

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
May 22, 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; Julie Liew, Finance Director

In the audience: Davis Hovey, KNOM; Sandra Medearis, *Arctic News*; Jamie Burgess; Jacob Phillips; Joe Horton; Lisa Leeper; Barb Amarok; Kent Runion; Lizzie Hahn

APPROVAL OF AGENDA

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

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

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. May 8, 2017 City Council Regular Meeting Minutes.

A motion was made by C. Sparks and seconded by C. Tobin to approve the May 8, 2017 minutes.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of May 5, 2017 from Giselle Belle Bourgeois to City of Nome re: Mental Health Test.
 - Councilman Johnson asked how this was relevant to the City of Nome.
 - Mayor Beneville said that he had asked for the letter to be included in the packet.
- B. Press Release of May 5, 2017 from Nome Volunteer Fire Department re: Teller BSRH/Foster House Fire.
 - The Council commended the Fire Department on their response.
- C. Email of May 9, 2017 from Jake Kenick to Manager Moran re: Ice and Snow Removal Ordinance.
- D. Card from Nome Nordic to Nome Common Council re: Thank You for Your Support.
- E. Flyer re: Spring Clean-Up from May 27 – June 4.

CITIZENS' COMMENTS

- 1) Lizzie Hahn, a middle school student at Anvil City Science Academy, voiced her concern over inebriates on Front Street. She spoke of fighting and arguments using language that she would not be allowed to repeat. She asked that the City of Nome address the issue and suggested maintaining a watch list at the package stores to limit public inebriation.

UNFINISHED BUSINESS

- A. O-17-04-01 An Ordinance Amending Chapter 16 (Streets, Sidewalks, and Public Places) of the Nome Code of Ordinances, **Second Reading/Public Hearing/Final Passage.**

For the purpose of holding a public hearing, the Council recessed at 7:10 PM.

Discussion:

- John Handeland responded to the City Attorney's memo, stating that his concerns from the May 8th meeting remained. He recognized the reasoning behind the ordinance pertaining to Front Street, though he felt the same reasoning didn't hold for some of the less trafficked sidewalks. He asked if the City would ticket Pat Krier, owner of the Polar Bar and Café, the same as they would ticket the Community Garden at the corner of Bering and Seppala. He suggested either the State take care of it or perhaps tear the sidewalks up if somebody has to clean them.

The Council reconvened at 7:16 PM.

A motion was made by C. Andersen and seconded by C. Sparks to adopt O-17-04-01.

Discussion:

- Manager Moran clarified that the current ordinance required the removal of snow from sidewalks.

- Councilman Andersen explained that snow removal was traditionally done only during Iditarod and only Front Street and Bering Street up to Hanson's.
- Manager Moran summarized the issues over Iditarod 2017 pertaining to the build-up of ice on the sidewalks and the subsequent clearing of ice off sidewalks by the City Roads Crew.
- Councilman Green asked if the City had coordinated with AKDOT.
- Manager Moran explained that the City cleared the sidewalks itself because the road was closed off for Iditarod.
- Councilman Johnson suggested coordinating with Seaside to have inmates clear ice from the sidewalks. He asked how the ordinance was currently enforced.
- Manager Moran explained the Roads Crew relayed information to City Hall and the City Clerk would pass it to NPD or the Building Inspector.
- Councilman Tobin questioned the word "modest," stating he had seen people clearing for days.
- Councilman Andersen stated that the City could get sued, citing a case in which the City was enjoined in a suit against Hanson's.
- Councilman Brown suggested changing the language from "snow" to "hazards."
- Mayor Beneville asked how permafrost thaw and settling ground would be dealt with.
- Councilman Johnson asked why the Council should fix something that was not broken.

A motion to amend was made by C. Brown and seconded by C. Andersen to insert "from the intersection of 4th Avenue and Bering Street, south to Front Street, proceeding east to Campbell Way, and west to the Mini Convention Center" after "sidewalk" in section 16.15.010.

Discussion:

- Councilman Brown suggested the City focus on high traffic areas so as not to present an undue burden on property owners adjacent to low traffic areas.

At the roll call:

Aye: Andersen; Brown

Nay: Green; Johnson; Sparks; Tobin

Abstain:

The motion to amend **FAILED**.

Returning to the main motion:

At the roll call:

Aye: Andersen; Brown; Sparks

Nay: Johnson; Tobin; Green; Beneville

Abstain:

The motion **FAILED**.

- B. O-17-05-02 An Ordinance Amending Title 18 (Zoning) of the Nome Code of Ordinances, **Second Reading/Public Hearing/Final Passage.**

For the purpose of holding a public hearing, the Council recessed at 7:37 PM.

