

**Mayor**  
Richard Beneville

**Manager**  
Tom Moran

**Clerk**  
Bryant Hammond



**Nome City Council**  
Stan Andersen  
Jerald Brown  
Louie Green, Sr.  
Mark Johnson  
Tom Sparks  
Lew Tobin

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**NOME COMMON COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, AUGUST 14, 2017 @ 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

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**MINUTES  
NOME CITY COUNCIL  
REGULAR MEETING  
August 14, 2017**

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: Louie Green; Mark Johnson; Tom Sparks; Lew Tobin; Stan Andersen; Jerald Brown

Members Absent:

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City Clerk; John Handeland, Utility Manager; Ken Morton, Assistant Utility Manager

In the audience: Sandra Medearis, *Arctic News*; Sandy Martinson; Barb Amarok; Jenny Mills; Steve Eckroate

**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. Sparks to approve the agenda as presented.

At the roll call:

Aye: Brown; Green; Johnson; Sparks; Tobin; Andersen

Nay:

Abstain:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

A. July 24, 2017 City Council Regular Meeting Minutes.

A motion was made by C. Sparks and seconded by C. Tobin to approve the July 24, 2017 minutes.

At the roll call:

Aye: Green; Johnson; Sparks; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

## COMMUNICATIONS

- A. Public Notice of July 21, 2017 re: Proposed Changes on Local Government Notification and Public Objection Process in the Regulations of the Marijuana Control Board.
- B. Email of July 26, 2017 from Alcohol & Marijuana Control Office to Clerk Hammond re: Alcohol and Marijuana License Expiration Dates.
  - Councilman Tobin was surprised by how many licenses had to be renewed this year.
  - Councilman Andersen noted it was appropriate given the upcoming work session concerning alcohol related issues.
- C. Memorandum of July 28, 2017 from Wendy Chamberlain to City of Nome re: 2017 Legislative Session Recap.
  - Councilman Andersen requested an update on HB80 and SB55, as well as an update on requirements concerning enhanced drivers licenses and airport security screening.
- D. Letter of August 1, 2017 from Betty Svensson to Alaska Municipal League Members re: AML Local Government Conference.
  - Councilman Tobin expressed his interest and asked which days would be appropriate.
  - Manager Moran explained the scheduling for the Clerks, Managers, Newly Elected Officials and Electeds.
- E. Article of August 1, 2017 re: *Should the Mat-Su Borough Tax Plastic Shopping Bags?*
  - Councilman Andersen asked why the article was included in the packet.
  - Manager Moran explained the issue had been brought forward in the past, the article was currently under discussion among the Nome Public, and he intended to bring forward a similar ordinance for Nome.
  - Councilman Andersen wished him luck, considering public opinion usually runs against such an ordinance.
- F. Press Release of August 4, 2017 re: Quintillion Names Interim CEO.
- G. Letter of August 7, 2017 from DOC Commissioner Williams to City of Nome, Representative Foster and Senator Olson re: Seaside Halfway House.
  - Councilman Anderson noted the timeliness of the letter and asked for details on why the Seaside Facility was equipped with more beds if the State was in a fiscal crisis.
  - Manager Moran explained the decision to increase the amount of beds was Geocare's rather than the State's, and referred the Council Sandy Martinson, AMCC Superintendent, who was in the audience.
  - Councilman Andersen requested statistics on success rates for rehabilitation of sex offenders.
  - Mayor Beneville requested Ms. Martinson's comments.
  - Ms. Martinson explained the increase in beds was to expand housing for female inmates. She explained the terms of the prior and present contracts for housing inmates, the costs associated, and the restriction imposed by Nome Code of Ordinances. She explained that many sex offenders get released and stuck in Anchorage or Fairbanks and become homeless. Ms. Martinson suggested housing sex offenders at Seaside might increase the availability of rehabilitation services and potential success for transitioning back into society.

- Councilman Tobin requested Robert Weston, Superintendent of Seaside, address the City Council in person.
- Mayor Beneville asked what the average sex offense and length of sentence were.
- Ms. Martinson explained it was difficult to generalize the offenses.
- Councilman Andersen noted that many voting members of the public were against housing sex offenders on Front St.
- Councilman Johnson asked for the ultimate goal of DOC.
- Ms. Martinson explained the goal was to treat sex offenders, preserve the Seaside Facility and treat sex offenders for successful transition into society.

