

**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  
WORK SESSION & REGULAR MEETING AGENDA  
MONDAY, JANUARY 9, 2017 @ 5:30/7:00 PM  
COUNCIL CHAMBERS IN CITY HALL**

**WORK SESSION, 5:30 PM:**

- Presentation of Funding Proposals for NSEDC's 2016 Community Benefit Share,  
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**REGULAR MEETING, 7:00 PM:**

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- K. Thank You Card From Nome Kennel Club to Nome Common Council re: support of 2016 Nome-Council 200 Sled Dog Race,

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- C. R-17-01-02 A Resolution Authorizing the City Manager to Enter into an Agreement with Rolland Trowbridge to Assist with the Maintenance and Operation of the City of Nome's Radio and Communication Equipment,  
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X. CITY MANAGER'S REPORT

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XII. CITIZENS' COMMENTS

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XIV. MAYOR'S COMMENTS AND REPORT

A. Activity Report: December 13 – January 6,  
**VERBAL**

XVI. ADJOURNMENT

**MINUTES  
NOME CITY COUNCIL  
REGULAR MEETING  
January 9, 2017**

The Regular meeting of the Nome City Council was called to order at 7:11 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; Lew Tobin

Members Absent: Tom Sparks (excused)

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City; Julie Liew, Finance Director

In the audience: Davis Hovey, KNOM; Sandra Medearis; Sue Steinacher; Steve Longley; Rodney Jones; Bob Hafner; Brenda Menadelook; Emory Chuck Wheeler; Bridie Trainor; Deb Trowbridge; Rhonda Schneider; Barb Amarok; Karin Siëbenmorgen; Mia Siëbenmorgen; Kristin Riall; Michael Cresswell; James Ventress

**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. Johnson to approve the agenda as presented.

At the roll call:

Aye: Brown; Green; Johnson; Andersen; Tobin

Nay:

Abstain:

The motion **CARRIED**.

**APPROVAL OF MINUTES**

A. December 12, 2016 City Council Regular Meeting Minutes.

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

At the roll call:

Aye: Green; Johnson; Andersen; Brown; Tobin

Nay:

Abstain:

The motion **CARRIED**.

## COMMUNICATIONS

- A. Letter of December 8, 2016 from Alaska Congressional Delegation to President Obama re: Objection to OCS Lease Withdrawal.
- B. Senator Murkowski Press Release of December 10, 2016 re: Water Infrastructure Bill to Become Law.
  - Councilman Andersen noted the bill did not allocate any funding and asked how it advanced the City of Nome's goals.
  - Manager Moran explained and Port Director Baker confirmed the bill required the Corps of Engineers to take national security as well as economic aspects into account when evaluating the costs and benefits.
- C. Letter of December 15, 2016 from Alcohol & Marijuana Control Office to City of Nome re: Breakers Bar License Renewal.
  - Councilman Tobin requested staff delay response, pending comments from the public.
- D. Press Release of December 15, 2016 re: State Cuts and Closures to Date.
- E. Letter of December 19, 2016 from Debbie Peacock to City Council re: Elders' Property Tax Exemptions.

A motion was made by C. Andersen and seconded by C. Brown to exempt \$150,000 in assessed value of Ms. Evans' property and forgive the penalty and interest arising from her delinquency.

### Discussion:

- Councilman Brown asked if Ms. Evans had applied for the 2017 exemption.
- Manager Moran disputed Ms. Peacock's claim that Nome was the only city that required annual filings for senior exemption.
- Mayor Beneville asked if the Council could expect similar late filers next year.
- Manager Moran and Clerk Hammond explained the mailings and notice process.

At the roll call:

Aye: Green; Johnson; Andersen; Brown; Tobin

Nay:

Abstain:

The motion **CARRIED**.

- F. Letter of December 27, 2016 from AK Alcohol & Marijuana Control Office to City of Nome re: Arctic Native Brotherhood License Renewal.
- G. Thank You Card of December, 2016 from Representative Foster to City of Nome re: Richard Foster Building Grand Opening.
- H. Christmas Card from MAT / SAR K9 Team to City of Nome.

- I. Email of January 4, 2017 from Senator Sullivan to Mayor Beneville re: State Ivory Bans.
- J. Memo of January 5, 2017 from Clerk Hammond to Nome Common Council re: Late Filers.
- Councilman Andersen asked why NANA Management Services had applied.
  - Clerk Hammond noted they applied under the educational category, citing meals served to students.
  - Councilman Brown asked how many traditionally exempt organizations had missed the new deadline and if the Clerk's Office tracked such figures.
  - Clerk Hammond explained the process he went through to inform past exemption recipients of the new deadline.

A motion was made by C. Andersen and seconded by C. Tobin to waive the Methodist Church's failure to make timely application and authorize the Clerk to accept the application as if timely filed.

At the roll call:

Aye: Green; Johnson; Andersen; Brown; Tobin

Nay:

Abstain:

The motion **CARRIED.**

A motion was made by C. Andersen and seconded by C. Brown to waive NANA Management Services failure to make timely application and authorize the Clerk to accept the application as if timely filed.

