

**Mayor**  
Richard Beneville  
**Manager**  
Tom Moran  
**Clerk**  
Bryant Hammond



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

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**NOME COMMON COUNCIL  
RESCHEDULED REGULAR MEETING AGENDA  
MONDAY, OCTOBER 30, 2017 @ 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

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**MINUTES  
NOME CITY COUNCIL  
RESCHEDULED REGULAR MEETING  
October 30, 2017**

The rescheduled regular meeting of the Nome City Council was called to order at 7:01 PM by Mayor Richard Beneville in Council Chambers of City Hall, located at 102 Division Street.

**ROLL CALL**

Members Present: Stan Andersen; Jerald Brown; Mark Johnson; Adam Martinson

Members Absent: Doug Johnson (excused); Lew Tobin (excused)

Also Present: Tom Moran, City Manager; Bryant Hammond, City Clerk; Ken Morton, Assistant Utility Manager; Joy Baker, Port Director (telephonically); John Blee, Engineer (telephonically)

In the audience: Sandra Medearis, *Arctic News*; Davis Hovey, KNOM; Barb Amarok; Scot Henderson, Bonanza Fuel; Nelson Bjork, Crowley Fuels (telephonically); Marvin Olson, ICE Services (telephonically)

**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. Johnson to approve the agenda as presented.

At the roll call:

Aye: Brown; Johnson; Martinson; Andersen

Nay:

Abstain:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

A. October 9, 2017 City Council Regular Meeting Minutes.

A motion was made by C. Brown and seconded by C. Johnson to approve the October 9, 2017 minutes.

At the roll call:

Aye: Johnson; Martinson; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

## **COMMUNICATIONS**

- A. Letter of September 25, 2017 from Superintendent Arnold to Common Council re: FY18 NPS Appropriation.
  - The Mayor and Council expressed their gratitude that the Superintendent had answered their inquiries.
- B. Letter of September 28, 2017 from State Assessor to City of Nome re: Full Value Determination.
- C. Letter of October 13, 2017 from AKDOT&PF to Mayor Beneville re: Bering Street Rehabilitation Project.
- D. Letter of October 15, 2017 from Karen McLane to City Council re: Sex Offenders at Seaside.
- E. Letter of October 16, 2017 from AMCO to Clerk Hammond re: Retail Marijuana Store Application.
- F. Letter of October 16, 2017 from Manager Moran to NSEDC President Ivanoff re: Funding Proposal for Snake River Moorage and Vessel Haulout Facility.
- G. Letter of October 24, 2017 from Karen McLane to City Council re: NPD Internal Affairs Procedures.
- H. Quintillion Press Release of October 24, 2017 re: Completion of Subsea Fiber Optic System.
  - Councilman Andersen opined whether the project would really be ready for public consumption by New Year's.
- I. Flyer re: November 1, 2017 Author Event for *Melting the Ice Curtain*.

## **CITIZENS' COMMENTS**

- 1) Barb Amarok, Executive Director of Bering Sea Women's Group (BSWG), shared some of her comments presented to Department of Corrections (DOC) Commissioner Dean Williams, stating the Board of the BSWG supported a treatment program for sex offenders in Nome. Director Amarok noted that the Board was silent as to locating such a program at Seaside Detention Center on Front Street.
  - Councilman Johnson asked if BSWG assisted NPD in providing training to officers.
  - Director Amarok gave an explanation of the Disability Abuse Response Team (DART) and highlighted recent funding provided for NPD training.

## **PLANNING AND ZONING**

- A. September 5, 2017 Planning Commission Regular Meeting Minutes.
  - Councilman Andersen asked for an update on the Planning Commission's work on the abatement process.
  - Manager Moran explained the Planning Commission was finalizing the list on the following Tuesday and the most egregious structures would be presented to the Council by resolution.
  - Mayor Beneville asked what the total number of structures had been abated in recent years.
  - Manager Moran explained that two were abated in 2016.

- Councilman M. Johnson asked how the hiring process for the new building inspector was going.
- Manager Moran noted the position was open until filled and that no qualified applicants had yet applied.

### **NEW BUSINESS**

- A. R-17-10-03 A Resolution Awarding the City of Nome and Nome Public Schools Fuel Contracts for Diesel Vehicle Fuel and Unleaded Vehicle Fuel to Crowley Fuels, LLC.

A motion was made C. Andersen and seconded by C. Brown to adopt R-17-10-03.