H. Thank You Card from Kevin Smith to Manager Moran re: Nome's Hospitality.

### CITIZENS' COMMENTS

- 1) Barb Amarok spoke in favor of a plastic bag tax before arguing that O-17-07-03 would not decrease public intoxication. She referred to the Nome 2020 Comprehensive Plan, arguing the ordinance did not further the goal stating "Nome will be a community that is dedicated to developing strategies for preventing alcohol misuse by promoting responsible consumption." She noted the strategies for achieving this goal outlined in the Comprehensive Plan and suggested a task force might further the cause. She thanked the Council for being willing to address the issue.
- 2) Jenny Mills noted the problem of people becoming overly intoxicated on Front St. However, she argued that O-17-07-03 wouldn't focus resources in a wise manner, targeting a population having little money or inclination to pay the citation. She noted Police resources should be directed to emergent matters, such as domestic violence and sexual abuse. Furthermore, Ms. Mills argued there were due process issues that would prove problematic in enforcing the ordinance. Ms. Mills touched on the sex offenders in Seaside issue, highlighting AK sentencing laws and noting there was no follow up care in the Villages.
  - Councilman Andersen requested sex offender statistics from the District Attorney's Office.
- 3) Steve Eckroate stated he did not understand why his application for senior exemption from property taxes was denied. He claimed he had never missed a property tax payment in his 23 years of home ownership in Nome, arguing that entitled him to something.
  - Manager Moran explained that property values attach on January 1 of a given tax year, making those that turn 65 afterwards ineligible for a senior exemption for that year.
  - Councilman Tobin asked if penalty and interest could be taken off the account as he argued Mr. Eckroate would have paid on time, had he known he was not exempt.
  - Manager Moran stated he would have to discuss the matter with Finance Director Liew.
  - Mr. Eckroate argued he should have the ability to appeal to the Board of Equalization as he assumed he was getting an exemption and didn't pay attention to his assessment notice.
  - Manager Moran explained that the assessment notice showed the lack of exemption on his property and he had the same amount of time to file an appeal as everyone else in town did.

## **PLANNING AND ZONING**

A. July 11, 2017 Planning Commission Rescheduled Regular Meeting Minutes.

## **NEW BUSINESS**

A. O-17-07-03 An Ordinance Establishing Chapter 10.70 of the Nome Code of Ordinances to Prohibit Intoxication in a Public Right of Way, **First Reading/Discussion.**

A motion was made by C. Andersen and seconded by C. Tobin to advance O-17-07-03.

### Discussion:

- Manager Moran noted the fine schedule attached to the previous version of the ordinance had been deleted.
- Councilman Johnson asked what the point of the ordinance was.
- Manager Moran gave the background on the work session where the Council requested “a menu of options” with which to address inebriation on Front St. As the alleyway between the Seawall and the Visitors’ Center was a platted right-of-way, the ordinance before the Council would expand NPD’s scope of issuing citations where inebriates have historically congregated and consumed alcoholic beverages.
- Councilman Johnson expressed concern the ordinance might target law abiding residents walking between bars, but over the legal limit.
- Councilman Sparks expressed his understanding that the ordinance focused on those that were highly intoxicated and causing issues.

A motion was made by C. Johnson and seconded by C. Green to postpone O-17-07-03 until the September 11, 2017 Regular Meeting.

At the roll call:

Aye: Tobin; Andersen; Green; Johnson

Nay: Sparks; Brown

Abstain:

The motion **CARRIED.**

B. O-17-08-01 An Ordinance Amending Title 18 (Zoning) of the Nome Code of Ordinances to Prohibit the Storage of Junk Motor Vehicles in All Zoning Districts Except for the Industrial District, **First Reading/Discussion.**

A motion was made by C. Andersen and seconded by C. Brown to advance O-17-08-01.

### Discussion:

- Councilman Tobin asked if the ordinance would apply to gold dredges and heavy equipment.
- Manager Moran replied affirmatively.
- Councilman Green argued the ordinance wouldn’t be enforced equally and would be a waste of people’s time.

- Councilman Tobin noted “junk” was allowed in other zoning districts aside from Industrial and asked at what time does a junk motor vehicle just become junk.

At the roll call:

Aye: Andersen; Brown; Sparks; Beneville

Nay: Tobin; Green; Johnson

Abstain:

The motion **CARRIED**.

- C. O-17-08-02 An Ordinance Amending Title 18 (Zoning) of the Nome Code of Ordinances to Change Certain Land Uses on the Nome Zoning Map, **First Reading/Discussion**.

A motion was made by C. Andersen and seconded by C. Brown to advance O-17-08-02.

Discussion:

- Manager Moran gave the background of the ordinance that has been under review by the Planning Commission for almost a year, including public notice and public hearings.

At the roll call:

Aye: Andersen; Brown; Johnson; Tobin

Nay: Green; Sparks

Abstain:

The motion **CARRIED**.

- D. R-17-08-01 A Resolution Authorizing the Purchase of a Tire Shredder from Unlimited Resources Corporation for the Nome Public Works Department.

A motion was made by C. Tobin and seconded by C. Sparks to adopt R-17-08-01.

Discussion:

- Manager Moran gave the background on the RFP and noted Public Works Director Joe Horton was in the audience for potential technical questions.
- Councilman Andersen asked how Director Horton knew the equipment fit the City’s needs and how many times a tire would need to be run through the machine.
- Director Horton explained he had done his research, had spoken to the manufacturers as well as watched videos on YouTube of the equipment in action. He noted tires should only need to be run through once.
- Councilman Green asked how many tires would need to be processed per month.
- Director Horton explained that it would be more efficient for City staff to run tires through twice a year as quantities dictate.
- Councilman Green suggested it would be cheaper to backhaul tires to recycle elsewhere and requested shipping quotes to support the idea.

