

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, APRIL 10, 2017 @ 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

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- A. Activity Report: March 28 – April 7,
VERBAL

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**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
April 10, 2017**

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

ROLL CALL

Members Present: Louie Green; Jerald Brown; Mark Johnson; Tom Sparks; Lew Tobin

Members Absent: Stan Andersen (excused)

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; John Handeland, Utility Manager

In the audience: Tyler Stup, KNOM; Sandra Medearis, *Arctic News*; Elizabeth Dillman; Lucas Frost; Jake Kenick; Janet Balice; Leonard Lastine; Sandy Martinson; Meghan Ten Eyck; Chuck Wheeler; Sandra Keller; Sierra Tucker & Trace; Teriscovka Smith; Thomas Vaden; Nikki Nash; Ronald Horner; Betsy Brennan; Nancy Bahnke; Jennifer Reader; Kim Erickson; Cory Erickson; Elizabeth Korenek-Johnson, Lyndsay & Talan; Paula & Kara Johanson; Dan & Janeen Sullivan; Jon Berkeley; Jodi Arnold; Kent Runion; Jamie Burgess; Barb Amarok; Angie Gorn; Suzanne Thomas

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. Green to approve the agenda as presented.

At the roll call:

Aye: Brown; Green; Johnson; Tobin; Sparks

Nay:

Abstain:

The motion **CARRIED**.

ADMINISTRATION OF OATHS OF OFFICE

Chief Papasodora administered the oath for Police Officer Wade Harrison.

APPROVAL OF MINUTES

A. March 27, 2017 City Council Regular Meeting Minutes.

A motion was made by C. Tobin and seconded by C. Sparks to approve the minutes.

At the roll call:

Aye: Green; Johnson; Brown; Sparks; Tobin

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of April 3, 2017 from Mayor Beneville to Postmaster Brennan re: Support for the Creation of a Stamp Honoring Reindeer Herders.
- B. Letter of April 3, 2017 from Thomas Vaden to Nome Common Council re: Cost of Healthcare.
- C. Letter of April 4, 2017 from Chief Erickson to Manager Moran re: Resignation.
 - Councilman Tobin inquired as to the process of selecting another Chief.
 - Manager Moran explained the process and said a resolution confirming the next Chief would be on the next agenda.
- D. Letter of April 6, 2017 from Manager Moran to Senator Olson re: State Income Tax.
 - Councilman Tobin took issue with the wording "on behalf of the entire City of Nome."
 - Manager Moran stated he would use different wording in the future.

CITIZENS' COMMENTS

- 1) Charlie Lean remarked that the loss of Chief Erickson was a loss to the City and requested a resolution honoring her service and dedication to NVAD. Mr. Lean also expressed concern over aspects of the MOA between the City and Norton Sound Health Corporation (NSHC), most notably operational control and protocols.
- 2) Elizabeth Fillman, Assistant Principal at Nome Elementary, requested increased monetary assistance from the City of Nome.
- 3) Wes Perkins thanked Manager Moran for getting a draft agreement drawn up with NSHC, noting that the MOA was two years in the making and not cast in stone. He stated Ms. Erickson would be a tough act to follow, given her dedication to the department. Mr. Perkins noted the majority of EMTs on the department were only BLS certified and that paramedics could assist in training of the lower certifications.
- 4) Steve Longley took issue with R-17-03-01 rescinding a taxicab permit from each Peter's LLC and Checker Cab LLC, complaining that the matter was not handled well procedurally. He admitted a taxi cab had a value of \$10,000 and that the public noticing should have been more robust. He took issue with the City not enforcing drug screening for chauffeurs and certified mechanic inspections for vehicles.
- 5) Tom Vaden stated that former Chief Erickson received the Governor's Award for excellence in EMS and asked for formal recognition of her service. He asked that the Council carefully review the MOA with NSHC, noting the potential for a paramedic's higher certification to usurp a NVAD volunteer's authority on a call.

