

**MINUTES  
NOME CITY COUNCIL  
REGULAR MEETING  
November 12, 2007**

The 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 (telephonically), Mary David, Mary Knodel, Jon Larson, Randy Pomeranz

Members Absent:

Also Present: City Manager Randy Romenesko, City Clerk Sandy Babcock, Police Chief Paul Burke

In the audience: Paul Korchin, KNOM; Diana Handeland, GCI; Leonard Sarja, Nicolai Ivanoff, Laurie McNicholas, Pat Booth, Karen McLane, Dan Thomas, Jana Varrati, Leora Kenick, Derrick Leedy, John Handeland, Utility Manager; Sue Steinacher, Steve Longley, Tom Brannan, NPS; Stan Lujan, Superintendent NPS; Kirsten Bey, Matt Johnson, Lynn deFilippo, Greg Priddy, Ryan Martinson

**INVOCATION**

The invocation was given by Paul Korchin.

**APPROVAL OF MINUTES**

A. October 22, 2007 Regular Meeting Minutes

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

At the roll call:

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

Nays:

Abstain:

The motion CARRIED.

SWEARING IN OF MATT JOHNSON AS CHIEF OF NVFD

**COMMUNICATIONS**

Mayor Michels reported the various communications are available in their Council packets or in the Clerks office and also on the City of Nome website.

C. Andersen asked about the monofill having another 2.8 years use left when it didn't look like it had a lot of room left now. City Manager Romenesko responded that we might get two years out of it and that Cell II would be built next summer and they would transition into it. C. Andersen stated that the intention then wouldn't be to use it for 2.8 years. City Manager Romenesko stated no it would not need to last that long because they would fill it up with the opening of Cell II.

C. Knodel asked if the letter, from Colonel Wilson with the Corps of Engineers, concerning the dredging of the Small Boat Harbor, could be put on their priority list. City Manager Romenesko explained that yes it would be and he had sent this letter to the Congressional Delegation as a follow up to their visit this summer. It was discussed that there would be public hearing at the next meeting to discuss the NSEDC Community Benefit Share.

Mayor Michels thanked SFT Michael Lewis for the Certificate of Recognition and the flag and wall display he sent to the City of Nome in regards to Operation Iraqi Freedom in support of our folks in the service.

### **CITIZENS REQUESTS AND GRIEVANCES**

**Derrick Leedy** addressed the Council and thanked City Manager Romenesko for his years of service. Dr. Leedy provided his comments in writing for the Council packets regarding the Alaska Gold Company and the Dry Creek Permit and he highlighted these concerns.

- September of this year 10 citizens made 25 different comments against the Alaska Gold Company application to explore or possibly placer mine Dry Creek within the City Limits.
- Reasons against the project include dust control, excessive noise, excessive lighting, contamination of Dry Creek from sediment, arsenic and other heavy metals and contamination of the Snake River.
- The mining plan lacks clarity. The reclamation plan is brief. Their permitting standards are not as strict as the City of Nome's standards. They are vague and not precise.
- No water testing is being done before they mine the area.
- ATV's were going to be used to transport the workers now they say up to 5 pickup trucks will be used. The plans keep changing and this is upsetting.
- The original plan said Alaska Gold would take care of the dust now they say it is the State of Alaska DOT responsibility. The Company keeps changing their mind and what they say today could be difference when/if the project really happens.
- Dr. Leedy stated that the question is "Does the City Council and the citizens of Nome really want a large scale mining operation in Dry Creek that would greatly affect many things about our daily lives?" Dr. Leedy asked the City Council to not support this mine. He stated he cannot think of what good could come to the citizens of Nome.

Mayor Michels asked if the comment period was closed for submitting to the regulatory agencies. Dr. Leedy stated that the comment period is over to the Coastal Zone Management. But, more importantly, the U.S. Corps of Engineers has not issued any permits and the State has not issued any permits for this project since they are backlogged. Julie Woodke, with USACOE told him they would be accepting comments from individuals and Cities for the next two weeks.

