

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, DECEMBER 12, 2016 @ 6:00/7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

WORK SESSION, 6:00 PM:

- Discussion of Low Income Housing Proposal for City Owned Land (Block 79A),
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REGULAR MEETING, 7:00 PM:

I. ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- A. November 28, 2016 City Council Regular Meeting Minutes,
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IV. COMMUNICATIONS

- A. Letter of November 30, 2016 from Spruce Lynch to City of Nome re: Snow Removal Commendation,
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- B. Email of November 30, 2016 from Global Aquaponics to Manager Moran re: Arctic Produce,
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- C. Letter of December 8, 2016 from Alcohol and Marijuana Control Office to City of Nome re: New License Application,
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- D. White House Press Release of December 6, 2016 re: National Pearl Harbor Remembrance Day,
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- E. Flyer from Kawerak Backhaul Program re: E-Waste Recycling: December 24, 2016 to January 1, 2017,
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V. CITIZENS' COMMENTS

VII. UNFINISHED BUSINESS

- A. O-16-11-02 An Ordinance Amending Section 2 of the Nome Code of Ordinances to Require that All Candidates for Every Elected and Appointed Office are Current in All Undisputed Financial Obligations Owed to the City of Nome,
SECOND READING/PUBLIC HEARING/FINAL PASSAGE,
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IX. NEW BUSINESS

- A. Discussion of a Request from EZ Enterprises LLC to Transfer Three (3) Taxi Licenses to Peters LLC,
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- B. R-16-12-01 A Resolution Approving a Memorandum of Agreement Between the State of Alaska Department of Transportation and Public Facilities and The City of Nome for Winter Road Maintenance,
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- C. R-16-12-02 A Resolution Endorsing Projects and Position Statements for the City of Nome 2017 Federal Legislative Priorities,
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- D. R-16-12-03 A Resolution Endorsing Projects and Position Statements for the City of Nome 2017 State Legislative Priorities,
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- E. R-16-12-04 A Resolution Proclaiming December 12, 2016 as Alaska Legal Services Day,
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IX. UTILITY MANAGER'S REPORT

- A. Activity Report: November 29 – December 9, 2016,
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X. CITY MANAGER'S REPORT

- A. Activity Report: November 29 – December 9, 2016,
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- B. Port Projects Status Report: November 2016,
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- C. Memo from Finance Director Liew re: FY18 Budgeting,
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XII. CITIZENS' COMMENTSXIII. COUNCILMEN'S COMMENTSXIV. MAYOR'S COMMENTS AND REPORT

- A. Appointment of Vacant Planning Commission Seat B,
PAGE 111
- B. Activity Report: November 29 – December 9, 2016,
VERBAL

XVI. ADJOURNMENT

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
December 12, 2016**

The Regular meeting of the Nome City Council was called to order at 7:08 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; Tom Sparks; Lew Tobin

Members Absent:

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City Clerk; John Handeland, NJUS Manager; Shawn Arnold, Nome Public Schools

In the audience: Davis Hovey, KNOM; Sandra Medearis; Ken Hughes; Glen Pardy; Sue Steinacher; Steve Longley; Rodney Jones; Bob Hafner

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. Brown to approve the agenda as presented.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. November 28, 2016 City Council Regular Meeting Minutes.

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

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of November 30, 2016 from Spruce Lynch to City of Nome re: Snow Removal Commendation.
- B. Email of November 30, 2016 from Global Aquaponics to Manager Moran re: Arctic Produce.
- C. Letter of December 8, 2016 from Alcohol and Marijuana Control Office to City of Nome re: New License Application.
 - Councilman Andersen requested the City delay response, pending potential public input.
- D. White House Press Release of December 6, 2016 re: National Pearl Harbor Remembrance Day.
- E. Flyer from Kawerak Backhaul Program re: E-Waste Recycling: December 24, 2016 to January 1, 2017.