- 6) Dan Sullivan thanked the Council for supporting Nome Public Schools (NPS) and asked the Council to increase their financial contribution.
- 7) Sandy Keller thanked the City Council for supporting NPS, noting several success stories.
- 8) Megan Ten Eyck stated that the City of Nome wouldn't be able to erase the gap in funding, though it could help close it a little. She explained the need for instructional aids in the classroom and prioritized them over supplies.
- 9) Elizabeth Korenek-Johnson explained that Nome-Beltz High School has graduated various leaders, adding that she will be the next Elementary School Principal if the Board of Education approves her hire. She stated that the 2017 property assessments were accurate and that she was willing to pay. She requested an increase in school funding from the City.
- 10) Cash Arrington, a ten year old student at Anvil City Science Academy, thanked the City Council for their efforts in helping the schools through the current funding cuts.
- 11) Taylor Gorn, Lindsay Johnson, & Kara Johanson, students at Nome Elementary School, asked the City Council to save the Librarian and the physical education program.
- 12) Janeen Sullivan thanked Council members for their service to the community. She explained that she understood the need for property taxes to fund essential services and stated that a first class city deserved a first class education system. She requested the City Council increase its contribution to the NPS budget.
- 13) Betsy Brennan explained that the entire community had a stake in education, as it prepared youth for being productive future citizens. She stated NPS needed a bigger contribution this year and asked that the Council hold the mill rate steady to fund it.
- 14) Chuck Wheeler took issue with the 2017 assessments. He explained current difficulties faced by NJUS concerning repair and replacement of infrastructure and Banner Wind Farm. He requested more citizens show up at Nome Joint Utility Board meetings.
- 15) Angie Gorn, as a parent, asked that the Council support NPS. Ms. Gorn also spoke from her perspective as CEO of NSHC, highlighting the positives coming out of the hospital. She recognized Councilman Andersen's dedication and noted with excitement the recent agreement between NSHC and the City of Nome. Ms. Gorn stated that NSHC was open to working with partners and agreed that ambulance volunteer burnout must be avoided. She highlighted the recent community needs assessment and the improvements the hospital has been making.
 - Councilman Sparks asked for clarification on the billing issue.
 - Manager Moran summarized the issue and noted the resolution in the MOA as the best option without dedicating significant legal resources to fight the issue.
 - Councilman Johnson asked for clarification on the past due bills.
 - Manager Moran explained the agreement reached with NSHC regarding the Federal Compact.
- 16) Jennifer Reader asked the Council to increase the City's contribution to NPS. She stated that the revised burial charges for the cemetery were going to be difficult for some families to deal with and asked why the Council would fix something that was not broken.

- 17) Jake Kenick stated he was a Class of 1992 Nome-Beltz graduate and felt that the coming year's funding was a scary picture. He suggested closing the pool to save money.
- 18) Barb Amarok stated that she was a property owner and member of the Board of Education. She suggested raising taxes to support the needs of the community. Ms. Amarok also thanked the Council, on behalf of the Bering Sea Women's Group, for the support of DART.
- 19) Nancy Bahnke thanked the Council for their service to the community and support of NPS. She requested creative problem solving in bridging the gap in school funding.
- 20) Suzanne Thomas, a 10-year teacher at Nome Beltz High School, noted the great support from the community and that Nome really pulled together when needed. She requested an increase in the City's contribution to NPS.

PLANNING & ZONING

- A. March 7, 2017 Planning Commission Regular Meeting Minutes.

UNFINISHED BUSINESS

- A. O-17-03-02 An Ordinance Creating Chapter 14 of the Nome Code of Ordinances to Regulate the Nome Municipal Cemetery, **Second Reading/Public Hearing/Final Passage.**

For the purpose of holding a public hearing, the Council recessed at 8:22 PM.

The Council reconvened at 8:22 PM.

A motion was made by C. Sparks and seconded by C. Brown to adopt O-17-03-02.

Discussion:

- Councilman Sparks suggested City Administration remain mindful of financial hardships of citizens and potentially develop a waiver. He requested regulations and fee schedules be brought before the Council.
- Councilman Tobin suggested that there should be one point of contact for burial issues.
- Manager Moran explained that everything got done at City Hall, but he would be mindful of the issue.

A motion to amend was made by C. Sparks and seconded by C. Brown to modify all language specifying job responsibilities to "City Manager or his designee."

At the roll call:

Aye: Tobin; Brown; Johnson; Sparks

Nay: Green

Abstain:

The motion to amend **CARRIED.**

Returning to the main motion:

- Councilman Sparks stated the ordinance would be good to have on the books because it provided direction.
- Councilman Tobin asked to keep the fees separate so the rules were nice and simple.
- Councilman Johnson asked to see FY18 fees when they were ready.

At the roll call:

Aye: Tobin; Brown; Green; Johnson; Sparks

Nay:

Abstain:

The motion **CARRIED**.

- B. O-17-03-03 An Ordinance Amending Chapter 17.10 (Sales Tax) of the Nome Code of Ordinances, **Second Reading/Public Hearing/Final Passage**.

For the purpose of holding a public hearing, the Council recessed at 8:35 PM.

Discussion:

- Chuck Wheeler suggested that the sales tax was against state law because it did not originate through a voter's petition. He went further to contend that only 25% of the voters passed the measure.
- Councilman Sparks clarified that the present ordinance exempted pull tabs from the sales tax that Mr. Wheeler disagreed with.

The Council reconvened at 8:39 PM.

A motion was made by C. Brown and seconded by C. Sparks to adopt O-17-03-03.

