

Mayor
Richard Beneville
Manager
Tom Moran
Clerk
Bryant Hammond



Nome City Council
Stan Andersen
Jerald Brown
Doug Johnson
Mark Johnson
Adam Martinson
Lew Tobin

102 Division St. • P.O. Box 281
Nome, Alaska 99762
Phone (907) 443-6663
Fax (907) 443-5345

**NOME COMMON COUNCIL
REGULAR MEETING AGENDA
MONDAY, JULY 23, 2018 @ 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

- I. ROLL CALL
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - A. July 9, 2018 City Council Regular Meeting Minutes,
PAGE 1
- IV. COMMUNICATIONS
 - A. USCG Blog Post of July 2, 2018 entitled: *Gold Fever: A Driving Force in Nome*,
PAGE 11
 - B. Senate Briefing Flyer of July 11, 2018 re: Senate Oceans Caucus Briefing,
PAGE 17
 - C. Email of July 20, 2018 from International Institute of Municipal Clerks to Manager Moran re: Clerk Hammond's Certified Municipal Clerk Designation,
PAGE 19
 - D. Flyer re: Wave Conditions Buoy Deployed South of Port of Nome,
PAGE 21
- V. CITIZENS' COMMENTS
- VI. PLANNING AND ZONING
 - A. R-2018-2 A Resolution Recommending that the Nome City Council Adopt a Plan to Reduce Public Intoxication, Loitering and Vagrancy,
PAGE 23
 - B. June 5, 2018 Planning Commission Regular Meeting Minutes,
PAGE 25
- VII. UNFINISHED BUSINESS
 - A. O-18-07-01 AN ORDINANCE AMENDING CHAPTER 17.30 OF THE NOME CODE OF ORDINANCES TO INCREASE THE HOTEL/MOTEL ROOM TAX FROM SIX PERCENT (6%) TO TEN PERCENT (10%),
SECOND READING/PUBLIC HEARING/FINAL PASSAGE,
PAGE 31
- VIII. NEW BUSINESS

- A. O-18-07-03 AN ORDINANCE AMENDING SECTION 2.25.070 (SCHOOL BUDGET APPROVAL) OF THE NOME CODE OF ORDINANCES,
FIRST READING/DISCUSSION,
PAGE 39
- B. R-18-07-02 A Resolution Awarding a Contract to Nome Machine Works for the Provision of Emergency Service Vehicle Repair and Maintenance,
PAGE 47
- C. R-18-07-03 A Resolution Awarding a Contract to Trinity Sails and Repair for the Provision of Light Duty Vehicle Repair and Maintenance,
PAGE 57

IX. UTILITY MANAGER'S REPORT

- A. Activity Report: July 10 – July 20,
VERBAL

X. CITY MANAGER'S REPORT

- A. Activity Report: July 10 – July 20,
PAGE 67
- B. Port Commission Rescheduled Regular Meeting Minutes of June 14, 2018,
PAGE 95

XI. CITIZENS' COMMENTS

XII. COUNCILMEN'S COMMENTS

XIII. MAYOR'S COMMENTS AND REPORT

- A. Activity Report: July 10 – July 20,
VERBAL

XIV. EXECUTIVE SESSION

- A. Discussion of Personnel Matters,
VERBAL

XV. ADJOURNMENT

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
July 23, 2018**

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: Stan Andersen; Jerald Brown; Doug Johnson; Mark Johnson; Adam Martinson; Lew Tobin

Members Absent:

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City Clerk; Ken Morton, Assistant Utility Manager; Joy Baker, Port Director; John Papasodora, NPD Chief; John Handeland, Utility Manager

In the audience: Sandra Medearis, *Arctic News*; Emily Hofstaedter, KNOM; Nikolai Ivanoff; Cliff McHenry; Diana, Nils, & Lizzy Hahn; John Keeley; David Jones; Rolland Trowbridge; Rachel Scholten; Judy Martinson

APPROVAL OF AGENDA

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

A motion was made by C. Tobin and seconded by C. Brown to approve the agenda as presented.

At the roll call:

Aye: Brown; D. Johnson; M. Johnson; Martinson; Tobin;
Andersen;

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. July 9, 2018 City Council Regular Meeting Minutes.

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

At the roll call:

Aye: M. Johnson; Martinson; Tobin; Andersen; Brown;
Andersen

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. USCG Blog Post of July 2, 2018 entitled: *Gold Fever: A Driving Force in Nome*.
- B. Senate Briefing Flyer of July 11, 2018 re: Senate Oceans Caucus Briefing.
- C. Email of July 20, 2018 from International Institute of Municipal Clerks to Manager Moran re: Clerk Hammond's Certified Municipal Clerk Designation.
 - Mayor Beneville congratulated Clerk Hammond on the achievement.
- D. Flyer re: Wave Conditions Buoy Deployed South of Port of Nome.
 - Councilman Tobin commented on not being able to find the wave heights on the website.

