

**Mayor**  
Richard Beneville  
**Interim Manager**  
John K. Handeland  
**Clerk**  
Bryant Hammond



**Nome City Council**  
Jerald Brown  
Doug Johnson  
Mark Johnson  
Adam Martinson  
Jennifer Reader  
Meghan Sigvanna Topkok

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**NOME COMMON COUNCIL  
RESCHEDULED REGULAR MEETING AGENDA  
THURSDAY MAY 30, 2019 @ 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

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**MINUTES  
NOME CITY COUNCIL  
RESCHEDULED REGULAR MEETING  
MAY 30, 2019**

The regular meeting of the Nome City Council was called to order at 7:00 PM by Mayor Beneville in Council Chambers of City Hall, located at 102 Division Street.

**ROLL CALL**

Members Present: Jerald Brown; Mark Johnson; Doug Johnson; Adam Martinson; Jennifer Reader; Meghan Topkok (telephonic)

Members Absent:

Also Present: Richard Beneville, Mayor; John Handeland, Interim City Manager; Bryant Hammond City Clerk; Ken Morton, Assistant Utility Manager; Julie Liew, Finance Director

In the audience: Emily Hofstaedter (KNOM); Sandra Medearis (Arctic News); Paul G. Kosto; Pearl Mikulski; Steve Smith; Ralph Ray; Ken Hughes; Colby Engstrom; Jessica & Howard Farley, Jr.

**APPROVAL OF AGENDA**

Mayor Beneville asked if there were any changes to the agenda.

A motion was made by C. Brown and seconded by C. M. Johnson to approve the agenda.

At the roll call:

Aye: D. Johnson; M. Johnson; Martinson; Reader; Topkok; Brown

Nay:

Abstain:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

A. May 13, 2019 City Council Regular Meeting Minutes.

A motion was made by C. Brown and seconded by C. M. Johnson to approve the May 13, 2019 minutes.

Discussion:

- Council Member Reader noted one minor typo for administrative correction.

At the roll call:

Aye: M. Johnson; Martinson; Reader; Topkok; Brown;  
D. Johnson

Nay:

Abstain:

The motion **CARRIED**.

### **COMMUNICATIONS**

- A. Letter of May 12, 2019 from Lahka Peacock to Nome City Council re: Inebriates Spoiling an Iconic Photo Spot.
- B. Email of May 21, 2019 from AMCO to City of Nome re: Restaurant Designation Permit Application for Airport Pizza.

A motion was made by C. Reader and seconded by C. Martinson to approve the Restaurant Designation Permit Application for Airport Pizza.

#### Discussion:

- Clerk Hammond explained that action was required on behalf of the City for this particular type of license, per AMCO.

At the roll call:

Aye: Martinson; Reader; Topkok; Brown; D. Johnson; M.  
Johnson

Nay:

Abstain:

The motion **CARRIED**.

- C. Letter of May 23, 2019 from Nome Sportsman Association to City of Nome re: Land Use Permit Sunset Firing Range.
  - Manager Handeland explained the City used 99 year lease terms with other governmental agencies but not yet with private organizations. He suggested updating the language with renewal terms.

A motion was made by C. Reader and seconded by C. Brown to approve the land use permit.

#### Discussion:

- Council Member Brown noted the original intent of acquiring the land was to establish a shooting range to replace the older range. He suggested potentially permanently designated as a shooting range.
- Mayor Beneville noted the membership fees kept the public out of the range.
- Steve Smith, President of Nome Sportsman Association, gave a history on the land use permit and explained the membership and gate was required by their insurance carrier. He explained the \$50 a year dues helped cover insurance and basic maintenance for the range.
- Council Member Reader asked if the in-kind use of the heavy equipment was reasonable and sustainable.
- Manager Handeland suggested the lease be approved by resolution or ordinance rather than by motion as having an official record of the action would be preferable.

The motion was withdrawn by C. Reader and C. Brown.

- D. Response of May 24, 2019 from Manager Handeland to AK Dept. of Environmental Conservation re: Former Alaska Gold Power Plant.
- Manager Handeland explained the history of the disagreement between DEC and the City of Nome.
  - Council Member Reader surmised developing the skating rink project would cost the city even more.
  - Mayor Beneville opined the generators and stacks at the old power plant should be preserved for a future walking tour of Nome.
  - Manager Handeland noted such would need to be budgeted for the future.
- E. Thank You Card from Nome Community Center to City of Nome re: Garco Building Use.
- F. Thank You Card from NBHS Class of 2019 re: Thanks for the Support.
- G. Thank You Card from Nome Nordic.
- H. City of Nome Budget Calendar.

