

Mayor
Richard Beneville
Manager
Tom Moran
Clerk
Bryant Hammond



Nome City Council
Stan Andersen
Jerald Brown
Matt Culley
Louie Green, Sr.
Tom Sparks
Lew Tobin

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**NOME COMMON COUNCIL
REGULAR MEETING AGENDA
MONDAY, OCTOBER 10, 2016 @ 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

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- A. Activity Report: September 27 – October 7,
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XV. EXECUTIVE SESSION

- A. Discussion of NJUS Union Negotiations,
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XVI. ADJOURNMENT

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
October 10, 2016**

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: Stan Andersen; Louie Green; Lew Tobin; Jerald Brown

Members Absent: Matt Culley (excused); Tom Sparks (excused)

Also Present: Tom Moran, City Manager; Bryant Hammond City Clerk; Julie Liew, Finance Director; John Handeland, NJUS Manager; Joy Baker, Port Director; John Papasodora, NPD Chief; Amy Chan, Museum Director

In the audience: Davis Hovey, KNOM; Shawn Arnold, Nome Public Schools; Julia Farris; Mark Kramer; Diana Haecker; Bob and Vera Metcalf; Mark Johnson

APPROVAL OF AGENDA

Councilman Andersen 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: Green; Tobin; Brown; Andersen

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. September 26, 2016 City Council Regular Meeting Minutes.

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

Discussion:

- Councilman Tobin noted two minor edits.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

B. October 6, 2016 City Council Special Meeting Minutes.

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

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of September 26, 2016 from Melanie Bahnke to Bering Strait Community Leaders re: Domestic Ivory Ban Laws.
- Councilman Tobin said he was glad this important issue was getting attention. He was unsure of what happened to the ivory purchased by the Crystal Serenity Tourists.
 - Mayor Beneville noted having to explain the difference each summer to tourists.
 - Councilman Brown asked Clerk Hammond to prepare a resolution for the next meeting.
- B. Email of September 29, 2016 from Siegfried Kirchner to City Council re: Priorities,
- C. News Release of October 5, 2016 re: EPA Offers Assistance to Help Rural Communities Revitalize Downtowns,
- D. Notice From City of Nome re: Fall Clean Up Week October 10 – 15, 2016,
- After discussion, Councilman Andersen requested City Staff drain fluids of vehicles slated for removal for elders and those citizens unable to do so themselves.
- E. Notice from AML to City of Nome re: Newly Elected Officials Training and Annual Conference: November 14 – 18, 2016 in Anchorage,

CITIZENS' COMMENTS

- 1) Vera Metcalf, representing Kawerak and the Eskimo Walrus Commission, spoke in favor of the Council adopting a resolution opposing the inclusion of walrus, mammoth, and mastodon ivory in the recent laws banning ivory in several states. She noted the recent and proposed bans would have negative economic effect on the Western Alaska economy.
 - Mayor Beneville suggested a sign soliciting support at the point of sale.
 - Councilman Andersen suggested a certificate of authenticity or the like differentiating the provenance of the ivory.
- 2) Shawn Arnold updated the Council on Nome Public Schools, saying both academics and athletics were going well with a low rate of discipline. He attributed this to stable leadership in the schools. He noted that NPS was still seeking several teachers to meet staffing requirements. He explained current enrollment and its impact on the budget.

- Councilman Tobin asked if homeschooled children were included.
- Superintendent Arnold explained that students engaged in correspondence and other programs were included.

PLANNING AND ZONING

N/A

UNFINISHED BUSINESS

A. O-16-10-01 An Ordinance Amending the FY16 General Fund Municipal Budget, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:28 PM.

The Council Reconvened at 7:28 PM.

A motion was made by C. Tobin and seconded by C. Andersen to adopt O-16-10-01.

Discussion:

- Councilman Brown thanks Finance Director Liew for the analysis she provided with the ordinance.
- Councilman Andersen suggested using the accompanying documents as learning aids in a future work session.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED.**

B. O-16-10-02 An Ordinance Amending the FY16 School Debt Service Fund Budget, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:30 PM.

The Council reconvened at 7:30 PM.

A motion was made by C. Tobin and seconded by C. Brown to adopt O-16-10-02.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

C. O-16-10-03 An Ordinance Amending the FY16 Special Revenue Fund Budget, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:31 PM.

The Council reconvened at 7:31 PM.

A motion was made by C. Tobin and seconded by C. Brown to adopt O-16-10-03.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

D. O-16-10-04 An Ordinance Amending the FY16 Capital Projects Fund Budget, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public meeting, the Council recessed at 7:31 PM.

The Council reconvened at 7:32 PM.

A motion was made by C. Tobin and seconded by C. Brown to adopt O-16-10-04.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

E. O-16-10-05 An Ordinance Amending the FY16 Construction Capital Projects Fund Budget, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the Council recessed at 7:34 PM.