CITIZENS' COMMENTS

- 1) Dave Young commented on the Coast Guard load line regulations that were now being enforced for the Nome dredging fleet. He spoke about the costs involved in meeting load line regulations and the load line exemptions already in place throughout the country. He asked why the Coast Guard was making such an issue of the Nome fleet and asked the City of Nome to advocate for quick resolution of the issue.
 - Port Director Baker explained load line size categories and gave a brief history on the issue and Port contact with Senator Sullivan's office.
 - Councilman Andersen asked if there were any negative implications in pursuing the issue further; if not, he suggested reaching out to Representative Young.
 - Port Director Baker explained that the legislative path to resolution of the issue would be through a Coast Guard reauthorization bill, which wouldn't happen for another two years. Congress just passed the most recent bill.
 - Mr. Young explained that he was not able to get his vessel into the water until it obtained a load line certificate.
 - Manager Moran explained the City of Nome received a strongly worded reply on the unfavorable chances of obtaining an exemption at this time from Senator Sullivan's office.
- 2) Cliff McHenry spoke in support of Mr. Young's request, stating he employs local people amidst a general decline in Nome's mining industry.
- 3) Nils Hahn and Diana Haecker formally introduced themselves as the new owners of the Nome Nugget Newspaper and were happy that Mr. Young recognized the Nugget on the record as the paper of record in Nome, Alaska.
- 4) Ken Hughes asked the Council if there were any plans for air quality monitoring. He argued citizens were at risk and asked how the City was monitoring dust mitigation efforts. Mr. Hughes supported Mr. Young's request, explaining there were at least two other outfits stumbling over this same issue.

- 5) Judy Martinson commended the Port Commission and staff on getting the wave measurement buoy installed south of the Port, explaining its data replaced forecasted maritime conditions with reality.
- 6) Dave Csiki asked about the status of abatement for 604 E Front St, stating that the building was recommended for abatement after June 30th, yet it was July 23rd and the building was still standing. He explained the roof is still flapping noisily in the wind and that repairs had not been made. Mr. Csiki asked why some residents of Nome were given preferential treatment over others and stated he was prepared to legal action if necessary.

PLANNING & ZONING

- A. R-2018-2 A Resolution Recommending that the Nome City Council Adopt a Plan to Reduce Public Intoxication, Loitering and Vagrancy.
 - Manager Moran explained the process the Planning Commission went through to draft R-18-2 and summarized the gist of the Commission's intent.
 - Mayor Beneville suggested a work session, noting the frustration surrounding the issue.
 - Councilman Andersen suggested revisiting previous ordinances in the work session.
 - Councilman Mark Johnson requested input from NPD.
 - Councilman Tobin noted progress in the town's hospitality, explaining that children used to openly make fun of foreign tourists.
- B. June 5, 2018 Planning Commission Regular Meeting Minutes.

UNFINISHED BUSINESS

- A. O-18-07-01 AN ORDINANCE AMENDING CHAPTER 17.30 OF THE NOME CODE OF ORDINANCES TO INCREASE THE HOTEL/MOTEL ROOM TAX FROM SIX PERCENT (6%) TO TEN PERCENT (10%), **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:39 PM.

Discussion:

- Judy Martinson asked if the revenue would be dedicated to efforts to boost tourism in Nome. She continued to comment on the depressed state of tourism in Nome and shared disparaging comments from recent German guests on the state of the town.
- Councilman Andersen explained the ordinance was brought forward as a means of increasing revenue to cover larger contracts with the Chamber of Commerce for the Visitors' Center. He explained how bed tax revenue alone no longer covered the Visitors' Center contracts.
- Manager Moran provided details on the revenue and requested contract amounts.
- Ms. Martinson surmised the tax might overly burden the tourism industry.
- Councilman Andersen suggested the public of Nome hold the Visitors' Center accountable for their efforts to boost tourism.
- Mayor Beneville argued that the changes currently occurring in Nome's tourism industry are nothing but positive, noting increased cruise ship bookings and companies working on increasing tour packages.

- Cliff McHenry argued Nome would be more appealing if the City were able to cut down on the public drunkenness and loitering.
- Ms. Martinson asked if the City would be addressing the trash situation.
- Manager Moran noted the nuisance ordinance and Councilman Tobin noted "you call, we haul."
- Councilman Andersen personally challenged the Chamber of Commerce to knock on doors and ask to remove trash.
- Ken Bungay called a point of order.

The Council reconvened at 7:56 PM.

A motion was made by C. Andersen and seconded by C. Martinson to adopt O-18-07-01.