#### **Discussion:**

- Manager Moran noted a protest had been filed and that an informal hearing was required prior to adoption. He briefed the Council on the nature of the protest and explained bidders were in the audience as well as on the phone. Manager Moran recommended the Council adopt the resolution as written.
- Councilman Andersen asked why heating oil was not included in the contract.
- Manager Moran explained the City would purchase heating oil under the State contract through Bonanza Fuel and briefly explained how the State contract allowed for a fixed discount on the market price of fuel, which could fluctuate.
- Mayor Beneville asked how often the price fluctuated.
- Nelson Bjork stated that he believed Crowley's fixed price bid was one penny less than the price offered under the state contract.
- Scot Henderson contended that Mr. Bjork was incorrect in his understanding of Bonanza's pricing and that Bonanza's price under the state contract was significantly less than Crowley's bid. He acknowledged that Crowley had underbid Bonanza on vehicle gasoline.
- Mr. Bjork argued that a firm fixed price had advantages over a discounted market price, though acknowledged the City should decide along its interest.
- Mr. Henderson explained that Bonanza doesn't change its prices over the winter, rather during spring and fall when fuel shipments arrive.
- Councilman Brown asked if sales tax was included in quotes given over the phone.
- Mr. Henderson explained it depended whether the caller stated that the sale would be tax exempt.
- Councilman Johnson asked Mr. Henderson if the prices would change over the winter.
- Mr. Henderson confirmed the prices would not increase until the next resupply.
- Councilman Brown suggested the next RFQ explicitly state the bidders would be competing with the state contract.
- Councilman Andersen asked why the City's two newest buildings had similar heating fuel usage as the antiquated Rec Center and suggested the City look into energy efficiency upgrades to address it.

At the roll call:

Aye: Johnson; Martinson; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

- B. R-17-10-04 A Resolution Awarding the Mini Convention Center Roof Covering and Foam Insulation Project Contract to TMG Wall Systems, Inc.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-17-10-04.

Discussion:

- Manager Moran noted the City Engineer was on the teleconference line to speak to the qualifications of the bidders. He explained that, although the bid was over budget, administration was confident the funds could be found in the Department's other line items.
- Councilman Andersen asked how the material would be applied and what type of warranty was offered.
- Mr. Blees explained the existing metal would have to be cleaned and a primer coat would need to be applied. He suggested the primer coat and Davis-Bacon wages might be the cause of the additional expenses. Mr. Blees noted the product was applied via spray and that the warranty was 15 years.
- Councilman Andersen asked about TMG's prior experience.
- Mr. Blees noted that although he did not have experience with TMG, the manufacturer of the spray product was familiar with them.
- Councilman Brown asked if either bidder deviated from the City's product specifications.
- Mr. Blees noted that neither bidder indicated they would use an "or equal" product as allowed in the bid package.
- Manager Moran noted that City staff could perform prep work and cleaning.
- Councilman Andersen asked if there was adequate steel left on the roof.
- Mr. Blees confirmed there was.

At the roll call:

Aye: Martinson; Andersen; Brown; Johnson

Nay:

Abstain:

The motion **CARRIED**.

C. R-17-10-05 A Resolution Awarding the Public Works Shop Slab on Grade Foam Injection Project Contract to Polyseal Insulation, LLC.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-17-10-05.

Discussion:

- Manager Moran called the Council's attention to ICE Services' bid protest which would need an informal hearing and noted they were on the line. He said City administration refuted each of the three points made in the protest. He also noted that ICE Services' bid came in significantly over budget. He noted Mr. Blees could speak to the technical aspects of the protest.
- Marvin Olson of ICE Services explained that Polyseal's bid was not opened at the bid opening and contended choosing Polyseal was not fair as their submission did not meet the advertised deadline. He also contended that Polyseal's cost estimate was non-responsive as their product did not meet the specs as "lifting foam." He explained that ICE Services has many customers on the North Slope that are very satisfied with their work.
- Mr. Blees explained the City was requiring the contractor to present a lifting plan. He noted that Polyseal did perform an onsite survey by drilling bore holes and that he was confident in their numbers.
- Councilman M. Johnson asked how many holes were drilled.
- Mr. Blees noted 16 holes per side were drilled.

- Councilman Andersen asked about a warranty.
- Mr. Blees explained there will be a one year warranty and during that time City staff should be able to see any deficiencies. He noted the foam was selected because it would add a measure of insulation to the soils.
- Councilman Johnson asked what justified the selection of Polyseal over ICE Services based on their late bid submission.
- Mr. Blees noted the language in the bid requirements allowing the choice by the owner of an otherwise responsive bid delayed by mail.
- Marvin Olson argued against the validity of the numbers due to ICE Services' bid being read aloud prior to the receipt of Polyseal's bid.
- Councilman Johnson noted the tracking number supplied in the packet showing Polyseal's bid packet was sent on October 17<sup>th</sup>, two days before the bids were read aloud.

At the roll call:

Aye: Andersen; Brown; Johnson; Martinson

Nay:

Abstain:

The motion **CARRIED**.

- D. R-17-10-06 A Resolution to Name the Parties Qualified to Sign Depository Pledge Agreements, Orders for Payment, Warrants, and/or Checks Against the City of Nome Accounts.