CITIZENS' COMMENTS

- 1) Rodney Jones, owner of Nome Checker Cab, spoke against the transfer of three taxicab licenses from EZ Enterprises to Peters, LLC, arguing that there were too many licenses for cab drivers to make an adequate wage. He also asked for a designated loading zone near the corner of 4th and Bering to mitigate the risk for accidents.
- 2) Steve Longley, owner of EZ Enterprises, disagreed with Mr. Jones, arguing his business was profitable though he wanted to retire. He asked the Council approve his request.
- 3) Ken Hughes thanked the City for their focus on addressing Nome dust issues. He requested stronger language be placed in the memorandum of agreement between the Department of Transportation and the City of Nome.
- 4) Bob Hafner spoke against O-16-11-02, arguing the ordinance makes local government less accessible for "the little man." Mr. Hafner also spoke against the recently passed seasonal sales tax ordinance, saying it negatively impacted charitable organizations by encroaching on gaming profits.
- 5) Shawn Arnold, Superintendent of Nome Public Schools, informed the Council that Friday was the last day before the holiday break and cordially invited the public to the holiday program at the Elementary School on Wednesday.

UNFINISHED BUSINESS

- A. O-16-11-02 An Ordinance Amending Section 2 of the Nome Code of Ordinances to Require that All Candidates for Every Elected and Appointed Office are Current in All Undisputed Financial Obligations Owed to the City of Nome, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:58 PM.

The Council reconvened at 7:59 PM.

A motion was made by C. Andersen and seconded by C. Sparks to adopt O-16-11-02.

Discussion

- Councilman Green argued that the City of Nome's tax collection system was to blame for any potential delinquent taxes owed to the City.
- Manager Moran asked the Council if they wished the foreclosure process be expedited and reminded them of the discussion following the October 4, 2016 election that brought O-16-11-02 before them.
- Councilman Johnson personally understood the need for elected officials to have their municipal debts paid, though explained he was apprehensive over the ordinance as he could not find something similar in other Alaskan cities. He suggested a declaration of debt rather than a new rule.
- Councilman Andersen suggested the City and Utility publish an aging report, as it's public information.
- Councilman Sparks noted that they took an oath to obey the laws of the City, which included paying one's taxes and utility bills.
- Councilman Green stated the only requirement should be that one is qualified to vote in the City of Nome.

At the roll call:

Aye: Sparks; Andersen; Brown;

Nay: Green; Tobin, Johnson; Beneville

Abstain:

The motion **FAILED**.

NEW BUSINESS

- A. Discussion of a Request from EZ Enterprises LLC to Transfer Three (3) Taxi Licenses to Peters LLC.

A motion was made by C. Andersen and seconded by C. Sparks to approve the transfer of Taxi Licenses.

Discussion

- Councilman Tobin noted that their decision should be made in the public interest in terms of safety and the necessity of maintaining the existing number of licenses.
- Councilman Johnson noted the difficulty in making that decision considering the dearth of information presented.
- Councilman Tobin requested more background information on matter, such as an investigation of allegations of Mr. Kab running four cabs on three licenses.

A motion was made by C. Tobin and C. Green to table the original motion until January 9, 2016.

At the roll call:

Aye: Green; Tobin, Johnson; Tobin; Brown
Nay: Sparks
Abstain:

The motion **CARRIED**.

- B. R-16-12-01 A Resolution Approving a Memorandum of Agreement Between the State of Alaska Department of Transportation and Public Facilities and The City of Nome for Winter Road Maintenance.

A motion was made by C. Andersen and seconded by C. Sparks to adopt R-16-12-01.

Discussion

- Manager Moran noted the new dust mitigation section and asked for the Council's thoughts on adding stronger language per Mr. Hughes' request.
- Councilman Sparks noted the intent was clearly stated and that the issue is being actively addressed.
- Councilman Andersen noted that good dust control is expensive.
- Mayor Beneville commended the methods used on the Council Rd last summer.
- Councilman Johnson suggested high application costs might justify a better quality liquid that required fewer applications.

At the roll call:

Aye: Green; Tobin, Johnson; Tobin; Brown; Sparks
Nay:
Abstain:

The motion **CARRIED**.

- C. R-16-12-02 A Resolution Endorsing Projects and Position Statements for the City of Nome 2017 Federal Legislative Priorities.

A motion was made by C. Green and seconded by C. Tobin to adopt R-16-12-02.

At the roll call:

Aye: Green; Tobin, Johnson; Tobin; Brown; Sparks
Nay:
Abstain:

The motion **CARRIED**.

- D. R-16-12-03 A Resolution Endorsing Projects and Position Statements for the City of Nome 2017 State Legislative Priorities.

A motion was made by C. Sparks and seconded by C. Tobin to adopt R-16-12-03.

At the roll call:

Aye: Green; Tobin, Johnson; Tobin; Brown; Sparks
Nay:
Abstain:

The motion **CARRIED**.

