

**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  
WORK SESSION & REGULAR MEETING AGENDA  
MONDAY MAY 13, 2019 @ 5:30 / 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

5:30 PM – Work Session on FY 2020 City Budgets

7:00 PM – Regular Meeting

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**VERBAL**

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

**MINUTES  
NOME CITY COUNCIL  
REGULAR MEETING  
MAY 13, 2019**

The regular meeting of the Nome City Council was called to order at 7:02 PM by Acting Mayor Jerald Brown 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

Members Absent:

Also Present: John Handeland, Acting City Manager; Bryant Hammond City Clerk; Ken Morton, Assistant Utility Manager; Joe Horton, Public Works Director; Julie Liew, Finance Director

In the audience: Emily Hofstaedter (KNOM); Sandra Medearis (Arctic News); Dani & Shane Smithhisler; Paul G. Kosto; Leslie Friedlob; Lisa Ellanna; Adam Lust; Jessica and Howard Farley, Jr; Keith Morrison; Darlene Trigg; Austin Ahmasuk; Triada Stampas, ACLU of AK; Andrew Lee

**APPROVAL OF AGENDA**

Acting Mayor Brown asked if there were any changes to the agenda.

A motion was made by C. Reader 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. April 22, 2019 City Council Regular Meeting Minutes.

A motion was made by C. Reader and seconded by C. D. Johnson to approve the April 22, 2019 minutes.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

### **COMMUNICATIONS**

- A. Correspondence between Triada Stampas and Manager Handeland re: ACLU Comments on O-19-02-02.
- B. Email of April 22, 2019 from Paul Goodfellow to Clerk Staff and Chairman Hughes re: Dust Complaint.
  - Council Member Reader asked for and Clerk Hammond gave a brief background on the matter.
- C. Email / Report of May 2, 2019 from Wendy Chamberlain to City of Nome re: Legislative Update.
- D. Letter of, May 10, 2019 from AMCO to City of Nome re: Grass Station 49 Retail Marijuana Store License Approval.
  - Council Member Mark Johnson opined that it was a sad day seeing the old library turned into a marijuana shop.
- E. City of Nome FY 2020 Budget Calendar.
  - Council Member Brown asked if the work session on May 20<sup>th</sup> was needed.
  - Manager Handeland summarized the direction he had gleaned from the day's work session as looking for cost efficiencies in the Recreation Center, Public Works, and Cemetery budgets.
  - Council Member Brown opined the public should give input on which services to reduce, if any.
- F. Flyer re: Annual Spring Clean Up.

### **CITIZENS' COMMENTS**

- 1) Jessica and Howard Farley, Jr criticized the City of Nome's permitting process, stating it was a broken system and should be addressed. She cited her recent renovation of a dilapidated house, for which she received a certificate of occupancy. However, the appraiser cited issues which caused the sale to fall through. She requested a refund of all permitting fees and asked how she should proceed.
  - Manager Handeland promised a response by the end of the week, though advised through the City, per Alaska Statute, was under no obligation to refund the permit fees.
- 2) Colby Engstrom described difficulties he experienced with the permitting process around the renovation of Twin Dragon restaurant into a laundromat. He expressed frustration over the City of Nome giving approval and then catching an error. Mr. Engstrom described the costs he was accruing and asked he could move forward.
  - Manager Handeland stated he would respond by the end of the week.
- 3) Lisa Ellanna spoke in support of the substitution version of O-19-02-02. She criticized the ordinance as still not having a mechanism to compel NPD to comply with the Commission and revision of the NPD OPM was not explicitly outlined as a duty of the Commission.

## UNFINISHED BUSINESS

- A. O-19-02-02 An Ordinance Amending Chapter 2.30 of the Nome Code of Ordinances to Create a Public Safety Commission, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:37 PM.

### Discussion:

- Eric Osborne spoke in support of adopting the ordinance, citing the need for citizenry to be able to trust the police. He opined the previous Chiefs / managers abused the power given to them.
- Triada Stampas commended the process which brought the community to the present. She suggested the Council amend the ordinance to allow the commission greater access to NPD information by request through the City Manager and adopt it as amended.
- Darlene Trigg thanked the Council for their time and suggested annual recommendations be transmitted to the Council around the budgeting time period. She also requested that "in public safety" be removed from the racial equity in public safety, opining the wording was limiting. Ms. Trigg also recommended clarifying the revision process of the OPM, suggesting a critical evaluation of NPD's policies rather than just a review.

The Council reconvened at 7:48 PM.

A motion was made by C. Reader and seconded by C. Martinson to adopt O-19-02-02.

A motion was made by C. Reader and seconded by C. M. Johnson to amend O-19-02-02 by substituting it with O-19-02-02 (S) in its entirety.

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED.**

Returning to the main motion:

A motion was made by C. Reader and seconded by C. Topkok to amend O-19-02-02 (S) by adding "The Public Safety Commission may request from the city manager such assistance as it may reasonably require, including records and other materials necessary for the fulfillment of its duties, except such records or materials that cannot be disclosed by law. If the requested assistance is not provided, the commission shall notify the city council, which will review the request to determine whether and

how it will be fulfilled, and to direct the city manager accordingly.” as NCO 2.30.040(i)(2)(C).