A motion was made by C. Andersen and seconded by C. Johnson to adopt R-17-10-06.

Discussion:

- Manager Moran noted that this was an annual process as the byproduct of the municipal election.

At the roll call:

Aye: Andersen; Brown; Johnson; Martinson

Nay:

Abstain:

The motion **CARRIED**.

- E. R-17-10-07 A Resolution Approving the Employment of Quinten Johnson as Emergency Services Technician (EST).

A motion was made by C. Andersen and seconded by C. Martinson to adopt R-17-10-07.

Discussion:

- Mayor Beneville noted that his qualifications were laudable.

At the roll call:

Aye: Brown; Johnson; Martinson; Andersen

Nay:

Abstain:

The motion **CARRIED**.

F. R-17-10-08 A Resolution Proclaiming November 1, 2017 as Extra Mile Day.

A motion was made by C. Brown and seconded by C. Johnson to adopt R-17-10-08.

Discussion:

- Councilman M. Johnson asked how the City determines extra mile citizens.
- Manager Moran explained the same resolution is presented annually and proclaims Nome as an extra mile city. He stated the City didn't identify individual citizens.

At the roll call:

Aye: Johnson; Martinson; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

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

- Assistant Utility Manager Morton presented his verbal report highlighting a recent letter to the Alaska Energy Authority offering the donation of Gensets #9 and #11 from the old power plant to a Utility that might need them. He noted recent discussions about water and wastewater holding tanks in the morgue and that Moonlight Springs is now under video surveillance. He noted NJUS was renewing its insurance for 2018 and that Manager Handeland had agreed to a two year extension on his contract. Assistant Manager Morton explained NJUS will be advertising a vacancy for mechanic/operator at the power plant.
  - Councilman Andersen asked if they found the funds to get water to the morgue and asked which Gensets were designated for backup.
  - Asst. Manager Morton replied they found the funds for water and wastewater holding tanks, but not running water and sewer. He explained that Gensets #12 and #14 could carry the City load.
  - Councilman Brown requested the Gensets be recycled rather than put in the dump, if it came to that.

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

- City Manager Moran presented his written report, highlighting the hiring of a new City Planner, the imminent completion of the second museum exhibit installation, and the Planning Commission's ongoing work addressing potential abatement of properties. He noted the November 13<sup>th</sup> Regular Meeting of the City Council would be canceled due to staff and Council Members traveling to the annual AML conference in Anchorage. The next meeting will be on November 27<sup>th</sup>.

#### **CITIZENS' COMMENTS**

N/A



### **COUNCILMEN'S COMMENTS**

- 1) Councilman Johnson stated he was interested to read about the local DA chasing after a small case over the mishandling of four dog crates. He encouraged the local police department to not pursue such small matters when other work needed to be done.
- 2) Councilman Martinson – no comment.
- 3) Councilman Andersen contended that the ACSA toilet plans were inexpensive and not realistic. He noted the City needed to remind residents and businesses of their responsibility to clear snow from sidewalks adjoining their properties. Councilman Andersen addressed the school budget, wondering why it was blown into such a big deal answering a simple question of how NPS spent the extra \$500,000 in funds. He reiterated his request to speak about the preschool funding sooner rather than later, arguing that the Legislature will play the same games year after year. Councilman Andersen addressed the comment concerning “legal advice” in the paper, stating such language usually indicates something is hidden. He took offense to a hired school employee telling the Council they weren’t giving enough money year after year. He suggested finding a means of holding the School Board accountable for providing a quality education to our youth. He thanked Superintendent Arnold for providing the latest letter that included the replacement list. Councilman Andersen reiterated his position that the City owns the School and is ultimately responsible for it.
- 4) Councilman Brown declared he had a personal interest in the ACSA bathroom project in that his daughter attended ACSA 6<sup>th</sup> grade. He stated that two stalls for 80 kids was insufficient and noted the project was listed at \$325,000 in the School’s capital project list.

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

- Mayor Beneville welcomed Councilman Martinson to the Council and explained his recent absences. He requested that more members of the public attend Planning Commission events because they matter. Mayor Beneville stated his pleasure at hearing Dawn Ubelaker was hired as the Cemetery Manager and thanked Superintendent Arnold for his in-depth response.

### **EXECUTIVE SESSION**

A motion was made by C. Andersen and seconded by C. Johnson to go into executive session to discuss the City’s 2017–2020 Collective Bargaining Agreement negotiation.

The Council recessed at 8:21 PM.

The Council reconvened at 8:36 PM

### **ADJOURNMENT**

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

Hearing no objections, the Nome Common Council adjourned at 8:36 PM.

**APPROVED** and **SIGNED** this 27<sup>th</sup> day of November, 2017.

  
\_\_\_\_\_  
**RICHARD BENEVILLE**  
Mayor

**ATTEST:**

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