Discussion:

- Councilman Johnson declared a conflict of interest, stating he did the books for several charities that sold pull tabs.

A motion was made by C. Tobin and seconded by C. Green to also exempt heating fuel from the additional 2% seasonal sales tax.

At the roll call:

Aye: Tobin; Green; Sparks

Nay: Brown; Sparks

Abstain: Johnson

The motion to amend **FAILED**.

A motion to amend was made by C. Brown and seconded by C. Tobin to add the language "by Nome-based organizations that primarily benefit the citizens of

Nome” to NCO 17.10.010(b) after “on the sale of pull tabs.”

Discussion:

- Councilman Tobin suggested it would be difficult to regulate.
- Councilman Sparks stated he was not in favor of it due to that very thing.
- Councilman Johnson explained the industry was regulated enough that it wouldn't be that difficult to administer.

At the roll call:

Aye: Brown; Green

Nay: Sparks; Tobin

Abstain: Johnson

The motion to amend **FAILED**.

A motion to amend was made by C. Brown and seconded by C. Tobin to strike the added text in NCO 17.10.010 in its entirety, leaving the change in NCO 17.10.020.

Discussion:

- Councilman Johnson noted student organizations didn't pay sales tax anyway.
- Councilman Brown explained the change ensured that the City didn't have a law on the books that the City didn't follow.
- Councilman Johnson argued that the amendment missed the original point of the ordinance. He stated that the City of Nome would be making more money off a box of pull tabs than the charity, which made pull tab sales unfeasible.

At the roll call:

Aye: Brown; Green; Tobin

Nay: Sparks;

Abstain: Johnson

The motion to amend **FAILED**.

Returning to the main motion:

At the roll call:

Aye: Brown; Green

Nay: Tobin; Sparks

Abstain: Johnson

The motion **FAILED**.

NEW BUSINESS

A. R-17-04-01 A Resolution Supporting the Disability Abuse Response Team (DART).

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

At the roll call:

Aye: Brown; Green; Tobin; Johnson; Sparks

Nay:

Abstain:

The motion to **CARRIED**.

B. R-17-04-02 A Resolution Supporting Passage of SB 100 Authorizing Municipal Liens.

A motion was made by C. Tobin and seconded by C. Sparks to adopt R-17-04-02.

Discussion:

- Councilman Brown asked how this was different than what the City has done with liens in the past.
- Manager Moran explained that the City was able to file some liens, though the bill would clarify some potentially gray areas.
- Manager Handeland explained that the Utility was able to get a judgment against an individual, though was not currently able to file a lien against a property for delinquent utility bills.
- Councilman Tobin noted the point of the resolution was to support other municipalities in the state.
- Manager Moran explained that the City of Nome and the Alaska Municipal League were seeking more local control for municipalities, rather than abdicating control to Juneau, and that this would be another tool in the toolbox.

At the roll call:

Aye: Brown; Green; Tobin; Sparks; Johnson

Nay:

Abstain:

The motion **CARRIED**.

C. R-17-04-03 A Resolution Naming Nathan Barron Alley.

A motion was made by C. Sparks and seconded by C. Johnson to adopt R-17-04-03.

Discussion:

- Councilman Tobin liked the idea of personalizing City buildings and streets.
- Mayor Beneville expressed concern over naming things after someone still living.

At the roll call:

Aye: Green; Tobin; Sparks; Johnson; Brown

Nay:

Abstain:

The motion **CARRIED**.

CITY ATTORNEY'S REPORT

A. Memorandum of April 7, 2017 re: Conflicts of Interest.

- Councilman Tobin reminded the Council that he was nominated by the City to serve on the Chamber Board.
- Councilman Johnson noted that he and Jerald were also on the Board, summarizing the situation as small town politics at its best.
- Councilman Sparks explained that if there was the possibility for the appearance of impropriety, he would declare a conflict and recused himself.
- Councilman Johnson disagreed with the attorney's opinion regarding individuals serving on boards, citing the number of boards that leaders in small towns are forced to serve on.
- Councilman Tobin argued that Mayor Beneville was a direct beneficiary of travel funds from the Chamber of Commerce.
- Councilman Brown suggested that the Chamber was the beneficiary of such funds, rather than the Mayor.
- The Council agreed that the issue was relevant and should be revisited.