The Council reconvened at 7:37 PM.

A motion was made by C. Sparks and seconded by C. Brown to adopt O-17-05-02.

Discussion:

- Councilman Brown clarified the Ordinance was only copying the definition of junk motor vehicles from one section of the Nome Code of Ordinances to another.
- Manager Moran concurred and explained that the Planning Commission was examining zoning and any changes would come before the Council through the ordinance process.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

NEW BUSINESS

- A. O-17-05-04 An Ordinance Granting a Vacation of Right-of-Way Application in Block 116, **First Reading/Discussion.**

A motion was made by C. Tobin and seconded by C. Brown to advance O-17-05-04.

Discussion:

- Manager Moran briefed the Council on previous Council action from 2014.
- Councilman Tobin requested that the original application be presented in the June 26th packet.
- Councilman Sparks requested a right of reversion clause, were NSHC not to proceed with the project as indicated.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- B. Memorandum of May 19, 2017 from Finance Director to City Council re: FY17 Budget Amendments.
- C. O-17-06-01 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome General Fund Municipal Budget and Exercising the Power to Assess and Authorizing the Levy of a General Property Tax, **First Reading/Discussion.**

A motion was made by C. Andersen and seconded by C. Tobin to advance O-17-06-01.

Discussion:

- Councilman Andersen clarified the amount of the contribution to Nome Public Schools and asked about the procedure were the Council to amend the amount in R-17-05-02.
- Manager Moran explained that there would have to be an amendment at 2nd reading on June 12th.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- D. O-17-06-02 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome School Debt Service Fund Budget, **First Reading/Discussion**.

A motion was made by C. Sparks and seconded by C. Brown to advance O-17-06-02.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- E. O-17-06-03 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome Special Revenue Fund Budget, **First Reading/Discussion**.

A motion was made by C. Sparks and seconded by C. Tobin to advance O-17-06-03.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- F. O-17-06-04 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome Capital Projects Fund Budget, **First Reading/Discussion**.

A motion was made by C. Sparks and seconded by C. Tobin to advance O-17-06-04.

At the roll call:

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

Nay:
Abstain:

The motion **CARRIED**.

- G. O-17-06-05 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome Construction Capital Projects Fund Budget, **First Reading/Discussion**.

A motion was made by C. Sparks and seconded by C. Tobin to advance O-17-06-05.

At the roll call:
Aye: Tobin; Andersen; Brown; Green; Johnson; Sparks
Nay:
Abstain:

The motion **CARRIED**.

- H. O-17-06-06 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome Port of Nome Fund Budget, **First Reading/Discussion**.

A motion was made by C. Tobin and seconded by C. Brown to advance O-17-06-06.

Discussion:

- Councilman Johnson asked if the budget presented was now balanced.
- Manager Moran replied affirmatively.

At the roll call:
Aye: Andersen; Brown; Green; Johnson; Sparks; Tobin
Nay:
Abstain:

The motion **CARRIED**.

- I. O-17-06-07 An Ordinance to Establish, Approve and Adopt the FY 2018 City of Nome Port of Nome Capital Projects Fund Budget, **First Reading/Discussion**.

A motion was made by C. Tobin and seconded by C. Sparks to advance O-17-06-07.

At the roll call:
Aye: Brown; Green; Johnson; Sparks; Tobin; Andersen
Nay:
Abstain:

The motion **CARRIED**.

- J. R-17-05-02 A Resolution Setting the City of Nome Contribution for the FY 2018 Nome School District Budget.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-17-05-02.

Discussion:

- Councilman Andersen expressed confusion, stating that the contribution amounts changed each time the Nome Public Schools budget was presented to the Council with no justification. He asked for an explanation.
- Manager Moran explained that the Council decided on the \$2.5 million contribution at a noon work session at which Councilman Andersen was absent. Nome Public Schools didn't have time to change the budget before it was presented to the School Board for final passage, but Finance Director Liew was directed to build the budget at \$2.5 million anyway.
- Councilman Andersen asked what the public was going to get for the extra \$52,000.
- Manager Moran explained that additional funds would simply assist in the maintenance of existing jobs, not the creation of new jobs or services.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

K. R-17-05-03 A Resolution Setting the City of Nome Mill Rate for 2017.

A motion was made by C. Tobin and seconded by C. Sparks to adopt R-17-05-03.

Discussion:

- Councilman Sparks said that he was glad to see the mill rate set at 10, as he was planning to propose an amendment.
- Councilman Johnson expressed appreciation at the show of support for a lower mill rate.
- Councilman Andersen asserted that the mill rate would just have to go back up in the future.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

L. R-17-05-04 A Resolution Proclaiming June 10, 2017 as Lemonade Day Nome.

A motion was made by C. Sparks and seconded by C. Tobin to adopt R-17-05-04.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- M. R-17-05-05 A Resolution Requesting FY 2018 Payment in Lieu of Taxes Funding from the Department of Commerce, Community, and Economic Development.