Dr. Leedy asked that the Council and citizens express their concerns to the regulatory branch of the Corps of Engineers.

**Tom Brannan** addressed the Council representing the Nome Public School Board. He stated that the digital control units project in the Elementary school will proceed by January and it should be a 2 – 2 ½ month project and bid has gone out to Morgan's Electric of Anchorage. The new flatbed has been purchased. The boiler system at the Elementary school had a cost analysis done and the report should be back by the end of December. The dirt and parking lot gravel upgrade has been done. The new van has been purchased and the old van went to the maintenance department. The old flatbed went out to bid and no one met the minimum bid. Radon mitigation – the \$80,000 they will start clean-up on a section underneath the DOT where the Radon is at the highest levels. With the use of fans they hope that will still keep the levels low at the Charter School.

C. Knodel asked if they have to bring someone in to do this. The response was yes, it would be a company from Wasilla called Alaska Radon Engineering.

Mr. Brannan continued that the materials were purchased for the gym exterior. He noted that they have already had to spend \$10,000 on emergency repair on the boiler system at the Elementary school so they are getting this done as quickly as possible. He thanked C. Brown for coming out to the Open House for the Jr. High renovation project.

C. Larson asked if the money allocated for the Radon Mitigation Phase II was sufficient to the entire project. Mr. Brannan stated that the Radon Mitigation is tremendously expensive and they hope to use the money to hit the high spot the best that they can with it. C. Larson asked if they would be coming back for more money to finish it. Mr. Lujan, Superintendent of NPS commented that the entire project estimate was \$180,000 but it has been broken up into three zones. They are working on Zone One first which is the area with the highest concentration of radon. Once this is sealed up they will see if that affected the levels in the other zones. He stated they are hoping not to come to the Council next budget cycle and ask for more money for radon mitigation.

C. Andersen asked if there was a reason they couldn't just open up the crawl space and let Mother Nature take its course to clear out the radon. Mr. Lujan stated the radon was coming up from the ground and this wasn't a recommendation by the engineers.

C. Knodel asked about Building D which was going to be discussed at the last school board meeting. Mr. Brannan stated that there was some discussion and he received some information from City Manager Romenesko and it would be discussed at the next meeting. Mr. Brannan stated he believes only the roof would get upgraded.

Jana Varrati thanked the Council for keeping City Manager Romenesko around so long. She commented that NACTEC is a fabulous program and there are amazing differences in the children that attend the program. Ms. Varrati stated she was here tonight to support Dr. Leedy and his comments that he made today. She asked that the City Council write a letter to the remaining permitting agencies to express the concerns that citizens have expressed to them about the well-being of Nome, the water issues, the contamination issues, the dust issues, the noise issues so that they can be addressed in the permitting process. She stated that comments from the public are important but comments from the ruling body that represents the whole Community will have an impact.

Sue Steinacher stated how great the machine is that tells your speed as you enter town. She stated that the area by Hanson's is an accident waiting to happen with traffic on both sides and kids and people darting back and forth and the machine lets people know they may be going a little faster than they realize. Ms. Steinacher stated that the guys that clear the streets do a fabulous job and they are her hero's. Ms. Steinacher stated that she was here tonight to lend her support to Dr. Leedy. She stated that this is a town issue where we need to use common sense on its location. The maps show that the mine and the pits will be near a major grocery store, Outsiders and the Public Safety Building. She urges the City to make comments that say we are not anti-mining or anti-development but there needs to be a balance to the needs of the community and where we develop. She also asked the Council to include in their comments to pursue the water testing. It seems like common sense to have a baseline for water testing.

C. Larson asked if they knew what it would cost to do some water sampling. City Manager Romenesko stated that regular water quality sampling was done at the landfills. C. Larson asked if this type of testing would detect for the chemicals and minerals people are concerned about. City Manager Romenesko stated the landfill testing is probably more rigorous and it is done by an outside contractor twice a year.