UTILITY MANAGER'S REPORT

- Utility Manager Handeland presented his verbal report, with some key highlights.
- Utility Board Member Wheeler and Manager Handeland attended an energy workshop in Kotzebue the previous week.
- He updated the Council on the water/sewer master plan progress and how the priorities fit into upcoming DOT projects. He reported that he would be meeting with USDA to discuss current funding programs later in the week.
 - Mayor Beneville asked if DOT was changing their project schedules.
 - Manager Moran noted the State Transportation Improvement Program (STIP) was pushed back slightly, though the City was still pushing the Bering and Steadman requests.
 - Manager Handeland stated that NJUS intended to get the utility work completed before the road work began.
 - Councilman Sparks commended NJUS on how it handled the Bering water main break.
 - Councilman Johnson echoed the commendation on clearing the drains as the snow melted.
 - Manager Handeland noted the 24-hour hotline for future issues and asked that citizens inform him via the hotline rather than complaining on Nome Rant.

CITY MANAGER'S REPORT

- Manager Moran presented his written report, highlighted upcoming retirements and the MOA between the City and NSHC.
 - Councilman Sparks clarified that the City of Nome was still the ambulance provider for Nome and that everyone in the community would be billed the same.
 - Manager Moran confirmed that a preliminary agreement had been reached, with the City agreeing to accept the Medicare-like rates for some patients and not balance billing. He noted that NSHC had agreed to assist the Ambulance Department under the agreement in other ways to make up for that lower rate.
 - Councilman Tobin asked how non-natives would be treated.

- Manager Moran stated that each insurer has its own allowable rate. He let the Council know that the MOA would be forthcoming.
- Councilman Johnson asked about the procedural process for property assessments with regards to the Council.
- Manager Moran explained the assessment, appeal, and Board of Equalization processes. He highlighted the revaluation of undervalued mineral surveys.
- Councilman Johnson noted there was a major change and asked if there should be more involvement with the Council.
- Manager Moran stated that the Council usually addressed issues such as these through adjusting the mill rate, though it might be possible to ask the Assessor to revalue the entire City. This, however, would trigger the need for the mailing of new assessment notices and delay the budgeting process.
- Councilman Johnson applauded the employee of the month, though he asked why the City of Nome would employ someone in Washington.

CITIZENS' COMMENTS

- 1) Chuck Wheeler stated that the assessors didn't understand the market in Nome. He added that the City should shut down the swimming pool to save money. He noted the 90,000 gallons of heating fuel used by the City of Nome and suggested the City begin deferred maintenance. He complained about undercharging for services, including electricity and emergency medical services, to those outside of Nome. He finished by suggesting the City rename the Nome pool the "Nome Lifesaving Facility" and increase the hours for open swim.
- 2) Charlie Lean clarified that there were huge gains in the MOA between the City and NSHC, though there were still issues that needed thorough review, including insurance coverage for volunteers and supervisory control.
 - Manager Moran stated that the MOA would be going before NVAD volunteers for commentary.
 - Councilman Sparks asked what the issue concerning supervisory control was.
 - Mr. Lean explained that when on an ambulance call, the person holding the highest certification had operational control. The wording in the agreement suggested that a NSHC employee on a call would be under direct NSHC supervisory control, superseding NVAD protocol and policy. He suggested language clarifying that all responding medics be required to follow NVAD protocol and policy regardless of lines of employment supervision. He also asked for language stating the sponsoring physician and Ambulance Chief would serve as lead on all operational issues, rather than City of Nome Administration.
- 3) Tyler Stup spoke in favor the Nome Swimming Pool, noting the importance of learning how to swim in a safe and controlled environment. He also noted that screens were not a good substitute for live teaching. He stated that funding education could present difficult choices, and reminded the Council that their successors were currently in the school system.

COUNCILMEN'S COMMENTS

- 1) Councilman Brown noted that he would not be present at the April 12th work session. He also stated that just because someone stated something at the podium, it was not necessarily true.
- 2) Councilman Green stated that he may also not be present at the work session.
- 3) Councilman Johnson thanked Vickie Erickson for her dedicated service to the community of Nome.
- 4) Councilman Sparks stated that he would not be present for the work session. He requested a resolution of appreciation for Vickie Erickson on the next agenda. He expressed gratitude that issues with NVAD were moving forward.
- 5) Councilman Tobin appreciated the positive feelings of trust from the large audience and compared such to recent recall elections in another Alaska municipality. He also suggested not believing everything you think.

MAYOR'S COMMENTS AND REPORT

- Mayor Beneville noted it was a difficult time on the Council with discussion of the budget. He explained that the Council was prioritizing and deciding the future of the City. He appreciated the Council and City Staff working hard to do what's best for the City of Nome.
- He congratulated Liz Korenek-Johnson on her recent promotion to Elementary School Principal.
- He suggested getting creative in figuring out how to get more money into the City of Nome and requested that the public send ideas to his PO Box.
- Mayor Beneville mourned the loss of Jack Carpenter who had just passed.

ADJOURNMENT

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

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

APPROVED and SIGNED this 8th day of May, 2017.



RICHARD BENEVILLE

Mayor

ATTEST:



BRYANT HAMMOND
City Clerk