

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
March 27, 2017**

The regular meeting of the Nome City Council was called to order at 7:02 PM by Mayor Beneville in Council Chambers of City Hall, located at 102 Division Street.

ROLL CALL

Members Present: Stan Andersen; Louie Green; Jerald Brown; Mark Johnson (telephonically); Tom Sparks; Lew Tobin

Members Absent:

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City Clerk; John Handeland, Utility Manager; Vickie Erickson, Ambulance Chief

In the audience: Davis Hovey, KNOM; Sandra Medearis, *Arctic News*; Shawn Arnold; Jennifer Reader; Brandy Arrington; Tom Vaden; Charlie Lean; Ken Hughes; Kim Bishop; Greg Bishop; Nikki Nash; Sean Penetac; Seiji Heck; Rodney Jones; Wes Perkins

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. Brown to approve the agenda as presented.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

ADMINISTRATION OF OATHS OF OFFICE

Chief Papasodora administered the oaths for Officer Johnson, Officer Murray, Officer Toolie, and Officer Tomas Paniataaq.

APPROVAL OF MINUTES

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

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

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of February 6, 2017 from Pearl Johnson, Kawerak Reindeer Herders' Association, and the Midnight Sun Reindeer Ranch to Mayor Beneville and City Council re: Stamp Honoring Alaska Reindeer Herders.
 - Councilman Tobin requested that the Clerk draft a letter for the Mayor's signature.
- B. Letter of March 1, 2017 from Mayor Beneville to Governor Walker re: Arctic Deep Draft Port Support.
- C. Memo of March 23, 2017 from City Clerk to City Council re: Late Exemption Applications.

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

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

CITIZENS' COMMENTS

- 1) Charlie Lean gave a brief history of the Nome Volunteer Ambulance Department (NVAD) and its administrative beginnings, noting that the City of Nome stepped up when Norton Sound Health Corporation (NSHC) couldn't run the department. He highlighted the expertise that had been developed through the department and the respect the department received in Western Alaska. He asked that the City of Nome support the department and help it continue.
 - Councilman Sparks asked what the City could do.
 - Mr. Lean asked that support be provided through training, equipment, and respect for the hardworking volunteers.
- 2) Tom Vaden made two requests of the City Council. He requested that all emergency services in Nome be run by the City. He also requested that the Council direct their NSHC Board Representative to begin proceedings to terminate Angie Gorn and Chris Bolton. He explained that his first request was standard operating procedure for other municipalities and noted the expertise the City had in the Ambulance, Fire, and Police Departments.
 - Councilman Sparks asked why one patient who called an ambulance wouldn't incur costs the same costs as another.
 - Councilman Andersen suggested Mr. Vaden attend the next Board meeting.

- Councilman Tobin noted that allegedly some NSHC Staff was not allowed to talk to the NSHC Board.
- 3) Wes Perkins noted that the relationship between NVAD and NSHC had changed over recent years. Regarding NSHC refusing to pay for some services rendered, he explained that it was tantamount to cheating the volunteers. He explained that NSHC relied on professionals who fly in for short periods and then leave again. Mr. Perkins added that something needed to happen to help move things forward.
 - Councilman Green asked where the holdup was and requested that Councilman Andersen obtain information on why discussions were stalled.
 - 4) Vickie Erickson explained the attrition in NVAD volunteers over the past two years and discussed the relationship between NVAD and NSHC. She noted that every time she was in the hospital, she felt like she was being scorned. Chief Erickson asked why NSHC didn't feel that the ambulance service was worth paying for, adding that NVAD didn't hang the hospital out to dry when they stumbled while administering the same service decades ago. Chief Erickson requested NVAD be the only 9-1-1 service in Nome.
 - Councilman Johnson suggested the Mayor appoint a special commission to address Ambulance Department issues.
 - Councilman Tobin suggested a joint meeting between the Board and the Council.
 - 5) Kenny Hughes praised NVAD and stated his support for all previous comments. He noted severe reprimands for NSHC Staff posting on social media. Mr. Hughes voiced his support for the 2% pull tab exemption and added that all items over \$1,000 should have a similar exemption. He took issue with some of the Cemetery Ordinance wording, calling it redundant. Mr. Hughes stated that he disagreed with the attorney's opinion on sales tax of gold sales.
 - 6) Shawn Arnold passed out a letter discussing the impacts of the budget cuts to the community, noting that Nome Public Schools hadn't had to cut positions since the 1980s.
 - Councilman Andersen requested a work session before the next Council meeting, as well as detailed written figures ahead of time.
 - 7) John Handeland praised NSHC because the employees gave their hearts to their jobs. He noted that it was time to bury the hatchet and suggested that the public make comments at the next Board meeting.