### **PLANNING AND ZONING**

Mayor Michels stated to City Manager Romenesko that it would behoove them to ask the Port Commission to do another long range plan of what the next phases are so they can have an annual activity plan. City Manager Romenesko stated yes it would be appropriate to do this plus with the

Water Resources Development Act (WRDA) bill that was just adopted he stated the two could go hand in hand quite easily.

C. Andersen stated he saw in the Port minutes the City pursuing a possibility of getting a cap on the portion the City would have to pay based on any fault of the Corps. City Manager Romenesko explained that there was no capping language.

C. Andersen asked about the sheet pile contaminated soils issue. City Manager Romenesko explained that the Corps had a contractor to replace the existing sheet pile on the Crowley dock area. They are still working with DEC about the issue of the City's responsibility as well as other responsible parties and about disposal of contaminated soils.

C. Andersen made a comment on a statement City Manager Romenesko made referring to a question about NJUS that said the City general fund has been known to serve as a bank account for the sister organizations when needed. C. Andersen said he thought that was quite a statement. City Manager Romenesko stated he thinks it is true.

### **SPECIAL ORDERS**

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

- A. O-07-11-01 An Ordinance of the Nome City Council, Nome, Alaska, Providing for a Temporary Sales Tax Exception for Certain Grocery Items Intended for Human Consumption.

~First Reading

Hearing no objection Mayor Michels asked the Clerk to read O-07-11-01.

A motion was made by C. Pomeranz and seconded by C. Larson to pass O-07-11-01 on to second reading, public hearing and final passage.

At the roll call:

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

Nays:

The motion CARRIED.

- B. R-07-11-01 A Resolution Certifying that the Municipality did Suffer Significant Effects During the Program Base Year from Fisheries Business Activities that Occurred Within the City of Nome Fisheries Management Area.

Hearing no objection Mayor Michels asked the Clerk to read R-07-11-01.

A motion was made by C. Knodel and seconded by C. Larson to approve R-07-11-01.

### **Discussion**

City Manager Romenesko stated that this was done at the request of Bill Ralston who is the program administrator with the Department of Commerce and Community Economic Development. It is some money that is available to the City in the form of fish tax type revenue.

Mayor Michels asked if it would be \$4,000. City Manager Romenesko stated that the City's share was less than that at \$1542.

At the roll call:

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

Nays:

The motion CARRIED.

- C. R-07-11-02 A Resolution Approving the Support Agreement for Cape Nome Jetty Design Repairs with the U. S. Army Corps of Engineers.

Hearing no objection Mayor Michels asked the Clerk to read R-07-11-02.

A motion was made by C. Knodel and seconded by C. Pomeranz to approve R-07-11-02.

#### Discussion

City Manager Romenesko stated that this was a request for the Council to authorize a support agreement for the design work for the jetty. The Department of Veteran Affairs Homeland Security Emergency Management has approved a project to fix the Nome Cape Jetty to its original footprint for \$4.4 million. Right now they want to get the authorization for the design and later they will work through the construction management part. C. Knodel asked is the City derived any funding from the use of this port. City Manager Romenesko explained that they have not from the Nome Jetty because any gravel or rock coming out of the quarry or equipment crossing the dock is exempted from their tariff. This is an agreement that was worked out in the mid 80's with Bering Strait Native Corporation and the City.

C. Knodel asked what if it will cost more than the \$4.4 million. Will they stop and the City has to come up with additional funding. City Manager Romenesko stated that they got an estimate from a contractor that was substantially less than \$4.4 million but he did not know the answer at this time on who would be holding the bag if it is above \$4.4 million but they would find this out before they go out to bid. C. Knodel stated that if FEMA declared this as a disaster and said yes it needs to be repaired is there FEMA money to help with the damage that has been done and the wear and tear on our roads and streets since they have been hauling rock for 3 years already and it looks like for another 2 or 3 years through town because their process is so slow it is costing the City a lot of money and we are not deriving any revenue but our streets will have to be repaired. Is there any way to go back to FEMA? City Manager Romenesko stated no they cannot go back.

