

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
REGULAR MEETING AGENDA
MONDAY, JANUARY 14, 2019@ 5:00PM / 7:00
PM COUNCIL CHAMBERS IN CITY HALL**

Work Session 5:00 PM:

Discussion of NSEDC Community Benefit Share Funding

Regular Meeting 7:00 PM:

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**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
JANUARY 14, 2019**

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

ROLL CALL

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

Members Absent:

Also Present: Richard Beneville, Mayor; John Handeland, Acting City Manager; Bryant Hammond, City Clerk ; Julie Liew, Finance Director; Bob Estes, Police Chief; Bob Pruckner, NPD; Vincent Nguyen, NPD; Peter Le, Accounting; Alex Le, NPD

In the audience: Ginny Emmons; Sandra Rowe; Aaron Blankenship; Jill Peters; Keith Conger; Devin Tatro; Nick Treinen; Mackenzie Cabrera; Ken Hughes; Bill Schieldbach; Rhonda Schneider; Carol Hobbs; Tristen Hobbs; Emily Stotts; Jake Kenick; James Ventress; Sandra Medearis, Arctic News; Emily Hofstaedter, KNOM; Lisa Leeper; Keith Morrison; Charlene Saclamana; Paul Kosto; Lisa Ellanna; Dani Smithhisler; Shane Smithhisler

APPROVAL OF AGENDA

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

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

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

OATH OF OFFICE

A. Clerk Hammond administered the Oath of Office for Bob Pruckner.

APPROVAL OF MINUTES

A. December 10, 2018 City Council Regular Meeting Minutes.

A motion was made by C. Brown and seconded by C. Topkok to approve the December 10, 2018 minutes.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

A. Letter of December 13, 2018 from NSEDC to Mayor Beneville re: Community Employment Program.

B. Letter of, December 20, 2018 from AK DOT&PF to Mayor Beneville re: Seppala Drive Upgrade.

- Council Member Reader noted difficulties in the design of the Snake River Bridge at Jaffet Dr. in handling heavy trucks and asked if users were being consulted in addition to the engineers designing the upgrades.
- Manager Handeland noted the City didn't own any of roads in question and asked Council Member Reader to follow up in the coming week to ensure comments make it to DOT&PF. He noted that Center Creek Road was in the STIP and would potentially address any remaining issues with Jaffet Dr.

C. Letter of December 23, 2018 from Ronald Engstrom to City of Nome re: Senior Property Tax.

- A motion was made by C. D. Johnson and seconded by C. Reader to refund Mr. Engstrom.

Discussion:

- Councilman Brown explained the City's policy on requiring seniors to file for exemption every year.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

D. Letter of December 27, 2018 from Bering Sea Women's Group re: Thank you for your Support.

E. Email of December 27, 2019 from PAWS to Finance Director Liew re: Requested Change in Use of 2018 CBS Funds.

A motion was made by C. Reader and seconded by C. M. Johnson to approve the changes requested by PAWS.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- F. Email of December 27, 2019 from Nome Nanooks Swim Team to Finance Director Liew re: Requested Change in Use of 2018 CBS Funds.

A motion was made by C. Reader and seconded by C. Martinson to approve the changes requested by Nome Nanooks Swim Team.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- G. Comment of January 2, 2019 from Clay Newsome to City of Nome re: Nome Police Department.
- Manager Handeland noted Vincent Nguyen of NPD in the audience and requested Clerk Hammond administer his oath of office.
 - Clerk Hammond administered the Oath of Office for Vincent Nguyen.
- H. Letter of January 7, 2019 from AMCO to City of Nome re: Proposed Marijuana Regulation Changes.
- Council Member Reader noted she could not see anything detrimental to the proposed regulation.
 - Manager Handeland noted the Council sat as the local Alcohol Control Board and that the City Attorney would be reviewing the ordinance to determine if marijuana needed to be added.
- I. Letter of January 11, 2019 from AMCO to City of Nome re: Nome Grown, LLC Retail Marijuana Store License Application.
- J. Flyer re: The Gold Rush Film Screening January 24, 2019.
- K. Flyer re: Annual Meeting of the Alaska Anthropological Association February 27 – March 2, 2019.
- Manager Handeland noted that 150 participants were expected and that a discounted registration was available for locals.

CITIZENS' COMMENTS

- 1) Rhonda Schneider noted that the hot water heater at XYZ did not work sufficiently to allow for more than two showers. She requested the City address the issue by potentially installing an on-demand heater specifically for the showers.
- 2) Keith Morrison asked why there had been no progress on the formation of the police oversight committee over the previous two months. He lamented hearing the City Attorney would facilitate the meeting in which the framework would be developed, arguing the process has shifted from community driven to an internal City process. He requested the inclusion of experts in sexual assault and domestic violence.
- 3) Lisa Ellanna opined that Brooks Chandler would not be the best facilitator. She asked for follow up on NPD officers receiving trauma informed training, revising NPD's OPM, and the creation of a City policy on incapacitated individuals. She noted that Officers Pruckner and Heintzleman and Mayor Beneville attended a recent cultural orientation training.
- 4) Stan Andersen noted a letter he received from the City Clerk stating the VFW did not qualify for sales tax exemption as they had in the past.
 - Council Member M. Johnson requested staff address the situation through ordinance revision.
- 5) Kenny Hughes was impressed by the massive police presence in town on New Year's Eve. He noted his appreciation.

