

**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, JULY 24, 2017 @ 7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

- I. ROLL CALL
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- III. APPROVAL OF MINUTES
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  - C. Memorandum of July 21, 2017 from City Clerk to Nome Common Council re: Late  
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- VI. PLANNING AND ZONING
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of Nome from Arctic Gold Mining, LLC for the Fixed Price of Ten Thousand  
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- B. O-17-07-04 An Ordinance Amending Section 3.05 of the Nome Code of Ordinances to Limit the Sale of Liquor Products to Between the Hours of 11 A.M. and 9 P.M. at all Locations South of 6<sup>th</sup> Ave on Weekdays and Saturdays and 1 P.M. and 9 P.M. on Sundays,  
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- A. Activity Report: July 11 – July 21,  
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- A. Activity Report: July 11 – July 21,  
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- A. Appointment of Museum & Library Commission Vacant Seat I  
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- B. Activity Report: July 11 – July 21,  
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XIV. EXECUTIVE SESSION

- A. Discussion of a Potential Loss of Tax and Utility Revenue that Could Negatively Affect the City of Nome,  
**VERBAL**

XV. ADJOURNMENT

**MINUTES  
NOME CITY COUNCIL  
REGULAR MEETING  
July 24, 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: Davis Hovey, KNOM; Sandra Medearis, *Arctic News*; Lucas Sawyer; Rick Spoor; Panganga Pungowiyi; Lisa Ellanna; Bridie Trainor

**APPROVAL OF AGENDA**

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

A motion was made by C. Andersen and seconded by C. Sparks to approve the agenda as presented.

A motion was made by C. Andersen and seconded by C. Johnson to amend the agenda by removing O-17-07-04 and O-17-07-05 from New Business.

Discussion:

- Councilman Brown requested the ordinances be added to the next work session.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

Returning to the main motion:

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

### **APPROVAL OF MINUTES**

A. July 6, 2017 City Council Special Meeting Minutes.

A motion was made by C. Tobin and seconded by C. Sparks to approve the July 6, 2017 minutes.

At the roll call:

Aye: Sparks; Tobin; Andersen; Brown; Green

Nay:

Abstain: Johnson

The motion **CARRIED**.

B. July 10, 2017 City Council Regular Meeting Minutes.

A motion was made by C. Sparks and seconded by C. Tobin to approve the July 10, 2017 minutes.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

### **COMMUNICATIONS**

A. Letter of July 13, 2017 from Alcohol & Marijuana Control Office to City of Nome re: License Renewal Application.

- Councilman Andersen requested a list of alcohol and marijuana licenses in Nome with the dates of their renewal.

B. Memorandum of July 13, 2017 from Superintendent Arnold to Board of Education re: FY2018 2<sup>nd</sup> Budget Revision.

- Councilman Andersen requested Mayor Beneville address a letter to School Board Chair Amarok detailing the use of the extra \$450,000 contribution to the Nome Public School budget for F18. With members of the public complaining about an increased tax burden, he asked how the City would cover increasing costs at the City and the Schools.
- Councilman Johnson noted the process didn't allow the City to use the final State allocation in the determination of its contribution amount.
- Councilman Andersen also requested a plan as to how preschool education would be funded when State funding wanes in the next few years.
- Mayor Beneville discussed Superintendent Arnold's recent comment to the School Board that the City of Nome was one of the lowest contributors to school funding of similar sized cities in the state. He felt the comment was hard to swallow and unnecessary, given the 20 percent increase in the City's contribution and the June 27

letter from Superintendent Arnold thanking the Council for supporting the 2017 – 2018 budget.

C. Memorandum of July 21, 2017 from City Clerk to Nome Common Council re: Late Filers,

A motion was made by C. Andersen and seconded by C. Brown to authorize the Clerk to accept the applications as if timely filed.

Discussion:

- Councilman Sparks requested the Clerk ensure they qualify per Nome Code of Ordinances before granting the exemptions.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

D. Flyer re: Summer Cleanup from August 7 – August 11,

- Councilman Tobin requested the summer cleanup and Cemetery Cleanup be advertised broadly.
- Councilman Andersen requested the City develop a policy on commercial businesses using free dump Saturdays.