C. Andersen asked if the owner of the rock has said maybe they will help make it more functional. C. Brown stated he would be happy to answer questions on the stand point of BSNC but he should also declare a conflict of interest on this issue because of his position with BSNC. Mayor Michels stated yes if BSNC benefited he would gain. C. Brown stated that with the issuance of this contract they would not benefit but BSNC would benefit from the reconstruction of the Jetty and it is connected in some ways. C. Brown stated he could answer the question that came up earlier. C. Andersen asked if BSNC or Sitnasauk would want to maybe expand the work to make the Port more functional. City Manager Romenesko stated that this authorization was only for pre-storm conditions and any expansion takes more work with the permitting process but after the work is done a private group could do more down the road. Mayor Michels asked that C. Brown let the Council know if this would be viable. C. Brown stated that yes they were looking at continuing with improvements with private funds and if it ran over budget BSNC would more than likely foot the bill and he doesn't see the City with any out of pocket on this reconstruction.

C. Knodel asked if the City had appropriated any funds yet as stated on page 87. City Manager Romenesko stated no they haven't.

At the roll call:  
Ayes: Larson, Pomeranz, Andersen, David, Knodel  
Nays:  
Abstain: Brown

The motion CARRIED.

- D. R-07-11-03 A Resolution Authorizing City Manager to Enter into an Agreement with Bettisworth+Northwind, LLC for the Consultant Scope of Work: Task 2 - Design Services for the Public Safety Building Project.

Hearing no objection Mayor Michels asked the Clerk to read R-07-11-03.

A motion was made by C. Knodel and seconded by C. Pomeranz to approve R-07-11-03.

#### Discussion

City Manager Romenesko stated this was for the approval to prepare design documents. Task 2 will provide Nome with a complete design of the building ready for Force Account construction. The design would be based upon the reduced scope based upon the various conversations with department heads. C. Andersen asked if there would be additional architectural work in Task 2 if they didn't do a force account. City Manager Romenesko stated there would be some additional fees. C. Andersen stated it looked like there was only one cop car undercover and they would need at least two. He stated he would meet with City Manager Romenesko tomorrow and look at a larger size drawing. He was concerned with a storage facility for the loader and drifting snow fall. C. Andersen asked how the public can see the design process. City Manager Romenesko stated that architects plan to be in Nome at the 35% stage and at the 65% stage to review the work. C. Andersen asked if the only people making comments were the Chief of Police and Ambulance, people that may not be in Nome very long, and there ideas may not be so great for the next guy. City Manager Romenesko explained that they would be making presentation to the Council and that he would give the program drawings that he has to date to C. Andersen. City Manager Romenesko also explained that at each of the major parts of the project the architects will be in Nome to meet with staff and the Council. Mayor Michels stated that maybe what C. Andersen was asking is that they want to make sure they do our value engineering so they don't have, for example, a California architect designing a roof that is not going to work in Alaska. City Manager Romenesko stated he understood and he knows they all have talents to bring to the building and the architects know this also. C. Knodel confirmed that the amount for the proposal was \$394, 712. City Manager Romenesko agreed.

At the roll call:  
Ayes: Pomeranz, Andersen, Brown, David, Knodel, Larson  
Nays:

The motion CARRIED.

- E. Request for Transfer of Taxi License  
~Nome Checker Cab to E-Z Enterprises

A motion was made by C. Knodel and seconded by C. Andersen to approve the request for transfer of taxi license.

At the roll call:  
Ayes: Andersen, Brown, David, Knodel, Larson, Pomeranz  
Nays:

The motion CARRIED.

F. Facility Reservation Fee/Waiver – Nome Recreation Center  
~Nome Beltz-Boys & Girls Basketball, December 14 & 15, 2007

A motion was made by C. Larson and seconded by C. Andersen to approve the Facility Reservation Fee/Waiver for Nome Beltz Boys & Girls Basketball.

At the roll call:

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

Nays:

The motion CARRIED.