Discussion:

- Councilman Brown asked if the City would have granted the application, had the organization filed on time.
- Manager Moran explained the process through which purchases were made on behalf of an exempt organization.
- Councilman Andersen noted that work for a non-profit or educational organization was not necessarily tax exempt.

At the roll call:

Aye:

Nay: Green; Johnson; Andersen; Brown; Tobin

Abstain:

**The motion FAILED.**

- K. Thank You Card From Nome Kennel Club to Nome Common Council re: support of 2016 Nome-Council 200 Sled Dog Race.

### **CITIZENS' COMMENTS**

- 1) Chuck Wheeler noted that Ms. Evans may have not known she needed to file annually.

- 2) Rodney Jones of Nome Checker Cab spoke in opposition of the transfer of taxi licenses from EZ Enterprises to Peters, LLC, citing allegations from the December 12, 2016 meeting and raising the issue of an EZ Cab driver operating without a Chauffeur's license. He reiterated his opinion that there were too many cab licenses for the demand in Nome and asked the Council to rescind those requested for transfer.
- 3) Steve Longley of EZ Enterprises made several allegations of illegal activities occurring in the course of Mr. Jones' business activities. Mr. Longley noted he was in good standing with the City and was looking to retire from the business. He requested the Council approve the transfer and put the two resulting cab companies on equal footing.
  - Councilman Andersen asked who checked the chauffeurs' licenses.
  - Manager Moran explained such would be the purview of NPD.
- 4) Peter Lee, owner of Mr. Kab, refuted the Mr. Jones' claims that Mr. Kab operated four cabs under three licenses. He explained his fourth vehicle was a backup for breakdowns, citing long downtimes for repairs.
  - Councilman Andersen asked if Mr. Kab was planning to acquire three more vehicles.
  - Mr. Lee noted that he didn't need all three cabs.
  - Councilman Tobin asked about rush seasons.
  - Mr. Lee noted Iditarod and PFD as rush seasons and that he would use four cabs all the time, but would like the other two for backups.
- 5) Seijiro Heck, cab driver for Nome Checker Cab, explained how each cab was tied to a single license and that working with the City can take time, making transferring the license on weekends problematic. Mr. Heck noted that chauffeurs' licenses are a tool through which the City ensures public safety and that circumventing the licensing process was counterproductive to City goals. He asked what the consequences were for operating without a chauffeurs' license.
- 6) Chief Papasodora noted that NPD could not pull over vehicles without reason. However, NPD would check for a license if given reason to stop a vehicle. He noted the company and individual could be subject to fines and the vehicle subject to impound. He explained that NPD had issued a warning to Mr. Longley earlier, as he was driving a cab, though with no passengers onboard.
  - Manager Moran referred the Council to the code in their packet referring to the infraction and the fine.
- 7) Sunny Song explained the previous City Manager allowed her to switch out vehicles VINs as long as the business owner possessed commercial insurance. She noted that such past practice was followed recently in the instance where Mr. Jones continued to allege wrongdoing. She finished stating she just wanted to have fun and provide a good service to Nome.

## **PLANNING AND ZONING**

### **A. 16-12-06 Planning Commission Regular Meeting Minutes.**

## UNFINISHED BUSINESS

- A. R-17-01-01 A Resolution Approving the Transfer of Three (3) Taxi Licenses from EZ Enterprises LLC to Peters LLC (D/B/A Mr. Kab).

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

### Discussion

- Councilman Tobin noted that cab drivers were making far less than minimum wage, based on the reported sales tax.
- Manager Moran noted that Mr. Jones had offered to relinquish a license if fewer than three were transferred.
- Councilman Andersen stated each company should have four permits.
- Councilman Johnson noted that Checker Cab was a client and declared a conflict of interest.
- Mayor Beneville accepted the declaration but noted that Councilman Johnson could still engage in discussion.
- Councilman Green noted there was a value invested in the taxi license.
- Councilman Brown noted that the Council sets the number of taxi licenses from year to year.
- Clerk Hammond referred the Council to 3.10.108(b) where the licensee "shall not have a vested right in the license."
- Manager Moran noted there were 13 taxi licenses currently.
- Councilman Tobin suggested rescinding on taxi license from Nome Checker Cab and allowing the transfer of two licenses.
- Councilman Green suggested letting the cab companies work it out.
- Councilman Johnson asked if the taxi and chauffeurs licenses that had lapsed on January were 1<sup>st</sup> were remedied.
- Clerk Hammond stated that according to the Nome Code of Ordinances they had lapsed.
- Manager Moran noted the letter sent by Sales Tax Clerk Bernhardt stating the deadline as January 31.
- Councilman Johnson noted the administrative error and Mayor Beneville stated that because of such error, the licenses had not lapsed.

A motion to amend was made by C. Andersen to transfer one license from EZ Enterprises to Peters, LLC.

The motion to amend **FAILED**.

A motion to amend was made by C. Tobin and seconded by C. Brown to allow the transfer of two licenses from EZ Enterprises to Peters, LLC and to rescind one license from Nome Checker Cab, resulting in 11 total licenses.