Discussion:

- Manager Moran clarified that the ordinance put the matter to the voters on the October 2nd Municipal Election ballot.
- Councilman Mark Johnson explained that, although he was not a proponent of taxes, he thought O-18-07-01 was ok because it targeted out-of-towners for the benefit of tourism.

At the roll call:

Aye: M. Johnson; Martinson; Tobin; Andersen; Brown; D. Johnson

Nay:

Abstain:

The motion **CARRIED**.

NEW BUSINESS

- A. O-18-07-03 AN ORDINANCE AMENDING SECTION 2.25.070 (SCHOOL BUDGET APPROVAL) OF THE NOME CODE OF ORDINANCES, **FIRST READING/DISCUSSION**.

A motion was made by C. Andersen and seconded by C. Brown to advance O-18-07-03.

Discussion:

- Manager Moran explained the misunderstanding that arose from the FY19 Nome Schools budget request. He continued to explain that per the ordinance, if Nome Public Schools passed a budget requesting the City of Nome's appropriation in January, the City would have 30 days to take action, despite not actively working through a budget cycle. Manager Moran explained that O-18-07-03 memorializes current City of Nome practices to avoid such issues in the future.

At the roll call:

Aye: Martinson; Tobin; Andersen; Brown; D. Johnson; M. Johnson

Nay:

Abstain:

The motion **CARRIED**.

- B. R-18-07-02 A Resolution Awarding a Contract to Nome Machine Works for the Provision of Emergency Service Vehicle Repair and Maintenance.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-18-07-02.

Discussion:

- Manager Moran read his agenda statement declaring his relationship with Matt Johnson and explaining why the Emergency Services Vehicle contract should go to Nome Machine Works into the record. He explained the decrease in the emergency services vehicle fleet as NPD vehicles were now in the "light duty" fleet.
- Councilman Mark Johnson clarified the City wasn't held to the lowest bidder.
- Councilman Tobin explained that Rolland Trowbridge also had experience with emergency services vehicles through his service on the ambulance department as well as his contract to repair and maintain the emergency services radio / repeater network.
- Councilman Brown stated that he took issue with awarding the contract to the high bidder, unless there were documented failures on the part of the low bidder.
- Manager Moran stated he knew of one on the part of TSR where NVFD alleged there was faulty service and potentially one at Nome Machine Works, but he couldn't say definitively. He noted that NVFD's largest truck wouldn't fit into TSR's garage.
- Rolland Trowbridge noted the timeline surrounding the allegation of untimely filter changes didn't add up. He explained that the vehicles were serviced correctly and that neither party did anything wrong. He felt there was a game afoot in which someone was trying to discredit him, which would also reflect poorly on his competitor. He noted that Nome Machine Works would do a good job taking care of the vehicles and that the vehicles were the most important consideration here.
- Councilman Brown asked if splitting the contracts made sense.
- Mr. Trowbridge stated that he was bummed he didn't get both contracts, but didn't feel wronged. He explained the growth of his shop over the past four year, how he was better positioned to handle both contracts at present, and that he was playing a longer game.
- Mayor Beneville asked if each vehicle had a maintenance record.
- Mr. Trowbridge explained his passion for records and his computer system for storage and retrieval of such. He stated that while a good mechanic, records were not Mr. Johnson's passion.
- Councilman Mark Johnson and Mr. Trowbridge discussed the particulars of standard rates and book time for certain repairs. Councilman Mark Johnson commended both bidders for the low rates to serve the community.
- Councilman Brown asked why administration didn't recommend awarding the heavy equipment contract.
- Manager Moran gave a history of the division of contracts between Q Trucking and Nome Machine Works and explained that the Public Works crew performed most service in house over recent years. More complex repairs not able to be performed in house would be more cost effectively handled by a mechanic out of Anchorage.

A motion was made by C. Brown to amend R-18-07-02 by changing "Nome Machine Works" to "Trinity Sails and Repair."

The motion, for lack of a second, **FAILED**.

Returning to the main motion:

At the roll call:

Aye: Tobin; Andersen; Brown; M. Johnson; Martinson

Nay:

Abstain: D. Johnson

The motion **CARRIED**.

- C. R-18-07-03 A Resolution Awarding a Contract to Trinity Sails and Repair for the Provision of Light Duty Vehicle Repair and Maintenance.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-18-07-03.

Discussion:

- Manager Moran thanked TSR for the competitive bid.

At the roll call:

Aye: Brown; D. Johnson; M. Johnson; Martinson; Tobin;
Andersen

Nay:

Abstain:

The motion **CARRIED**.