G. ~Public Hearing – Community Development Block Grant

Mayor Michels asked Utility Manager Handeland to explain the Community Development Block Grant process to the Council and community.

Utility Manager Handeland reviewed a letter to City Manager Romenesko which was included in the Council Packet which explained the application process, a letter from the State of Alaska Department of Commerce Community Development announcing the grant funds program and an information sheet explaining Community Development Block Grants – Alaska. He further explained:

- The City of Nome as an incorporated city and a community with a majority of low and moderate income persons is an eligible applicant for Community Development Block Grant funds for community development. The availability of these funds was announced by the State of Alaska in August. NJUS would like to submit an application for consideration and tentatively proposes to apply for funding to install remote controls, monitoring, communications and security systems associated with surveillance and protection of the water and sewer system and the new power plant.
- A public hearing is necessary for the purpose of reviewing the community's development and housing needs, to accept any additional proposals and citizen views and comments on the proposed project and electing to seek CDBG funding for the chosen project.
- Maximum grant amount is \$850,000 and may be used for public facilities or planning activities to address issues detrimental to the health and safety of local residents and to reduce the cost of essential community services.
- If the Council or community does not have another priority project to submit, the Utility is hopeful the City is amiable to NJUS submitting an application. If so, NJUS will consult with agency grant staff to work through details to insure the proposed project meets program requirements and present a resolution at the next meeting or let the Council know at the next meeting if the project had to be modified and present that in the resolution for consideration at the next meeting.

For the purpose of holding a public hearing the Council recessed at 8:49 P.M.

City Manager Romenesko stated that the City has used the CDBG mechanism in the past to do work at the Small Boat Harbor through that project and are currently completing design work on the Public Safety Building project through CDBG. He stated CDBG is a good source to help the needs of a community and it is a matching program. C. Larson asked what the match requirement was from the City. Utility Manager Handeland stated there was no hard match requirement for the current round of funding but they look favorably on a 25% match, which can include cash and in-kind contributions. He stated that if they tie this into the power plant project they will have already met all those match

requirements plus they have already done some design on some of these systems that can be submitted.

The Mayor asked if the Council or any members of the public had any additional projects to propose for potential consideration for this round of CDBG funding. No other projects were advanced for consideration.

The Council reconvened at 8:50 P.M.

Mayor Michels asked what was required of the Council at this time. Utility Manager Handeland stated that after consultation with CDBG program staff, he would prepare the formal Resolution for presentation at the next meeting and this would give the public an additional opportunity to present something different should they wish to. The application packet needs to be in Fairbanks by Dec. 7<sup>th</sup>.

### **CITY ATTORNEY REPORT**

### **UTILITY MANAGER REPORT**

Utility Manager Handeland reported on the following:

- The new power plant is online. The reason for some of the outages have been listed in the paper but for the last week or more it has been smooth sailing and we look at that to continue.
- Rate consultant was here to establish rates to do with the mine. They will be meeting again this week before it is presented to the City Council.
- Rock Creek mine construction is nearing completion and they hope to put them on line the end of this week under the existing tariff at this time.
- Utility contracts for employees are up for renewal at the end of this year. He hopes to have something for consideration in December this year.
- Going through the Grant application process at this time for new Water & Sewer project for the following year.
- Working at the getting the waste heat facilities connected at the Snake River compound so that the old plant, the new plant and the buildings in-between are all utilizing the waste heat.

Mayor Michels asked if the Managers worked together with the Union contract negotiations. Mr. Handeland stated that he and City Manager Romenesko meet two years ago and they will have some discussions this year. The school district was not part of it but the Mayor hoped they would participate.

Mayor Michels reminded Mr. Handeland that the City priority meeting would be Dec. 6<sup>th</sup>.

### **CITY MANAGER REPORT**

City Manager Romenesko reported on the following:

- Congratulations to Ms. Vicki Erickson as being named the EMT provider of the year. With her experience and her training of folks she is very deserving of this recognition. She is a great volunteer for the Community.
- The snow storage facility is 100% complete with construction and there will be some funds remaining from that grant and I will provide that information later on how to utilize the rest of the funds.