#### CITIZENS' COMMENTS

- 1) Colby Engstrom reiterated his concerns and frustrations over the permitting process for the old Twin Dragon building at the corner of Front St and Steadman. He explained that he was promised an answer within the week of his statements at the May 13 meeting and had just recently received his 5<sup>th</sup> required elevation for the building. He begged for an answer on how to move forward, explaining he was going broke trying to do the right thing. He also noted that the assessor had doubled the value of his property, which was still not useable.
  - Manager Handeland stated the city attorney had explained the matter would have to be settled via lawsuit. He noted that he was a strong supporter of the project, but following the attorney's advice. Manger Handeland promised Mr. Engstrom a meeting on June 6 at 9 AM.
  - Council Member Mark Johnson opined that the City should find a way to be more supportive of business while complying with regulations.
  - Manager Handeland gave a brief explanation of flood plain regulations and the potential difficulties they can cause.
- 2) Jessica and Howard Farley, Jr. reiterated their frustration with the City's permitting process. Ms. Farley explained the history of their 100 East King project and opined that her request from March 2, 2019 was reasonable and though a refund of the permit fees is not a legal obligation of the City, she called it a moral obligation. Ms. Farley contended that though she and Mr. Farley made a mistake in the windows they installed, the error lay with the City of Nome. Ms. Farley explained that she was considering a class action lawsuit and had found an attorney that was willing to take her case. She noted a sale fell through because the bank wouldn't finance the purchase due to the windows. She requested an apology from the three people involved in the permit and that her permit fees be refunded.

- 3) Ken Hughes requested that the gravel bid on the agenda be modified so that the fines content better support the calcium chloride the City uses as a binding agent to keep the dust down.

### **NEW BUSINESS**

- A. Memo of May 23, 2019 from Finance Director Liew to Mayor Beneville and Common Council re: Proposed 2020 City of Nome Budgets.
- Manager Handeland drew the Council's attention to the revised memo from Finance Director Liew.
  - Director Liew explained the process of bringing the budget to its present iteration, with a \$1.38 million draw from the fund balance. She explained different revenue streams in terms of what aspects of the budget they covered.
  - Council Member Reader asked how sustainable such a draw was.
  - Director Liew conjectured the City would be down from \$8 million in unassigned fund balance noted in the FY 18 audit to about \$4.7 million in fund balance by the end of FY 20.
  - Council Member Reader requested a plan moving forward, noting that it's difficult for people who've become used to a certain budget to move backwards to lower amounts.
  - Director Liew suggested biannual budgeting, priority based budgeting, and greater justification of departmental budgets as a means of addressing budgeting issues.
  - Council Member Mark Johnson asked for and Director Liew gave explanation of revenue increases incorporated into the revised budget.
  - Council Member Brown surmised the impact of the Polaris fire may have been overestimated.
  - Council Member Mark Johnson expressed appreciation for staff going over the budget with a fine toothed comb.
- B. O-19-06-01 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome General Fund Municipal Budget and Exercising the Power to Assess and Authorize the Levy of a General Property Tax, **FIRST READING/DISCUSSION.**

A motion was made by C. Martinson and seconded by C. Reader to advance O-19-06-01, O-19-06-02, O-19-06-03, O-19-06-04, O-19-06-05, O-19-06-06 and O-19-06-07.

#### Discussion:

- Council Member Reader asked about the discrepancy between the overtime lines in FYs 19 and 20.
- Manager Handeland noted the differences in the salary lines, explaining the hours were backfilled with overtime in FY19, but were budgeted in FY20.
- Council Member Reader asked if the contribution to Nome Preschool Association of \$65,000 was sustainable year after year, noting the organization would get used to the amount.
- Council Member Brown noted the same concern over the City's contribution to Nome Public Schools budget, noting education as a target of cuts in the State budget.
- Council Member Mark Johnson opined such a comparison was like apples to oranges in terms of size.

At the roll call:

Aye: Topkok; Brown; D. Johnson; M. Johnson; Martinson;  
Reader

Nay:

Abstain:

The motion **CARRIED.**

- C. O-19-06-02 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome School Debt Service Fund Budget, **FIRST READING/DISCUSSION.**
- D. O-19-06-03 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome Special Revenue Fund Budget, **FIRST READING/DISCUSSION.**
- E. O-19-06-04 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome Capital Projects Fund Budget, **FIRST READING/DISCUSSION.**
- F. O-19-06-05 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome Construction Capital Projects Fund Budget, **FIRST READING/DISCUSSION.**
- G. O-19-06-06 An Ordinance to Establish, Approve, Adopt the FY 2020 City of Nome Port of Nome Fund Budget, **FIRST READING/DISCUSSION.**
- H. O-19-06-07 An Ordinance to Establish, Approve, and Adopt the FY 2020 City of Nome Port of Nome Capital Projects Fund Budget, **FIRST READING/DISCUSSION.**
- I. R-19-05-03 A Resolution Setting the City of Nome Mill Rate for the Calendar Year 2019.

A motion was made by C. Reader and seconded by C. Martinson to adopt R-19-05-03.

At the roll call:

Aye: Brown; D. Johnson; M. Johnson; Martinson; Reader;  
Topkok

Nay:

Abstain:

The motion **CARRIED.**

- J. R-19- 05-04 A Resolution Setting the City of Nome Contribution for the FY 2020 Nome School District Budget.

A motion was made by C. Reader and seconded by C. Martinson to adopt R-19-05-04.