PLANNING & ZONING

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

UNFINISHED BUSINESS

- A. O-17-03-01 An Ordinance Adopting the Port of Nome Tariff No. 13 to Replace All Existing Tariffs of the Port of Nome, **Second Reading/Public Hearing/Final Passage.**

For the purpose of holding a public hearing, the Council recessed at 8:30 PM.

Discussion:

- Kenny Hughes stated that the tariff was a good update. He praised the Port Commission and asked the Council pass the ordinance.

The Council reconvened at 8:31 PM.

A motion was made by C. Andersen and seconded by C. Brown to adopt O-17-03-01.

Discussion:

- Manager Moran noted that despite the recommendation from the 2013 Northern Economics study to increase rates, the rates in the tariff held steady and in some cases decreased.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

NEW BUSINESS

- A. O-17-03-02 An Ordinance Creating Chapter 14 of the Nome Code of Ordinances to Regulate the Nome Municipal Cemetery, **First Reading/Discussion**.

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

Discussion:

- Councilman Sparks asked for prices and fees associated with grave preparation be brought to the Council.
- Manager Moran suggested adding fees into the ordinance at a later date if the Council so desired.
- Councilman Tobin noted that some of the assigned roles seemed disparate to what was currently happening.
- Manager Moran said that amendments could be made at second reading to make all roles "the City Manager or his designee."

At the roll call:

Aye: Sparks; Tobin; Andersen; Brown; Green

Nay:

Abstain:

The motion **CARRIED**.

- B. O-17-03-03 An Ordinance Amending Chapter 17.10 (Sales Tax) of the Nome Code of Ordinances, **First Reading/Discussion**.

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

Discussion:

- Councilman Tobin stated that he didn't agree with the way some of the proceeds from pull-tabs were donated. He felt that the City would be able to better allocate the funds and should not exempt pull-tabs from the seasonal sales tax increase.
- Councilman Johnson asked why the City of Nome should make more money than the licensee or the vendor.
- Councilman Brown stated that private entities could better and more efficiently allocate the funds than the City of Nome. He framed the question as whether or not to exempt the industry from the seasonal increase.
- Councilman Sparks noted that the sales tax should be paid by the consumer and that it was a choice to be negatively affected by the sales tax increase.
- Councilman Johnson called that argument impractical due to the nature of pull-tab sales.
- Councilman Andersen agreed, stating that pull-tab sales primarily occurred in bars and at a certain point, they wouldn't make enough for the effort.
- Councilman Tobin asked why Councilman Johnson hadn't recused himself, as several pull-tab vendors were his clients and he has recused himself in similar circumstances.
- Councilman Johnson declared a conflict of interest.
- Mayor Beneville ruled that Councilman Johnson was eligible to vote.

At the roll call:

Aye: Brown; Johnson; Andersen; Beneville

Nay: Green; Sparks; Tobin

Abstain:

The motion **CARRIED**.

C. R-17-03-01 A Resolution Rescinding One (1) Taxicab License from Peters LLC, and Rescinding One (1) Taxicab License from Nome Checker Cab LLC.

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

Discussion:

- Manager Moran noted a typo in the agenda that was not present on the resolution itself. He apologized for the confusion.
- Councilman Andersen asked if the City would hold the two licenses in reserve.
- Manager Moran explained that the Council could periodically set the number of licenses per ordinance.
- Councilman Sparks noted that ordinance provided for the revocation of licenses if they had lapsed or were unsafe. Without such conditions, he stated that he was not in favor of rescinding licenses.
- Councilman Green asked if the two licenses in question were hurting the City.
- Councilman Tobin stated that the high number of cabs was driving cab drivers' wages down.
- Councilman Johnson declared a conflict of interest because Checker Cab was one of his clients.

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

The motion **CARRIED**.

- D. R-17-03-02 A Resolution Approving a Contract with Altman, Rogers & Co. for Audit Services for the Fiscal Year 2017.