- Jr. High project – final inspection done and an outstanding issue is the final balancing on the air handling systems. Once this is taken care of substantial completion will be awarded and the warranty period will start for that project. He stated the attorney is working on a response to the suit filed by SKW.
- 2007 Harbor Improvement project – working with EDA & Denali Commission with notice to proceed and that should happen this week.
- AML in Fairbanks last week and the City received a Gold Level Award for loss prevention from AML/JIA given to Communities with less than 10% claims verses premiums. Our program is working and our workers have been fairly safe in doing their jobs.
- NSEDC has agreed in principle to lease the “reindeer plant.” An ordinance will be presented to the Council for approving the lease on Nov. 26<sup>th</sup> for first reading.
- The City has an opportunity to purchase a dump truck from AkDOT. It is a 1994, 8 yard for \$9,000. The existing fleet is a 1979 GMC and two 1980 Fords. If there is no objection we could purchase it.
- Would like to thank Sue Steinacher for pointing out how good our Public Works crew is and asked that folks kindly move their vehicles out of public right of ways.

C. Larson asked if in the discussion with the attorney’s are they bringing in any 3<sup>rd</sup> parties on the school issue with SKW. City Manager Romenesko stated yes they are talking with them.

C. Andersen asked if there was going to be something from the attorney on the smoking issue. City Manager Romenesko stated he did not have it back yet.

C. Larson asked if they were doing anything with regards to the money the Legislature gave for the recreation center. City Manager Romenesko stated he asked Northwind Architects, Evelyn Rousso to take a look at the existing facility to see if it would structurally take the new roof that was planned out in a report in 2003. The cost was about \$4,000. Once they get the answer it will be brought back to the Council with a contract proposal with the goal of getting the roof replaced next summer. C. Larson asked about the condensation problem. City Manager Romenesko stated the proposal is to re-insulate the roof to eliminate that problem.

C. Andersen asked how much money they had. City Manager Romenesko stated \$1.5 million. C. Andersen stated that if the school district needs \$2.1 to do the building out there than they aren’t even close. City Manager Romenesko stated that when they did the review in 2003 it was \$1 million for the most expensive option.

### **COUNCILMEN COMMENTS**

**C. Knodel** thanked the Fire Department and Police Department for their prompt and excellent response to the house fire at the Buffas house and for containing it. She also welcomed home all the servicemen who serviced in Iraq and Kuwait and thanked them for their service.

**C. Larson** stated that concerning Dr. Leedy’s presentation one of the letters in the materials they were given referenced comments the Planning Commission had made or that were made to the Planning Commission and he stated those comments and recommendations are extremely similar to what the request are of the people that were here tonight addressing the new proposal. He stated that the best way the City can comment on it is to forward those comments to an appropriate agency and say these are the concerns of the citizens of Nome in terms of mining in that area. The comments on page 47 talking about; inadequate reclamation or revegetation plan, access and traffic patterns, dust control, impact on surrounding properties, storm water runoff and impacts to general environmental concerns he stated it wouldn’t hurt to send those comments on to the appropriate agencies. C.

Knodel asked if he was stating to forward the comments on or state they are the concerns of the City. C. Larson stated that these are concerns that have been expressed by citizens of the City. C. Knodel explained they are by a small group and she has heard a lot of comments from people who aren't here tonight who think it is great that the mine is mining and exploring. C. Larson stated that the comments he heard tonight were that they were not opposed to mining but want it done in such a way that it is going to lessen the adverse impacts on the residents of the community with such things a dust and noise control. C. Knodel asked if these things were covered in the mining plan because she doesn't know if they were or not because she hasn't read it. She would have to read it before she would say they were a problem. C. Larson stated that to make comment on a proposal he doesn't think you need intimate knowledge on what the proposal is. It would be up to the agency to consider the comments and make whatever permit is issued address the concerns of the individual. C. Knodel stated she does not have a problem forwarding individual concerns but does have a problem with sending concerns from the City until she has read the plan. C. Larson asked C. Brown if he remembered what the Planning Commission's comments were. C. Brown stated he remembers the biggest objection was that if Mr. Tanner was doing it they questioned his commitment and ability to hold to whatever plan might be developed. C. Brown stated he did not know if those same concerns would be advanced as far as Alaska Gold. He also stated he does not have a problem requesting the permitting agencies to make sure dust control and these other items are addressed and he thinks it is something the City should do to make sure the concerns are advanced but he agrees they should not say it is the concern of all the citizens of Nome because it is not.

