking is a private contractor, and Alaska Cab Garage is under contract with certain people.

Mayor Michels clarified DOT's role in this. City Manager Romenesko stated they will sign this license agreement because of the issue of the environmental liability. He has talked with Mr. Kelleher and he has no objection to that. Mayor Michels stated she wanted clarification because of the grant funds they got from DOT to build this.

At the roll call:

Ayes: Brown, Bourdon, Knodel, Larson, Pomeranz, Andersen
Nays:

The motion CARRIED.

CITY ATTORNEY REPORT

UTILITY MANAGER REPORT

Utility Manager Handeland was not present at the meeting.

CITY MANAGER REPORT

City Manager Romenesko handed out a written report:

- He thanked the folks that repaired the lights on top of the cross at Old St. Joes - Carl Emmons, Steve and Shawn Pomrenke, Jerry Krier, Greg Kruschek and folks from SPARCS radio ham club.
- As the Mayor noted earlier, congratulations go to the Voluntary Ambulance Department on their recertification of Emergency Medical Services by the State of Alaska. He would like to thank Chief Lean and all the volunteers in the Ambulance Department for their dedicated services to the community.
- Northwind Architects of Juneau has been selected as the designer for the NACTEC house and he will be bringing the Council a contract for professional services at their first meeting in January to put them on board so they can start that project. As they know their goal is to try to recruit a project superintendent early in the year and work with the architect and try to accomplish that work through local force account labor. He is glad to have them on board.
- He wished everyone a Happy New Year.

COUNCILMEN COMMENTS

C. Pomeranz stated he would like to have a work session on the property tax as it relates to individuals in the community as C. Brown mentioned. He would also like to talk about the sales tax on labor on construction sites. He thinks it is a double tax. He wished everyone a Happy New Year.

C. Andersen had no comments.

C. Brown wished everyone a Happy New Year and stated he agreed with C. Pomeranz on the need for a work session.

C. Bourdon wished everyone a Happy, Safe New Year.

C. Knodel had no comments.

C. Larson reminded the elders who are eligible to get their property tax exemption forms in. If they have questions about eligibility or what they need to do, they should call the Clerk's office because the deadline on that will come up February 1. He also thanked the community chorus and the school musicians and instructors who did a lot of work to provide entertainment to the community over the holiday season. He thought they did an excellent job and also the Arts Council for bringing up the conductor. It was a very nice program.

MAYOR'S COMMENTS AND REPORT

Mayor Michels stated she provided Governor Pahlin's proposed 08 Budget for revenue sharing. It looks encouraging for PERS and possibly Revenue sharing also.

She met with Major Nicholas Hennegan with the National Guard today regarding their facility. They are the ones that provided the O&M numbers to the Council that was passed out at the last work session. He will provide City Manager Romenesko the AutoCAD drawings and plans for them to look at during their next work session.

On the 20th she provided the Department of Military and Veteran Affairs transition report to Governor Pahlin and the Lt. Governor. That went really well.

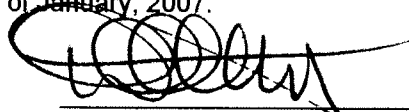
She wished everyone a Happy New Year.

ADJOURNMENT

A motion was made by C. Andersen and seconded by C. Pomeranz that the meeting be adjourned.

Hearing no objections the Nome City Council adjourned at 8:00 p.m.

SIGNED AND DATED THE 8th day of January, 2007.



DENISE MICHELS, Mayor

ATTEST:



Leslee M. Wessel, City Clerk/Treasurer