A motion was made by C. Sparks and seconded by C. Tobin to adopt R-17-05-05.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

- N. R-17-05-06 A Resolution Approving the Renewal Application for a Correctional Facility Permit within the City of Nome by Geo Care, Inc., **Public Hearing**.

For the purpose of holding a public hearing, the Council recessed at 8:01 PM.

Discussion:

- John Handeland spoke in support of the permit, giving an overview of the first permitting process and explaining that in 20 years since the authorization, history has shown GeoCare's benefit to the community. He stated that he hoped to see the benefits continue.

The Council reconvened at 8:04 PM.

A motion was made by C. Andersen and seconded by C. Tobin to adopt R-17-05-06.

Discussion:

- Councilman Andersen asked if they were current on taxes and if there had ever been any issues.
- Chief Papasodora stated that there had been one escapee that was taken back into custody shortly thereafter.
- Councilman Johnson asked that window shades facing Front Street be a stipulation, citing past instances of lewd gestures by inmates. He followed by asking for more community service projects involving inmates.
- Councilman Tobin requested that the City sponsor someone as a third party supervisor so that the City would actually be able to use inmates on such community service projects.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

UTILITY MANAGER'S REPORT

- Utility Manager Handeland presented his verbal report highlighting the overhaul of the Wärtstillä generator, the filing of their fuel tax appeal with the State, the mechanical condition of the Utility's backhoe, the official designation of Port Road Lot 7 as a formerly used defense site, and the process of changing out meters capable of remote disconnect.
 - Councilman Tobin asked if there would be a reconnect fee with the new meters.
 - Manager Handeland stated that there would be, as the process would still incur costs.
 - Councilman Tobin asked if the Utility was going to announce it was time to turn off circulating pumps.
 - Manager Handeland said that it was past time, though he never turned his off because the two or three dollars he would save was not worth the risk of a freeze up if he forgot to turn it back on.
 - Councilman Andersen asked if special accommodations could be made to support a laundry in Nome. He expressed the desire to see someone open a laundromat.
 - Councilman Johnson suggested a combination carwash, laundry, bathroom, and shower facility at the Port.

CITY MANAGER'S REPORT

- Manager Moran presented his written report highlighting the next day's meetings and the City of Nome/Sitnasuak picnic on June 23rd.
 - Councilman Andersen asked why the USCG Admiral was coming to Nome.
 - Manager Moran explained that the purpose of the visit was to evaluate the National Guard Hangar for the possibility of a seasonal FOL (forward operating location). He noted that the Port Director had been in contact with the Coast Guard and would be showing them other assets in Nome that might assist their mission.

CITIZENS' COMMENTS

N/A

COUNCILMEN'S COMMENTS

- 1) Councilman Brown – no comment.
- 2) Councilman Green – no comment.
- 3) Councilman Johnson – no comment.
- 4) Councilman Sparks suggested that the Planning Commission further evaluate the issue concerning the clearing of sidewalks.
- 5) Councilman Tobin noted that he saw the first dredge working offshore recently. He asked if the bill authorizing Lyft and Uber would affect Nome.
 - Councilman Andersen explained that the bill reserved all regulation of such companies to the State of Alaska.
 - Councilman Tobin asked about sales tax.

- Manager Moran said that an amendment for sales tax had been added to the bill, though he wasn't sure how the City would logistically collect it without being able to license and regulate the individual businesses.
- 6) Councilman Andersen expressed his disdain for O-17-05-01, stating that Arctic Gold Mining should be donating land to the Fire Department rather than trying to make a profit off a volunteer emergency services organization. He requested City staff write a letter to corporate headquarters requested the donation of the land. Councilman Andersen requested cemetery markers be produced at their original height, be soaked in creosote, given two coats of paint, and placed deep and stable enough that they didn't fall over.

MAYOR'S COMMENTS AND REPORT


- Mayor Beneville reiterated his request for the Port Commission vacancy to be re-advertised and placed on the agenda for June 12th.
- Mayor Beneville noted that he was impressed with Superintendent Weston and the entire GeoCare facility. He added that he was happy to see Councilman Andersen pushing cemetery issues again.

ADJOURNMENT

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

Hearing no objections, the Nome Common Council adjourned at 8:37 PM.

APPROVED and SIGNED this 12th day of June, 2017.


RICHARD BENEVILLE
Mayor

ATTEST:


THOMAS MORAN
Manager