UTILITY MANAGER'S REPORT

- Assistant Utility Manager Morton, responding to a prior Council inquiry, explained that Steadman St was not currently on the books as a State DOT capital project. He noted five water leaks since July 9th, upcoming assistance from ANTHC in programming the fluoride continuous monitoring system, a temporary laborer position still open, and the expectation of FAA publishing in the Federal Register a notice of intent to rule on Utility's request for conveyance of Block 20 of the Nome Airport.
 - Councilman Tobin asked if there were any liabilities stemming from oil residue on the property.
 - Manager Handeland explained there had been extensive environmental studies on the property and that he expected some work, but nothing along the lines of phase II or phase III. He noted that recent history seemed ok.

CITY MANAGER'S REPORT

- Manager Moran gave a briefing on the Certified Local Government conference he recently attended through a grant, explaining that he would be preparing a travel report on how Nome might address issues through the establishment of a historic district, construction standards, revamping the abatement ordinance, and greenbelt initiatives. He presented his written report highlighting an upcoming grant application for staff housing, a potential instance of underreporting vehicle rental taxes, inspections by a Fairbanks based building

inspector of abatement list properties, a potential multi-agency grant converting the Baptist Church into housing and the upcoming landfill inspection.

- Mayor Beneville asked about 604 E Front St.
- Manager Moran classified the condition as “demo by neglect” and explained there was a hard deadline if August 10 to remediate or remove.
- Councilman Tobin asked why the hours had changed at the landfill on Saturdays, explaining the frustration of his constituents. He asked how much longer the monofill and landfill would last given the present fill rates.
- Manager Moran explained the hours were posted at the landfill and had not recently changed. He estimated five years remaining at the landfill and 10 years remaining at the monofill.
- Councilman Mark Johnson asked why the City would put heavy equipment service out to bid if it wouldn’t be awarded. He expressed concern that performing heavy equipment in house might be a burden on staff.
- Manager Moran had hoped for an out-of-town bidder. He explained that Public Works had been doing minor maintenance in house for the past two years and didn’t believe the status quo would change too much.
- Councilman Mark Johnson asked for a maintenance plan at the rec center and whether the current proposed items were budgeted for or not.
- Manager Moran explained that the City Clerk had signed a few POs while he was out of the office for the handicapped ramp and loading dock. He expected a complete rehab of the locker rooms, fixing the women’s sauna door, and some tile and fixture work to be performed in the near future.
- Councilman Andersen suggested the HVAC system at the rec center be re-evaluated in addition to the other maintenance items. He brought up the deplorable state of the property to the east of the VFW.
- Manager Moran suggested revisiting a junk ordinance to address the property.

CITIZENS’ COMMENTS

- 1) Rolland Trowbridge commented that TSR had never held the heavy equipment maintenance contract.
- 2) Port Director Baker read aloud an email from Scott Leathard in Senator Sullivan’s office explaining the failed attempts thus far at securing a load line exemption or moving the boundary line offshore. Director Baker recapped Jay Sterne’s discussion of potential legislative vehicles and timelines to address the issue. She noted that senior leadership wouldn’t budge on their position if there was any perceived decrease in safety.
 - Councilman Andersen suggested staff reach out to Representative Don Young.
 - Councilman Mark Johnson asked about the process by which other fleets were exempted. He understood the issue wouldn’t be resolved this summer, but expressed disappointment that people couldn’t mine when the USCG AK Sector promised them they could.
 - Mayor Beneville noted the recent work on the WRDA bill, saying that changing regulations can be challenging.
 - Councilman Andersen requested a summary in writing.
 - Mayor Beneville suggested Dave Young compile the information and submit it to the Council.

COUNCILMEN'S COMMENTS

- 1) Councilman Doug Johnson – no comments.
- 2) Councilman Mark Johnson – no comments.
- 3) Councilman Martinson – no comments.
- 4) Councilman Tobin said it was sad to see the Froehles leaving town and wished them well. He noted he finally got the chance to visit the museum and commented on how beautiful it was.
- 5) Councilman Andersen directed staff to compile the relevant information on the load line issue.
- 6) Councilman Brown – no comments.

MAYOR'S COMMENTS AND REPORT

- Mayor Beneville thanked the Council for meeting problems head on. He thanked Manager Moran for his report and Jack Omelak and museum staff for the recent movie presentations. He noted that Wiley Scott's tourism operation was a different time and that Nome was not standing still.

EXECUTIVE SESSION

A motion was made by C. Andersen and seconded by C. Tobin to recess into executive session to discuss personnel matters.

The Council recessed at 9:26 PM.

The Council reconvened at 10:13 PM.

ADJOURNMENT

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

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

APPROVED and SIGNED this 13th day of August 2018.



RICHARD BENEVILLE
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read 'BHAMMOND', is written over a horizontal line.

BRYANT HAMMOND
City Clerk