A motion was made by C. Larson and seconded by C. David that the City submit a letter to the permitting agencies saying there are concerns that have been expressed to the Council by citizens of Nome and include Dr. Leedy's letter. The letter should include the City has concerns regarding issues such as dust control, noise control and testing of the water quality.

At the roll call:

Ayes: Larson, Andersen, David, Brown

Nays: Pomeranz, Knodel

The motion CARRIED.

C. Larson stated that if testing is not going to be done by someone else in terms of water quality he thinks the City ought to try and do the testing in conjunction with other water sampling they do with the dump or water facility or the best economical way to establish a baseline as soon as it is feasible.

Mayor Michels stated the cost should be a responsibility of the exploration company. C. Larson agrees it should be but doesn't think there has been a lot of success in self policing in the past. C. Brown stated this could be costly for the City and they might want to get an estimate first and they should ask the permitting agencies why they are not requiring a baseline study just to see what the answer is too. C. Larson stated he would request that they do this; 1) get a cost estimate and find out what would be the simplest way to establish a baseline and 2) ask the permitting agencies if they are not going to require the company to do that.

C. Larson asked if City Manager Romenesko wanted to discuss now the dedication of some funds for the Public Safety building. He read the memo and thought it was a good idea that they put aside \$200,000. C. Andersen asked if it was being taken out of the savings and he stated he did not know it would be discussed at this time. City Manager Romenesko stated it could be discussed now or later. The Council decided it would be discussed in more detail at the next meeting when everyone was prepared.

**C. Pomeranz** thanked the Safety Patrol group for their efforts and he asked Chief Burke if there had been any problems. Chief Burke stated there had been no significant problems. C. Pomeranz commented that as for as the Chauffeur License goes do they need to discuss it. C. Knodel stated it was their intention to require medical physicals every year. Mr. Steven Longley from E-Z Enterprises commented that the hospital had no more appointments for physicals available until after the first of

the year and the ordinance requires a physical within a 90 day period before the license can be issued. The Council commented that they would like to see the chauffeurs put pressure on the hospital to get it done but if it comes up later they could probably grant a waiver at that time. C. Pomeranz continued that concerning Dr. Leedy's comments he would like to know if the Council can find out if some of these issues have been addressed in their permitting or do they have to go to the permit and read it themselves. City Manager Romenesko stated that Jim Dory follows it from the Coastal Management perspective and they should be able to get the answers fairly quickly. C. Andersen stated that maybe they wouldn't need to write the letter. C. Pomeranz stated that was where he was going also. C. Larson stated it was too late because they already voted. C. Knodel stated she would like to see Mr. Dory's comments.

**C. Andersen** stated that he read the Mayor's comments and wanted to make a couple comments. Speaker Harris recommended not to wait but to send the City's priorities to Juneau now. Also, under Lt. Gov. Parnell's remarks he states the Governor states she is saving for the future and the last 4 years of spending is up 14% annually and we have declining federal dollars and the Governor's budget is to live within our means and currently requests exceed revenue. Mayor Michel's explained that the Governor is proposing to include more revenue sharing but they would not say how much more. C. Andersen stated that these comments say that money is going to be a lot tighter than it has been in the past. Mayor Michels stated yes.