**CITIZENS' COMMENTS**

- 1) Bridie Trainor, Panganga Pungowiyi, and Lisa Ellanna spoke in regards to issues arising from alcohol and drug abuse and homelessness. Ms. Trainor spoke in support of an excise tax, noting that the idea has been around since 2004, had broad community support and has come close to passing. She noted a sleep off center would address the more highly inebriated individuals that NEST has been struggling with. Ms. Pungowiyi spoke in disagreement with O-17-07-03, stating it would criminalize a health issue. Ms. Ellanna stated that Chief Papasodora wouldn't support the ordinance.
  - Manager Moran noted the fines for being intoxicated in a right-of-way were civil and not criminal and that Chief Papasodora, in fact, supported the ordinance.
  - Councilman Tobin explained that the excise tax issue was not one commonly voiced among his constituents.
  - Ms. Pungowiyi noted alcoholism cost the City a significant amount of money and that an excise tax would allocate resources to address the issue.
  - Councilman Green asked how many inebriates are from Nome and how many originally came to Nome on medical, stating Nome taxpayers are paying for the services provided.
  - Bridie responded about 70 percent of NEST's guest were from the villages and about 20 percent originally came to Nome on medical related travel.
  - Manager Moran suggested a work session on the topic on August 14<sup>th</sup>.
  - Mayor Beneville noted the severity of the problem, stating a friend was now dead because he couldn't afford treatment.

- Councilman Brown requested the research that was provided years before be updated and provided to the Council.
  - Councilman Andersen noted the City couldn't solve the problem alone and requested all stakeholders be invited to the next work session.
- 2) Utility Manager Handeland introduced Ken Morton as the new Assistant Utility Manager, noting people will begin seeing him around town as he settles into his new role.

### **PLANNING AND ZONING**

- A. June 6, 2017 Planning Commission Regular Meeting Minutes.
- Councilman Andersen asked about the status of implementing a Facebook page and if there would be room for people to get into debates on the City's page.
  - Manager Moran explained the process is ongoing and users would not be permitted to post on the City page.
  - Councilman Green asked what the Calcium Chloride did.
  - Manager Moran explained that it binds the dust, helping limit the amount that gets airborne.

### **UNFINISHED BUSINESS**

- A. O-17-07-02 An Ordinance Authorizing the Purchase of Real Property by the City of Nome from Arctic Gold Mining, LLC for the Fixed Price of Ten Thousand Dollars (\$10,000), **Second Reading/Public Hearing/Final Passage.**

For the purpose of holding a public hearing, the Council recessed at 7:46 PM.

#### Discussion:

- Councilman Green asked how many acres were included in the property.
- Councilman Tobin referred him to the plat on page 46 of his packet.

The Council reconvened at 7:47 PM.

A motion was made by C. Andersen and seconded by C. Tobin to adopt O-17-07-02.

#### Discussion:

- Councilman Johnson declared a conflict of interest as he served as the contract CFO for Arctic Gold Mining, LLC.
- Mayor Beneville requested Councilman Johnson vote.
- Councilman Andersen reiterated his point that AGM should donate the land.

At the roll call:

Aye: Andersen; Brown; Green; Sparks; Tobin

Nay:

Abstain: Johnson

The motion **CARRIED.**

## **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. Sparks to advance O-17-07-03.

### Discussion:

- Manager Moran explained the City Attorney advised splitting the ordinance into two separate ordinances to separate the new offense with the updating of the fines table. The opinion was received after the packet was published and distributed.

A motion was made by C. Johnson and seconded by C. Green to postpone O-17-07-03 to the August 14, 2017 Regular Meeting.

At the roll call:

Aye: Green; Johnson; Andersen; Brown

Nay: Sparks; Tobin

Abstain:

The motion **CARRIED.**

## **CITY ATTORNEY'S REPORT**

- A. Memorandum of April 7, 2017 Re: Council & Mayor Conflicts of Interest.
- Councilman Tobin requested a copy be kept in Council Chambers rather than printed in the packet for each meeting.

## **UTILITY MANAGER'S REPORT**

- Utility Manager Handeland presented his verbal report and distributed a letter concerning a potential laundromat in town, current NJUS financial statements as well as the 2016 audit report. He noted the clean opinion on the audit and gave some background on the potential laundromat. Manager Handeland noted Nome made the Department of Environmental Conservation's Drinking Water program list which, if accepted, \$1 million of the loan would be forgiven. He noted Council approval would be needed. Manager Handeland updated the Council on Port Rd Lot 7, noting the property would most likely be declared a Formerly Used Defense Site (FUDS), which would allow for assistance in addressing contamination issues.
  - Mayor Beneville asked for an update on the fuel loan.
  - Manager Handeland explained the fuel transfer will occur in September, allowing for fewer tanker loads. He noted the rate was locked in and wouldn't change in the meantime.
  - Councilman Tobin asked for an update on the Moonlight Springs project.
  - Manager Handeland explained the summer crew was trenching and placing conduit for the project.