At the roll call:

Aye: D. Johnson; M. Johnson; Martinson; Reader; Topkok;  
Brown

Nay:

Abstain:

The motion **CARRIED.**

- K. R-19-05-05 A Resolution Proclaiming June 29, 2019 as Lemonade Day Nome.



A motion was made by C. Reader and seconded by C. Martinson to adopt R-19-05-05.

At the roll call:

Aye: M. Johnson; Martinson; Reader; Topkok; Brown; D. Johnson

Nay:

Abstain:

The motion **CARRIED**.

- L. R-19- 05-06 A Resolution Awarding the Contract for the Furnishing of Crushed Aggregate for Road Surface Course to Q Trucking Garage.

A motion was made by C. Brown and seconded by C. M. Johnson to adopt R-19-05-06.

Discussion:

- Council Member Doug Johnson asked if it were possible to modify the specs at this stage in the bid process.
- Manager Handeland briefed the Council on an upcoming teleconference with DEC and the City Engineer concerning dust control. He noted that Q Trucking was a low responsive bidder, but would ensure the City is getting the right product.
- Council Member Brown suggested the Council award the bid as proposed and the City issue a change order to negotiate with Q Trucking and Engineer Brees on the fines content.

At the roll call:

Aye: Martinson; Topkok; Brown; D. Johnson; M. Johnson

Nay:

Abstain: Reader

The motion **CARRIED**.

#### **UTILITY MANAGER'S REPORT**

- A. Activity Report: May 14 – May 24, 2019.

- Assistant Utility Manager Morton presented his written report.
- Mayor Beneville asked how the situation with the liens arose.
- Manager Handeland explained the history of the promissory note and noted that a bigger player had entered the mix with respect to the stated debt.
- Council Member Reader requested a copy of the Utility budget.
- Manager Handeland noted it was forthcoming.

#### **CITY MANAGER'S REPORT**

- A. Activity Report: May 14 – May 24, 2019.

- Manager Handeland presented his written report, thanking Northrim Bank and NAC for the flower baskets along Front St. He referenced Mr. Peacock's letter in communications and noted that draft ordinances attempting to address the public inebriation issues would be presented at a work session over the summer.
- Council Member Mark Johnson requested the NPD Chief participate in the work session.

- Manager Handeland commended Dave Barron as Building Inspector saying he was moving the office forward in a positive manner.

B. April 18, 2019 Port Commission Regular Meeting Minutes.

**CITIZENS' COMMENTS**

- 1) Ken Hughes responded to Council Member Reader's comment about a plan by noting the 2030 Comprehensive Plan as a potential venue for a financial sustainability plan.
- 2) Ralph Ray, the owner of three properties along 5<sup>th</sup> Ave, asked when the City planned on repaving the Avenue. He contended the dust issues were devaluing his property and causing health issues.
  - Manager Handeland suggested a paving plan might be a worthy cause for the Planning Commission to take up; though, the City had no immediate plans to pave E 5<sup>th</sup> Ave.

**COUNCIL MEMBER COMMENTS**

- 1) Council Member Reader – no comments.
- 2) Council Member Topkok – no comments.
- 3) Council Member Brown – no comments.
- 4) Council Member Doug Johnson – no comments.
- 5) Council Member Mark Johnson opined the permitting process is frustrating but professed his trust in Building Inspector Barron. He opined the City should encourage people to rehabilitate houses and work with motivated individuals to move forward.
- 6) Council Member Martinson – no comments.

**MAYOR'S COMMENTS AND REPORT**

- A. Activity Report: May 14 – May 24, 2019.
  - Mayor Beneville updated the Council on a recent Wilson Center presentation, stating that he had been told it went well; though the City still has a ways to go on the Deep Draft Port project. He noted the Governor's budget was disappointing, calling it draconian. Regarding open container laws as a means of addressing the public inebriation issues in Nome, he asked what good would it do if people couldn't pay the fines.
- B. Planning Commission Seat "B" Appointment.
  - Mayor Beneville appointed Mathew Michels to Seat "B."
- C. Planning Commission Seat "D" Appointment.
  - Mayor Beneville appointed Carol Piscoya to Seat "D."

A motion was made by C. D. Johnson and seconded by C. Martinson to confirm Mayor Beneville's Planning Commission appointments.

At the roll call:

Aye: Reader; Topkok; Brown; D. Johnson; M. Johnson;  
Martinson

Nay:

Abstain:

The motion **CARRIED**.

**EXECUTIVE SESSION**

A. Discussion of Confidential Personnel Matters Relating to the City Manager Search.

A motion was made by C. M. Johnson and seconded by C. Reader to enter into executive session to discuss confidential personnel matters relating to the City Manager search.

The Council recessed into executive session at 9:27 PM.

The Council reconvened at 10:12 PM.

**ADJOURNMENT**


A motion was made by C. M. Johnson and seconded by C. Martinson that the meeting be adjourned.

Hearing no objections, the Nome Common Council adjourned at 10:12 PM

**APPROVED and SIGNED** this 10<sup>th</sup> day of June 2019.

  
\_\_\_\_\_  
**JERALD BROWN**  
Acting Mayor

**ATTEST:**

  
\_\_\_\_\_  
**BRYANT HAMMOND**  
City Clerk