At the roll call:

Aye: Brown; Sparks; Tobin; Andersen

Nay: Green; Johnson  
Abstain:

The motion **CARRIED**.

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

- Utility Manager Handeland presented his verbal report, highlighting Assistant Manager Morton's increasing involvement in running the Utility. He noted the ongoing legal matter concerning a request for rebate of taxes to the State of Alaska. Manager Handeland noted the year's fuel was still off-shore waiting to be delivered.
  - Councilman Johnson asked if the price of fuel had changed.
  - Manager Handeland explained that the price was locked in at the June rate, fortunately, because the price had increased by 60 cents in the interim.

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

- Manager Moran presented his written report, highlighting the recent visit by Senator Murkowski and upcoming visits by Lt. Governor Mallot and Senator Sullivan.
  - Councilman Andersen asked when Phase II of the Museum installation would be complete.
  - Manager Moran explained a November 10 unveiling was planned and the event would be similar, albeit smaller in scale than the grand opening in 2016.
  - Councilman Andersen requested City Engineer John Blees figure out how to make the bathrooms bigger at Anvil City Science Academy and asked about the recent school roof inspection.
  - Manager Moran explained that both the Elementary School and High School roofs had leaks and that the High School roof's leaks were due to the membranes pitch.
  - Councilman Andersen requested staff look into what the building inspector meant by the GCI stuff in the attic; he requested a written opinion on the City's boilers from Mike West, as well as a maintenance schedule for them; Councilman Andersen requested a status update on the warranty items for the Richard Foster Building.
  - Councilman Tobin asked why Museum Director Chan was quoted as saying Stebbins was not in the Bering Strait Region in the Museum & Library Commission Minutes.
  - Manager Moran explained the quote was in reference to the map on the Library wall and that Stebbins was a little far south and not included.
  - Councilman Andersen expressed frustration in Director Chan making such decisions, where it should be the Museum & Library Commission.

#### **CITIZENS' COMMENTS**

- 1) Utility Manager Handeland noted the rescheduling of the Nome Joint Utility Board meeting to the following week. He explained the ISO inspector was in town recently working on updating the town's fire rating, predicting a favorable rating. Manager Handeland officially announced Fred Moody's passing. Mr. Moody served on the Utility board from 1999 to 2016.

#### **COUNCILMEN'S COMMENTS**

- 1) Councilman Green – no comments.

- 2) Councilman Johnson thanked Superintendent Martinson and the other citizens in the audience for coming to the meeting and sharing their input. He reminded the Council of the people's original intent in not allowing sex offenders to be housed on Front St. He noted there were other methods for treatment, as well as the lack of response to his May 22, 2017 request that the window shades facing Front St be pulled due to lewd gestures from the inmates towards the general public.
- 3) Councilman Sparks expressed frustration at the lack of progress in addressing alcohol issues in town. He asked the Council to try different strategies, see how they work and move forward.
- 4) Councilman Tobin relayed citizen complaints concerning damage to their houses from errant hockey pucks in the vicinity of the rink on 3<sup>rd</sup> Ave. He asked for an update on planning for the Crystal Serenity's visit, noting there didn't seem to be as much hype as there was in 2016. Councilman Tobin complimented Commissioner Lean's idea of using the fire department's heat camera to assess heat leaks in buildings. He suggested a possible amendment to the zoning code, whereby indoor furniture, when left outside, became a violation. Councilman Tobin asked for a progress report on the Aviation Museum.
  - Manager Moran explained the City's intent to move the hockey rink to behind the Rec Center, though due to costs the project kept getting pushed back a year.
  - Mayor Beneville explained the final planning meeting for the Crystal Serenity visit was the following day and that planning was running smoothly. With regards to the Aviation Museum, he thought it had been sold to Arctic Gold Mining.
- 5) Councilman Andersen also requested an update on the status of the Aviation Museum. He thanked Superintendent Martinson for her input and asked her to give his best to the Commissioner next time she spoke with him.
- 6) Councilman Brown – no comments.

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

- Mayor Beneville noted a successful visit from Alaska Municipal League Joint Insurance Association. He briefed the Council on a recent visit to the USCG Healy. He suggested the Coast Guard – Anchorage District change its name to Western Alaska District, feeling the name should reflect its scope. He noted the passing of longtime Nomeite Angelo Buffas.

#### **EXECUTIVE SESSION**

A motion was made by C. Andersen and seconded by C. Sparks to recess into executive session to discuss the 2016 Sales Tax Audit and a possible contract extension with Manager Moran.

The Council recessed at 9:01 PM.

The Council reconvened at 10:45 PM.

**ADJOURNMENT**

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

Hearing no objections, the Nome Common Council adjourned at 10:45 PM.

**APPROVED** and **SIGNED** this 28<sup>th</sup> day of August, 2017.



**RICHARD BENEVILLE**

**Mayor**

**ATTEST:**



**BRYANT HAMMOND**

**Clerk**