**C. Brown** stated that he was reading the ordinance for the sales tax holiday and he wanted to let the Council know he intended to make an amendment at the next meeting making it a permanent item but he asked if the City Clerk or someone could contact the major food sellers and see if they could give them some kind of statistics as to the percentage of sales these food items represent so they would know the impact on sales tax. C. Brown also stated that the permitting regulatory agencies can also come back and say something is already addressed so he does not feel they need to read the permit in detail but just ask them if something is addressed. City Manager Romenesko asked C. Brown to call him and let him know what he was talking about with the WIC times and to talk about the existing exceptions that are already in place. C. Brown stated he was talking about the extending the existing exceptions to people not in the food stamp or WIC program but to include everyone else. C. Andersen asked if he was asking about WIC only items. C. Brown stated that is correct. City Manager Romenesko stated that this is the same ordinance as they introduced two years ago. C. Brown stated he was buying dog food and it wasn't taxes so it was applied very broadly even though that may have not been the intent.

**C. David** commented that driving home to Icy View it gets very dark there are kids and she asked how difficult it would be to add additional lights. City Manager Romenesko stated it was a DOT road and they are the ones that control where the lights go and they pay for them and right now they have been cutting back on street lights. C. Andersen stated that they could support DOT's request if they put it in their budget.

### **MAYOR'S COMMENTS AND REPORT**

Mayor Michels stated their thought and prayers go out to the Madden family for Robert Madden Sr. who passed away last week. The service will be at the REC Center on Saturday, Nov. 17<sup>th</sup> 1:00 – 4:00 pm. Mr. Madden Sr. served on the Council from Oct. 1993 – 1999.

Mayor Michels handed out a written report and commented on the following:

- Along with the City Clerk Babcock, City Manager Romenesko and Councilwoman David we attended the AML meeting in Fairbanks. The resolution that they sent to the conference of Mayors did pass and a change was made from \$150M to \$300M for the creation of a State funded Transportation program.
- The Legislature begins on January 16<sup>th</sup> and it will be a 90 day session. Speaker Harris told them to turn in their legislature priorities as soon as possible after the December 6<sup>th</sup> meeting. He stated to get the resolution done and send it to them sooner than after session starts.

- Attended the Port Development by the Corps of Engineers and it was good information. It was discussed that if the scientists are right the Northern Sea and Northwest Passage routes may open up with Nome as the first port we may see impacts with environmental, safety and economic concerns.
- Sent an e-mail to the Coast Guard asking if they would consider Nome as a seasonal base besides Barrow and haven't heard back from them.
- Waiting for Brent Sheets with the DOE to get back with her regarding the energy study. They were looking at the end of November.
- Congratulations to Vicki Erickson on being recognized by her peers statewide for her EMS of the year recognition.

**EXECUTIVE SESSION**

- ~ Personnel Matter, RE: City Manager Position
- ~ Discussion of NOAA CEIP Negotiations

A motion was made by C. Andersen and seconded by C. Knodel to enter into executive session. The Council recessed from regular meeting at 9:30 P.M.

The Council reconvened the regular meeting at 10:02 P.M.

A motion was made by C. Larson and seconded by C. Andersen to accept the offer from NOAA made on May 4, 2007 and reiterated on October 19, 2007, for settlement of the NOAA debt obligation incurred by the City in 1984; provided NOAA agrees to a repayment schedule starting with the FFY2009.

At the roll call:

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

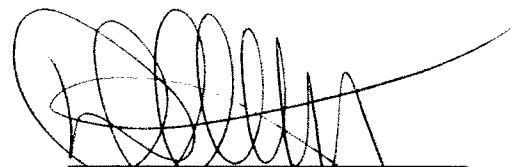
The motion CARRIED.

**ADJOURNMENT**

A motion was made by C. Larson and seconded by C. Knodel that the meeting be adjourned.

Hearing no objections the Nome City Council adjourned at 10:03 PM.

**SIGNED AND DATED** the 26<sup>th</sup> day of November, 2007.



**DENISE MICHELS, Mayor**

**ATTEST:**



**SANDY STURGIS-BABCOCK, City Clerk/Treasurer**