## **CITY MANAGER'S REPORT**

- Manager Moran presented his written report. He noted with sadness the loss of Lance Cannon and that a service was scheduled for Thursday July 27<sup>th</sup>. He noted that Ms. Bechtol, City Planner, had submitted her resignation and briefed the Council on upcoming ordinances coming out of the Planning Commission. Manager Moran announced the departure of Seiji Heck and Caitlin LeClair and the arrival of Dorothy Canerelli as a new hire and Deputy Clerk Nederhood's return from maternity leave.
  - Councilman Tobin asked if the City had arranged for a spot in town to store road surface course gravel.
  - Manager Moran noted the point was well taken and staff was working on it.
  - Councilman Andersen expressed irritation on Department of Corrections Commissioner Williams recent visit, stating he should have involved the Council in the first place as the ordinance regulating Seaside inmates can only be changed by the Council.
  - Councilman Andersen suggested any funds acquired through the vacation of Block 116 rights-of-way be allocated to ambulance or fire truck replacement.
  - Councilman Andersen reiterated his request for Building Inspector Smith to do a walkthrough of the school buildings and the school apartments.
  - Councilman Andersen suggested performing a sales tax audit annually.
  - Councilman Andersen asked for details on the Parks & Rec t-shirt printer and the pool's maintenance project.
  - Manager Moran explained Tundra Tee was not interested in making t-shirts for the City and that pool project was nearly complete.
  - Councilman Johnson asked for details on the Nome Campground, noting it wasn't very inviting. He expressed interest in developing a better site.
  - Manager Moran explained 2016 had seven tenants and three so far in 2017. He noted the campground didn't generate any revenue but was a stopgap solution until something better could be developed.
  - Mayor Beneville spoke on the value of tourism to the Nome economy.
  - Councilman Johnson praised the public works equipment list, saying it would be helpful in the budgeting process.
  - Councilman Green requested a mechanics opinion on each piece of equipment.
  - Councilman Tobin wished Eileen Bechtol well and asked if Anvil Mountain Correctional Center still painted the school bus stops.
  - Manager Moran explained the Public Works Department now maintained the bus stops.

## **CITIZENS' COMMENTS**

N/A

## **COUNCILMEN'S COMMENTS**

- 1) Councilman Johnson reiterated his request to develop a nicer campground for visitors and asked that the City not acquiesce to the Department of Corrections intentions to house sex offenders at the Seaside Facility on Front Street.
- 2) Councilman Sparks agreed with Councilman Johnson on not allowing Seaside to house sex offenders at their Front Street facility.

- 3) Councilman Tobin reiterated his request for a schedule of Norton Sound Health Corporation board and committee meetings. He asked if the speed monitoring signs would work over the winter. Councilman Tobin offered his condolences to Manager Moran on the passing of his father.
- 4) Councilman Andersen stated NSHC meetings were posted on their website. He requested a copy of the original regulations for Seaside. Councilman Andersen asked for a status update on the City Manager's contract renewal.

A motion was made by C. Andersen and seconded by C. Brown to renew City Manager Moran's contract, contingent upon coming to satisfactory agreement on terms.

Discussion:

- Councilman Green requested more time to review performance evaluations.
- Mayor Beneville noted Councilmembers had the prior two weeks to review the performance evaluations.

At the roll call:

Aye: Sparks; Tobin; Andersen; Brown

Nay: Green

Abstain: Johnson

The motion **CARRIED**.

- 5) Councilman Brown offered a contingent congratulations to Manager Moran, as well as his condolences.
- 6) Councilman Green stated it was time to go home.

**MAYOR'S COMMENTS AND REPORT**

- Mayor Beneville also requested the original regulations and concerns voiced over the Seaside facility. He stated the need for public facilities and a laundromat through a story of someone micturating on a dredge bucket on Front Street. He noted the lack of signage at the old cemetery and asked whose responsibility it was. Mayor Beneville thanked public works for their dust control efforts, congratulated Doug Johnson, Jay Wieler, and Nate Perkins on their recent retirements, and extended the City's collective sadness to the City Manager.
- Mayor Beneville nominated Lucas Sawyer to Seat I of the Museum and Library Commission.

A motion was made by C. Andersen and seconded by C. Brown to confirm Mr. Sawyer's nomination to the Museum and Library Commission.

At the roll call:

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

Nay:  
Abstain:

The motion **CARRIED**.

**EXECUTIVE SESSION**

A motion was made by C. Andersen and seconded by C. Tobin to recess into executive session to discuss a potential loss of tax and utility revenue that could negatively affect the City of Nome.

The Council recessed at 9:17 PM.


The Council reconvened at 9:43 PM.

**ADJOURNMENT**

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

Hearing no objections, the Nome Common Council adjourned at 9:43 PM.

**APPROVED and SIGNED** this 14<sup>th</sup> day of August, 2017.

  
**RICHARD BENEVILLE**  
Mayor

**ATTEST:**

  
**BRYANT HAMMOND**  
Clerk