The Council reconvened at 7: 34 PM.

A motion was made by C. Tobin and seconded by C. Brown to adopt O-16-10-05.

Discussion:

- Councilman Brown asked why an ordinance was needed if there were no changes.
- Manager Moran explained that all budget actions, including closing budgets, must be done by ordinance.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

F. O-16-10-06 An Ordinance Amending the FY16 Port of Nome Fund Budget, 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. Brown and seconded by C. Tobin to adopt 16-10-06.

A motion was made by C. Brown and seconded by C. Andersen to amend the bad debt expense from \$51.38 to \$3,076.62, thus amending the total operating expenditure from \$1,384,667.19 to \$1,387,692.43 and the operating surplus from \$124,374.77 to \$121,349.53.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

G. O-16-10-07 An Ordinance Amending the FY16 Port of Nome Capital Projects Fund Budget, SECOND READING/PUBLIC HEARING/FINAL PASSAGE.

For the purpose of holding a public hearing, the Council recessed at 7:40 PM.

The Council reconvened at 7:40 PM.

A motion was made by C. Tobin and seconded by C. Brown to adopt O-16-10-07.

Discussion:

- Manager Moran thanked Finance Director Liew for her work on the ordinances.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

NEW BUSINESS

- A. O-16-10-08 An Ordinance Amending Chapter 17.10 of the Nome Code of Ordinances to Adjust the Application Deadline for Sales Tax Exemption, **FIRST READING/DISCUSSION**.

A motion was made by C. Andersen and seconded by C. Tobin to advance O-16-10-08.

Discussion:

- Councilman Andersen requested a list of the organizations that were mandated exemptions by State Statute, as well as those eligible through Nome Code of Ordinances.
- Councilman Tobin requested the Clerk's Office reach out early and often to those affected by the deadline change.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

- B. O-16-10-09 An Ordinance Amending Chapter 17.10 of the Nome Code of Ordinances to Institute an Increased Seasonal Sales Tax as Approved by the Voters, **FIRST READING/DISCUSSION**.

A motion was made by C. Brown and seconded by C. Tobin to advance O16-10-09.

Discussion:

- Councilman Andersen explained he didn't intend to vote for this as he saw no reason for it, given the surplus seen in closing out the previous year's budget.
- Manager Moran explained the proposition to raise the seasonal sales tax during the summer months was approved the Nome electorate 60 percent to 40 percent and that the ordinance before them was a formality for housekeeping.

- Councilman Andersen contended the electorate didn't know what they were voting on.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

- C. R-16-10-02 A Resolution Dedicating the City of Nome's Funds from the State of Alaska Political Subdivision Health Insurance Premium Holiday to the City's Equipment Replacement Fund.

A motion was made by C. Andersen and seconded by C. Tobin to adopt R-16-10-02.

Discussion:

- Manager Moran explained the money had to be designated to a specific fund and could be moved as the Council saw fit.
- Councilman Andersen reiterated his request for a budgetary work session, potentially after closing on B85 L3A, going through the combined balance sheet. He explained he didn't trust the state and felt the need to pad City savings in the event they change the PERS contributions.

At the roll call:

Aye: Green; Tobin; Andersen; Brown

Nay:

Abstain:

The motion **CARRIED**.

- D. R-16-10-03 A Resolution Adopting a Collections Management Policy for the Carrie M. McLain Memorial Museum.

A motion was made by C. Andersen and seconded by C. Brown to adopt R-16-10-03.

Discussion:

- Councilman Andersen asked who makes the decision to commit to long term storage.
- Museum Director Chan stated that historically it was the Museum Director who made the decision, explaining the process through which donations might be evaluated and accepted.
- Councilman Andersen requested staff investigate setting up an acquisitions committee.
- Director Chan explained that currently the Museum and Library Committee served in an advisory capacity only.
- Manager Moran explained a separate ordinance could easily designate the Museum and Library Commission as the acquisitions committee, without changing the resolution. He noted the policies before them were needed in the short term to set up exhibits.

At the roll call:

Aye: Green; Tobin; Andersen; Brown
Nay:
Abstain:

The motion **CARRIED**.

CITY ATTORNEY'S REPORT

N/A

UTILITY MANAGER'S REPORT

- Utility Manager Handeland presented a written report distributed at the meeting.
 - Councilman Tobin asked if the community was notified to turn on their circulating pumps.
 - Manager Handeland stated it was a good idea to turn them on now.

CITY MANAGER'S REPORT

- Manager Moran noted highlights in his written report and informed those present of the Planning Commission's open house to discuss zoning issues on Wednesday.
 - Director Liew noted the auditors would be in town the first week of November.
 - Manager Moran noted the run off canvas meeting would have to be held elsewhere as a result.
 - Mayor Beneville noted Graphite One had been in town and asked about their transportation plans.
 - Manager Moran explained the project was still several years off, though if the status quo continued the project would be using the Port of Nome.
 - Councilman Green asked if there was a \$10,000 reward for information on who stole the City Manager's truck.
 - Councilman Tobin pointed out the \$10,000 reward was for information leading to the recovery of Joseph Balderas.