A motion was made Councilman Andersen and seconded by Councilman Brown to adopt R-17-03-02.

Discussion:

- Manager Moran advocated for continuity of services.

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

The motion **CARRIED**.

- E. R-17-03-03 A Resolution Awarding the Bids from the March 23, 2017 Surplus Vehicle Auction for Unclaimed, Forfeited, and Abandoned Vehicles.

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

Discussion:

- Manager Moran explained that the remaining vehicles would be going to the Monofill, and also asked for the amendment of a typo on the resolution.

A motion to amend was made by C. Sparks and seconded by C. Andersen to change the winning bid amount from \$336.00 to \$331.00.

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

The motion to amend **CARRIED**.

Returning to the main motion:

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

The motion **CARRIED**.

UTILITY MANAGER'S REPORT

- Utility Manager Handeland presented his verbal report.
- Unfortunately, an air quality parameter on one the generators was missed. NJUS was working steadfastly to fix the deficiency.
- The Air Force required more time for internal consideration of environmental remediation on Lot 7 of Port Road.
- The Utility was working to verify all the NSEDC energy subsidy applicants.
 - Councilman Andersen requested copies of NJUS Board meeting minutes be provided as soon as practicable.

CITY MANAGER'S REPORT

- Manager Moran presented his written report.
 - Councilman Andersen asked who was responsible for door freeze-ups at the Richard Foster Building and requested that the issue be brought to the architects' and engineers' attention at the next teleconference.
 - Councilman Andersen requested an update on the two remaining properties that were placed on the abatement list during the 2016 summer.
 - Councilman Sparks asked if there was a way to recoup staff costs incurred while assisting production companies, adding that the companies should bear the expense rather than taxpayers.
 - Councilman Sparks suggested that the admission fee at the Museum was stopping people from going and asked that Staff find a way to increase local access.

CITIZENS' COMMENTS

- 1) Vickie Erickson asked when the next in-town NSHC Board meeting would be.
 - Councilman Andersen explained that there were committee meetings scheduled in Nome in April.
- 2) Kenny Hughes argued that gold sales should be exempt from sales tax because gold was a raw commodity like fish. He stated that 33 states had specifically exempted gold from sales tax. He requested that the City increase its focus on economic development. Mr. Hughes praised Pacific Waste Services for their hard work.
 - Councilman Andersen requested a clarification on gold and sales tax from the City Attorney. He added that the issue had already been discussed for decades.

COUNCILMEN'S COMMENTS

- 1) Councilman Andersen requested an ordinance be drafted naming a City street for Nathan "Red" Barron.
- 2) Councilman Brown – no comments.
- 3) Councilman Green asked how long the City would hold the foreclosed properties.

- Manager Moran explained that the Council would have to designate the properties for public use or put them up for auction. The last record owner would have the right of repurchase until that time.
- 4) Councilman Johnson stated that he didn't want to see the gold rush city's relationship with gold killed through taxation. He argued that excessive taxation would drive money from town and asked the City to promote business instead.
- 5) Councilman Sparks expressed concern over the situation with NVAD. He agreed that the City of Nome should be the 9-1-1 provider. He stated that when he had called the ambulance, he had paid for the service. Councilman Sparks requested an update on the vacant structure registration and explained that he felt strongly about keeping the zoning in his neighborhood as Residential.
- 6) Councilman Tobin asked who set the date for the Midnight Sun Festival and asked who requested the strip of snow down Front Street for Iditarod.
 - Manager Moran said that the City had no vested interest in Summer Solstice festivities, so it was up to the Chamber of Commerce. He added that he had expressed an opinion on the topic, but wished that he hadn't. He also noted that the Iditarod Trail Committee had requested the strip of snow.

MAYOR'S COMMENTS AND REPORT


- Mayor Beneville expressed concern over the NVAD/NSHC relationship.
- He set the date for the Midnight Sun Festival as the weekend of June 17th.
- He requested Public Works sand the intersections at 1st and Bering, as well as K and Front.
- He noted that the Iditarod went smoothly this year and suggested more advertising happen prior to the 2018 event.

ADJOURNMENT

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

Hearing no objections, the Nome Common Council adjourned at 10:25PM.

APPROVED and SIGNED this 10th day of April, 2017.


RICHARD BENEVILLE
Mayor

ATTEST:



THOMAS MORAN
City Manager