PLANNING & ZONING

- A. October 9, 2018 Planning Commission Rescheduled Regular Meeting Minutes.
- B. November 7, 2018 Planning Commission Regular Meeting Minutes.
- C. December 4, 2018 Planning Commission Regular Meeting Minutes.

NEW BUSINESS

- A. Memo of January 11, 2019 from Finance Director Liew to Mayor Beneville and Nome Common Council re: 2019 Mid-Year Budget Amendments.
 - Finance Director Liew presented her memo, highlighting the increase in the budget deficit. She proposed a work session on the budget amendments and FY20 budget priorities at 5:30 PM on Monday January 21, 2019.
- B. O-19-01-01 An Ordinance Amending the City of Nome FY 2019 General Fund Municipal Budget, **FIRST READING/DISCUSSION.**

A motion was made by C. D. Johnson and seconded by C. Martinson to advance O-19-01-01.

Discussion:

- Council Member Reader suggested advancing the five budget amendment ordinances through a single motion.

C. D. Johnson and C. Martinson withdrew their motion.

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

Discussion:

- Council Member M. Johnson requested a detailed explanation from NPD concerning the increase expenditures and case backlog status at the Work Session on the 21st.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- C. O-19-01-02 An Ordinance Amending the City of Nome FY 2019 Special Revenue Fund Budget, **FIRST READING/DISCUSSION**.
- D. O-19-01-03 An Ordinance Amending the City of Nome FY 2019 Capital Projects Fund Budget, **FIRST READING/DISCUSSION**.
- E. O-19-01-04 An Ordinance Amending the City of Nome FY 2019 Port of Nome Fund Budget, **FIRST READING/DISCUSSION**.
- F. O-19-01-05 An Ordinance Amending the City of Nome FY 2019 Port of Nome Capital Projects Fund Budget, **FIRST READING/DISCUSSION**.
- G. R-19-01-01 A Resolution Authorizing the City Manager to Enter into an Agreement with Bristol Engineering Services Company, LLC (BESC) as Acting City Engineer.

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

Discussion:

- Manager Handeland recommended the Council adopt R-19-01-01, explaining Bristol Engineering and John Brees in particular have done an exemplary job performing the duties of City Engineer.

A motion was made by C. Reader and seconded by C. M. Johnson to amend R-19-01-01 by changing the resolve statement to read as "NOW, THEREFORE, BE IT RESOLVED by the Nome Common Council that BESC be awarded the contract for engineering services for the period of 14 January 2019 to 13 January 2020 with a one year renewal option upon agreement of both parties."

At the roll call:

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

Nay:

Abstain:

The motion to amend **CARRIED.**

Returning to the main motion:

At the roll call:

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

Nay:

Abstain:

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

- H. R-19-01-02 A Resolution Accepting Amendment #1 to the Local Match Contribution Agreement for the Port Road Improvements Project between the State of Alaska Department of Transportation and Public Facilities and the City of Nome.

A motion was made by C. Brown and seconded by C. D. Johnson to adopt R-19-01-02.

Discussion:

- Manager Handeland explained that R-19-01-02 was simply formalizing the motion the Council adopted in December.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED.**

- I. R-19-01-03 A Resolution Endorsing Projects and Position Statements for the City of Nome's 2019 State Legislative Priorities.

A motion was made by C. Brown and seconded by C. M. Johnson to adopt R-19-01-03.

A motion was made by C. M. Johnson and seconded by C. Brown to amend R-19-01-03 by adding "Legislative resolution supporting expedition of Port Modification Feasibility Study & Design, and a collaborative partnership with Alaska Department of Transportation and Public Facilities" to a new bullet point under priority 2.

Discussion:

- Port Director Baker explained the City was working to secure the State's support and participation in moving into the design phase of the ADDP. She expressed optimism that the change in administration would signal increased support by the State in the development of the Deep Draft Port.

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. Topkok and seconded by C. Brown to amend R-19-01-03 by adding "Public Safety, Domestic Violence and Sexual Assault" under the second Whereas.

Discussion:

- Councilman Brown suggested moving the point up in the list.
- Manager Handeland explained the reasoning behind why priorities were placed where they were. He noted that under the second whereas, the topics were supported by position statements written by the City.