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

A motion was made by C. Reader and seconded by C. Topkok to amend O-19-02-02 (S) by deleting “to confirm” between “check” and “prior” in section 2.30.040(b)(2) and adding “to confirm” between “appointment” and “that” in the same section.

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

A motion was made by C. Reader and seconded by C. Topkok to amend O-19-02-02 (S) by deleting “of concern relating to department conduct” from section 2.30.040(e) and adding the same phrase between “reports” and “received” in the same section.

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

A motion was made by C. Brown and seconded by C. Topkok to amend O-19-02-02 (S) by adding “at least” between “council” and “annually” in section 2.30.040(i)(1)(E).

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

A motion was made by C. Reader and seconded by C. M. Johnson to amend O-19-02-02 (S) by deleting "the following information" from section 2.30.040(i)(G)(1), move clause (a) to follow "gather," place a period after "involved," move clause (b) to follow "involved" and place a period after "manager."

At the roll call:

Aye: Reader

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

Abstain:

The motion to amend **FAILED**.

Returning to the main motion:

A motion was made by C. Reader and seconded by C. Brown to amend O-19-02-02 (S) by deleting "the following information" from section 2.30.040(i)(G)(1), combine clause (a) with clause 1., and adjust clause (b) to 2., 2. To 3., and 3. To 4.

At the roll call:

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

Nay: Martinson

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

A motion was made by C. Reader and seconded by C. Martinson to amend O-19-02-02(S) by removing "in public safety" from section 2.30.040(j)(1)(E).

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED.**

Returning to the main motion:

A motion was made by C. Topkok and seconded by C. Reader to amend O-19-02-02 (S) by adding a comma after "structure" in section 2.30.040(i)(1)(E)(2), deleting "and" and adding "and procedures" after "policies."

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED.**

Returning to the main motion:

At the roll call:

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

Nay:

Abstain:

The motion, as amended, **CARRIED.**

### **NEW BUSINESS**

- A. R-19-05-01 A Resolution Approving an Agreement with Appraisal Company of Alaska for Ad Valorem Tax Services for Tax Years 2020, 2021, & 2022.

A motion was made by C. Reader and seconded by C. Topkok to adopt R-19-05-01.

Discussion:

- Council Member asked if Appraisal Company of Alaska assessed personal and business property and why expenditures in 2013 were higher than the rest.
- Clerk Hammond explained that they did not and that 2013 was likely a year in which the assessors re-evaluated every property in town.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED.**

- B. R-19-05-02 A Resolution Authorizing the City Manager to Enter into an Agreement with McCool Carlson Green for Professional Roof Design Services for Nome-Beltz High School.

A motion was made by C. Reader and seconded by C. Martinson to adopt R-19-05-02.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

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

- A. Activity Report: April 23 – May 10, 2019.

- Assistant Utility Manager Morton presented his verbal report, highlighting preparations made to ship a surplus generator to Wrangell, the appraisal of Block 20, the finishing of a meter audit, a work session on potential power generation at Pilgrim Hot Springs. He apprised the Council of current collections efforts.

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

- A. Activity Report: April 23 – May 10, 2019.

- Manager Handeland updated the Council on city administration noting that the FY2020 was a daily focus and a mill rate increase would likely be needed. He noted the city would be transitioning over to the Quintillion network and expected increased Internet speeds afterwards. Manager Handeland updated the Council on the status of the ACSA bathroom project, explaining there had been some staffing changes at BSDC, but that administration was moving forward in the attempts to get the project underway despite potential timing issues. He finished by reminding everyone that You Call We Haul was coming at the end of the month.

- B. Port / Harbor Report / Projects Update May 2019.

- Port Director Baker stated the draft feasibility study from Corps of Engineers was out for public comment and available at the Clerk's Office. She encouraged everybody to read it. She noted a setback in the concrete ramp project, as the project will have to go through the NEPA process.

- C. March 21, 2019 Port Commission Regular Meeting Minutes.

### **CITIZENS' COMMENTS**

### **COUNCIL MEMBER COMMENTS**

- 1) Council Member Martinson – no comments.
- 2) Council Member Reader asked if the match Director Baker mentioned for the concrete ramp project was in the budget.
  - Director Baker noted it was in the capital projects budget.

- 3) Council Member Topkok suggested involving youth in Council meetings as they are a significant portion of the population.
- 4) Council Member Brown agreed with Council Member Topkok though wondered how it would work. He thanked Manager Handeland and Council Member Topkok for their hard work on the public safety commission ordinance.
- 5) Council Member Doug Johnson – no comments.
- 6) Council Member Mark Johnson – no comments.

**MAYOR'S COMMENTS AND REPORT**

A. Activity Report: April 23 – May 10, 2019.

**ADJOURNMENT**

A motion was made by C. Reader and seconded by C. D. Johnson that the meeting be adjourned.

Hearing no objections, the Nome Common Council adjourned at 9:32 PM

APPROVED and SIGNED this 30<sup>th</sup> day of May 2019.



**RICHARD BENEVILLE**  
Mayor

ATTEST:



**BRYANT HAMMOND**  
City Clerk