Sandra Medearis called a point of order, asking for a restatement of the motion.

The motion to amend was restated.



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

The motion to amend **FAILED**.

A motion to amend was made by C. Andersen and seconded by C. Brown to allow the transfer of one license from EZ Enterprises to Peters, LLC, rescind two licenses from EZ Enterprises, and to rescind one license from Nome Checker Cab.

Discussion:

- Councilman Brown requested the approval of the transfer, followed by a work session in the near future to evaluate the number of licenses needed to meet demand in Nome, with the understanding that the total number of licenses could be reduced.
- Councilman Tobin asked if the licensees should have to pay the fees knowing that the license may be rescinded.
- Councilman Brown noted the expense was minimal.
- Councilman Green stated he wouldn't vote for the transfer, arguing the cab companies should work it out for themselves.

C. Andersen withdrew his motion.

A motion was made by C. Andersen and seconded by C. Tobin to table R-17-01-01 until the January 23, 2017 Regular Meeting.

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

The motion to table **FAILED**.

Returning to the main motion:

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

The motion **FAILED**.

**NEW BUSINESS**

- A. O-17-01-01 An Ordinance Approving the 2017 Operations and Maintenance Budget for Nome Joint Utility System, **FIRST READING/DISCUSSION**.

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

Discussion:

- Councilman Andersen requested the audit report be presented at the second reading.

At the roll call:

Aye: Tobin; Andersen; Brown; Green; Johnson

Nay:

Abstain:

The motion **CARRIED**.

- B. O-17-01-02 An Ordinance Authorizing the Sale of Surplus Real Property Owned by the City of Nome, to Wit the Old Museum and Library Building on Front Street, **FIRST READING/DISCUSSION**.

A motion was made by C. Andersen and seconded by C. Brown to advance O-17-01-02.

Discussion:

- Councilman Green asked if a minimum bid was required.
- Manager explained that sealed bids would be solicited from the public and a minimum bid would be the assessed value of the property. If the minimum bid were not achieved, the City would be able to enter into negotiations with non-profits.

At the roll call:

Aye: Tobin; Andersen; Brown; Green; Johnson

Nay:

Abstain:

The motion **CARRIED**.

- C. R-17-01-02 A Resolution Authorizing the City Manager to Enter into an Agreement with Rolland Trowbridge to Assist with the Maintenance and Operation of the City of Nome's Radio and Communication Equipment.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-17-01-02.

Discussion:

- Manager Moran explained how repairs were handled in the past.
- Chief Papasodora explained the maintenance requirements of the system and the benefits of having someone local on an on-call basis.
- Councilman Johnson asked for and received clarification on the procurement policy and what contracts might come before the Council by way of resolution.

At the roll call:

Aye: Tobin; Andersen; Brown; Green; Johnson

Nay:

Abstain:

The motion **CARRIED**.

D. R-17-01-03 A Resolution Approving Updates to the Nome Hazard Mitigation Plan.

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

At the roll call:

Aye: Tobin; Andersen; Brown; Green; Johnson

Nay:

Abstain:

The motion **CARRIED**.

**CITY ATTORNEY'S REPORT**

N/A

**UTILITY MANAGER'S REPORT**

- Activity Report: December 13 – January 6.

**CITY MANAGER'S REPORT**

- Manager Moran presented his written report and highlighted some of the issues surrounding snow removal over the previous month. He noted there would be a work session covering pull tabs and the seasonal sales tax on January 23 and went over some details concerning the City's water truck.

**CITIZENS' COMMENTS**

N/A

**COUNCILMEN'S COMMENTS**

- 1) Councilman Tobin asked about the admissions schedule for the museum.
  - Manager Moran stated the admissions schedule and explained the facility's budget incorporated the admissions fees.
- 2) Councilman Andersen requested the Council pick a starting place for the NSEDC funds and made several suggestions for Staff to include in a resolution for the January 23<sup>rd</sup> meeting.
- 3) Councilman Brown requested that taxi cab licenses be added to the work session on January 23<sup>rd</sup>. He noted he would be out of town on February 13<sup>th</sup> and asked to be excused.

- 4) Councilman Green asked why City employees needed to bring a vehicle home with them and requested a copy of the vehicle use policy be printed in the paper to educate the public.
- 5) Councilman Johnson agreed with Councilman Green, stating the town was small enough to drive to a work vehicle to start it in the morning. He thanked Kevin Zweifel for his comments on the pool and stated the need to work out greater hours of access for both the pool and the rec center. He requested Parks & Rec Director Leeper be present at the next budget Work Session.

**MAYOR'S COMMENTS AND REPORT**

- Mayor Beneville thanked the Council and staff for their work on all the issues discussed.

**EXECUTIVE SESSION**

N/A

**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 9:16 PM.

**APPROVED and SIGNED** this 23<sup>rd</sup> day of January, 2017.

  
\_\_\_\_\_  
**RICHARD BENEVILLE**  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
**BRYANT HAMMOND**  
City Clerk