A motion was made by C. Andersen and seconded by C. Tobin to provide up to \$10,000 in cash and in-kind donations to the Search and Rescue effort planned for the week of October 17th.

Discussion:

- Councilman Andersen stated the City of Nome owed it to its citizens.
- Councilman Tobin asked if emergency services were banned outside of City Limits due to not being covered by insurance.
- Manager Moran stated the road system would be considered the City's service area and would be covered.

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

The motion **CARRIED**.

CITIZENS' COMMENTS

- 1) Museum Director Chan thanked the Common Council for approving the Collections policy, explaining it was one of three standard manuals used by Museums, the other two being an Integrated Pest Management plan and a Security and Access Plan.
 - Mayor Beneville asked if the invitation list for the grand opening was being circulated.
 - Manager Moran stated that the general public was invited, but who the invitations were sent to was an internal document.
- 2) Chief Papasodora noted that Search and Rescue planned was not a state sanctioned SAR and the City of Nome should ask volunteers to sign a release of liability. He noted that could easily become costly in terms of wear and tear on vehicles and people. He went on to update the Council on statistics during PFD season, noting 2016 was a little below the running average, though far below 2015.
- 3) John Handeland explained there were a number of objects of historical significance around town that were not in the care of the museum, one such item being the original safe from the railroad office. He felt strongly that these items needed to be addressed vis-à-vis the adopted collections policy.
- 4) Mark Johnson spoke against the summer sales increase as approved by the Nome electorate. He echoed Councilman Andersen asking why the City needed more revenue if there was a surplus in closing out the F16 budget. He asked the Council to examine further areas of exemption they might offer the citizens.
 - Councilman Green stated the revenue was not needed.
 - Manager Moran explained the Council requested the ballot proposition and the ballots were available to the voters before staff new of the surplus. Moreover, the proposition was approved by an overwhelming majority of those that voted. Manager Moran stated he would get a legal opinion from the City Attorney on the matter.
 - Councilman Tobin surmised that if this wasn't the will of the electorate, then maybe it would encourage more people to vote.

COUNCILMEN'S COMMENTS

- 1) Councilman Tobin recognized Dr. Karen O'Neil for her over 40 years of dedicated service in Nome.
- 2) Councilman Andersen – no comments.
- 3) Councilman Brown stated that it was his understanding the seasonal sales tax increase was meant to push some of the costs for City operations to visitors so that property taxes could potentially be decreased. He requested staff prepare an estimate of the dollar impact of the increase, assuming 2017 will be the same as 2016. Councilman Brown also encouraged City Staff to look into the EPA programs included in the communications to see if one of them might be applicable to Nome.
- 4) Councilman Green stated that someone with an 8 – 5 City job should not live out of state, as the salary is a burden on the taxpayers and that person should live in town and spend

money in town. He argued that one job in Nome was significant and if Anchorage lost a proportional number of jobs there would be an outcry.

- Manager Moran explained the employee that Councilman Green repeatedly brought up was a union employee and could not be terminated without cause. He reiterated the employee was as valuable as any other City employee.
- Director Liew noted that NJUS, Nome Public Schools and other organizations all use remote employees that are difficult to hire locally.
- Councilman Andersen noted Norton Sound Health Corporation uses remote employees in its accounting department.
- Councilman Green reiterated his point about the taxpayers funding the position.
- Manager Moran volunteered a quick opinion from the labor attorney on the matter, but stated he was very uncomfortable with the idea of dismissing the employee.

MAYOR'S REPORT

- Mayor Beneville congratulated both Councilman Culley and Mark Johnson on their close race, requiring a runoff election. He reported on the Arctic Ministerial Conference he just returned from, stating that Alaska was very well represented. He noted a number of senior scientists taking part.
- Mayor Beneville informed the Council he was traveling later in the week to the State Chamber of Commerce meeting, which he has represented Nome at for quite a few years. He underscored the importance of having a strong voice for Nome at the State level and looking forward to bringing increased energy to discussions on housing and the Port of Nome.
- He noted the Bering Straits Alliance was able to support the Port of Nome without hesitation and updated those present on the status of the WRDA Bill in Congress, which might provide a funding avenue for port expansion.

EXECUTIVE SESSION

A motion was made by C. Andersen and seconded by C. Tobin to recess into executive session to discuss upcoming NJUS union negotiations.

The Council recessed at 8:54 PM.


The Council reconvened at 9:22 PM.

ADJOURNMENT

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

Hearing no objections, the Nome Common Council adjourned at 9:22 PM.

APPROVED and SIGNED this 24th day of October, 2016.



RICHARD BENEVILLE
Mayor

ATTEST:



BRYANT HAMMOND
City Clerk