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:

At the roll call:

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

Nay:

Abstain:

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

- J. R-19-01-04 A Resolution Endorsing Projects and Position Statements for the City of Nome's 2019 Federal Legislative Priorities.

A motion was made by C. Topkok and seconded by C. Brown to adopt R-19-01-04.

A motion was made by C. Topkok and seconded by C. M. Johnson to amend R-19-01-04 by adding "and position statements" between the words "items" and "are in the second recital and "Domestic Violence and Sexual Assault as a Public Safety Concern" in a new bullet point above "Drug Awareness, Education, and Treatment."

At the roll call:

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

Nay:

Abstain

The motion to amend **CARRIED.**

Returning to the main motion:

At the roll call:

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

Nay:

Abstain:

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

UTILITY MANAGER'S REPORT

- Assistant Utility Manager Morton presented his written report, highlighting work on an app that will allow users to see their power usage, Crowley becoming the supplier for the Western Alaska Fuel Group for the coming summer, and recycling of old NJUS generators. He noted the proportional fluoride system was working, several freeze ups around town, and a potential NSEDC application.
 - Council Member Reader asked if the frozen fire hydrants were normal and how the Utility identified frozen hydrants.
 - Assistant Manager Morton explained how the issue was addressed and that frozen hydrants are not normally an issue.

CITY MANAGER'S REPORT

- City Manager Handeland presented the report he handed out at the start of the meeting, noting the opening of the Norton Sound Hospital Day Shelter, recent emergency response to a rollover, progress on the City Manager search, and Dave Barron's superlative performance in jumping into the role of building inspector. Manager Handeland alerted the Council to the next Port Commission meeting where a tariff revision was on the agenda and the Council work session on Monday the 21st.
 - Council Member Topkok asked for clarification on what role the City Attorney would play in the development of the Public Safety Committee.
 - Manager Handeland explained that the attorney would help ensure the framework developed would comply with existing statute and code. He explained that Mr. Chandler will be leading the discussion himself, but that he hoped subject matter

expert on domestic violence and sexual assault would be able to inform the conversation.

- Council Member Mark Johnson noted a recent request by Amazon.com to obtain a sales tax license and suggested Internet retailer could have a significant impact on sales tax revenue for the City of Nome.
- Council Member Brown noted the discharge of firearms work session on Thursday the 17th to make sure people were aware of it.

CITIZENS' COMMENTS

- 1) Rhonda Schneider called attention to the alcohol related calls for service in December being significantly higher than those following the opening of the Norton Sound Day Shelter.
- 2) Ken Hughes, as chair of the Planning Commission, requested more resources to complete the 2030 Comprehensive Plan. He noted that the hours allocated to the City's contracted Planner would not be enough to complete a valuable Comprehensive Plan within the proposed timeline. He requested the City Council double the allotted hours for the contract planner.

COUNCIL MEMBER COMMENTS

- 1) Council Member Reader requested the Council not allow a back and forth discussion at Citizens' Comments. She noted the practice contributed to lengthier meetings. She also requested that staff be directed to research the question and follow up with an answer, thus ensuring accuracy.
- 2) Council Member Topkok – no comments.
- 3) Council Member Brown noted that public comments were a forum where citizens can ask a question and receive an answer in public. He clarified the list of NSEDC CBS awards would be drafted into a resolution for the Regular Meeting on the 28th. He finished by asking when staff would be able to perform the personal property audit discussed at the December meeting.
- 4) Council Member Doug Johnson requested staff draft an ordinance that allowed a Commercial Driver's License medical card to suffice as proof an applicant for a City of Nome chauffeur's license meets the minimum medical standards.
- 5) Council Member Mark Johnson suggested possibly limiting comments during a public hearing to two minutes, but argued that Citizen's Comments should allow for discussion. He asked if auditing companies that file personal property would be a disincentive to file. Council Member Johnson finished by stating his appreciation for the more relaxed and receptive mood over the past month at City Hall.
- 6) Council Member Martinson – no comments.

MAYOR'S COMMENTS AND REPORT

A. Mayor Beneville presented his verbal report noting he would be traveling to DC with Port Director Baker and Manager Handeland in February. He spoke of his belief in the process of public input and his passion for the voice of the public, noting that citizen's comments is about the only time public conversation can truly happen.

B. Mayor Beneville reappointed Ken Hughes to Seat G of the Nome Planning Commission.

A motion was made by C. Brown and seconded by C. Martinson to confirm the Mayor's appointment.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

EXECUTIVE SESSION

A Motion was made by C. M. Johnson and seconded by C. Brown to go into executive session.

The Council recessed into executive session at 9:39 PM.

The Council came out of executive session at 10:13 PM.

ADJOURNMENT

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

Hearing no objections, the Nome Common Council adjourned at 10:13 PM.

APPROVED and SIGNED this 28th day of January 2019.



JERALD BROWN
Acting Mayor

ATTEST:



BRYANT HAMMOND
City Clerk