E. R-16-12-04 A Resolution Proclaiming December 12, 2016 as Alaska Legal Services Day.

A motion was made by C. Tobin and seconded by C. Green to adopt R-16-12-04.

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

The motion **CARRIED**.

CITY ATTORNEY'S REPORT

N/A

UTILITY MANAGER'S REPORT

- Utility Manager Handeland noted that December was the busiest time of the year for the Utility. He highlighted closing out their books, current status of labor negotiations, insurance renewals, and Department of Environmental Conservation air permitting. He suggested further discussion concerning utility expansion if the low income housing proposal for the east end moves forward.
 - Councilman Andersen inquired if the Utility installed stub-outs on empty lots.
 - Manager Handeland explained this utility no longer did this as laterals cost about \$40,000 and having excess dead ends negatively affected the system.
 - Councilman Green asked if Bering Street was slated as the next project.
 - Manager Handeland noted that King Place would be the next project.
 - Councilman Sparks asked for Manager Handeland's input on the housing project as discussions move forward.
 - Councilman Andersen suggested the City develop the whole of east end if a bond were to be issued.

CITY MANAGER'S REPORT

- Manager Moran presented his written report and addenda. He addressed the request for Councilman Johnson's resignation from the Port Commission upon election to the City Council, citing precedence through R-89-01-05, the previous Mayor's actions, as well as Councilman Sparks' and Councilman Brown's examples of resigning from the Planning Commission upon their election.
 - Councilman Andersen asked who paid for the AK Magazine ad.
 - Manager Moran explained the negotiations for the ad and the cost sharing agreement between the Nome Chamber and the City of Nome.

- Councilman Johnson asked for clarification on NCO 12.10 regarding eligibility for sitting on the Nome Port Commission.
- Manager Moran further clarified the intent of R-89-01-05 and practice of separating a Commission that makes policy recommendations and the Council that approves such recommendations.

CITIZENS' COMMENTS

- 1) Steve Longley asked what Councilman Tobin needed to make a decision on the transfer of licenses.
 - Councilman Tobin requested the allegations of Mr. Kab operating more cabs than they have licenses for be investigated.
 - Mr. Longley argued one of the cabs is being used for personal use and that the City had allowed for an extra vehicle in the past, in the case of breakdown.
 - Manager Moran suggested Nome Police Department investigate the allegations.
- 2) Rodney Jones stated that the licenses are vehicle specific and City records should reflect this in regards to insurance. He further argued that licenses are not for sale, citing that when he bought Checker Cab, he paid for the company and then came to the Council to transfer the licenses.
- 3) Ken Hughes thanked City Administration for recognizing John Glenn's passing by flying the flags at half-mast.

COUNCILMEN'S COMMENTS

- 1) Councilman Sparks appreciated Councilman Johnson's remarks on procedure. He voiced his concern that policies before the Council were thought to intentionally keep people out of government. He clarified that was not the intent of the Council. He's happy to have served on the Planning Commission and is happy to serve on the City Council. He looked forward to the housing project's progress and commended the City's Christmas extravaganza.
- 2) Councilman Tobin apologized for being so combative. He explained he doesn't want to upset anyone; though, he can't walk through town without getting questions concerning City business and feels he has to ask the questions to do right by the public.
- 3) Councilman Andersen stated that people should pay their bills. He suggested the City publish the Utility's delinquent list.
- 4) Councilman Brown – no comment.
- 5) Councilman Green – no comment.
- 6) Councilman Johnson thanked the staff for their work. He requested a work session concerning pull tabs and the seasonal sales tax impacts on them in January.

MAYOR'S COMMENTS AND REPORT

- Mayor Beneville thanked Councilman Andersen for chairing the previous meeting in his absence. He regretted not being present for Councilman Johnson's swearing in. Mayor Beneville also commended Alaska Marijuana Control Board Director Cynthia Franklin's professionalism and guidance through the messy process of marijuana legalization. Mayor Beneville suggested Nome follow Barrow's lead and change its name to its traditional name.
- Mayor Beneville appointed Jessica Farley to the Nome Planning Commission.

A motion was made by C. Sparks and seconded by C. Tobin to confirm Ms. Farley's appointment.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

XV. EXECUTIVE SESSION

N/A

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 9:25 PM.

APPROVED and **SIGNED** this 9th day of January, 2017.


RICHARD BENEVILLE
Mayor

ATTEST:


BRYANT HAMMOND
City Clerk