

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, APRIL 11, 2016 @ 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

I. ROLL CALL

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- C. Letter of March 29, 2016 from Altman, Rogers & Co. to Finance Director Liew re: FY 2016 Audit,
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- D. Letter of March 29, 2016 from Pastor Sonray to Nome City Council re: Tax Exemption Application for Retail Sales,
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- A. Activity Report: March 29 – April 8, 2016,
VERBAL

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
April 11, 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: Louie Green; Matt Culley; Jerald Brown; Lew Tobin; Stan Andersen; Tom Sparks

Members Absent: N/A

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; John Handeland, NJUS Manager; Amy Chan, Museum Director; Julie Liew, Finance Director; Jim West, Jr., Fire Chief; John Papasodora, Police Chief

In the audience: Emily Russell, KNOM; Sandra Medearis, Arctic News; Kent Runion; Shawn Arnold; Jodi Arnold; Shane Smithhisler; Jacob Phillips; Judy Martinson; Douglas Martinson; Jessa Martinson-Labinski; Kevin Theones; Rachel Berkeley; Zach Berkeley; Kevin Knowlton; Mitch Erickson; Sue Steinacher

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; Culley; Green; Tobin; Sparks; Andersen

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. March 28, 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; Culley; Brown; Tobin

Nay: Sparks

Abstain: Andersen

The motion **CARRIED**.

COMMUNICATIONS

- A. Public Notice of March 14, 2016 from Bureau of Ocean Energy Management re: Draft Programmatic EIS for the 2017 – 2022 OCS Oil and Gas Leasing Program.
- B. Letter of March 18, 2016 from Sue McCarville to Iditarod Trail Committee re: Iditarod Finish.
 - Councilman Sparks thought the comments were worthy of discussion.
 - Councilman Culley stated it's the same each year.
 - Mayor Beneville stated that he spoke with Stan Hooley about the Iditarod Insider policy.
 - Councilman Andersen suggested the Mayor coordinate for next year.
- C. Letter of March 29, 2016 from Altman, Rogers & Co. to Finance Director Liew re: FY 2016 Audit.
 - Manager Moran stated a resolution would be on the April 25th Regular Meeting Agenda.
 - Councilman Tobin stated the letter read more like a disclaimer, stating what Altman, Rogers & Co. couldn't do, rather than what they would do.
- D. Letter of March 29, 2016 from Pastor Sonray to Nome City Council re: Tax Exemption Application for Retail Sales.

A motion was made by C. Tobin and seconded by C. Sparks to accept the application for sales tax exemption as if it were timely submitted.

Discussion:

- Councilman Sparks asked if the applicant was denied.
- Manager Moran stated the City Clerk was strict in following the ordinance.
- Councilman Culley reiterated his position that organizations must take responsibility for their tax breaks. By approving late applications, the Council is stating there are no consequences for poor management.

A motion to amend was made by C. Brown and seconded by C. Andersen to set the effective sales tax exemption date as 7/1/16.

Discussion:

- Councilman Sparks asked how much sales tax the church paid over six months.
- Finance Director Liew stated that in past years the Church has been tax exempt, so the data to answer the Councilman's question doesn't exist.

At the roll call:

Aye: Brown; Green; Tobin; Andersen

Nay: Sparks; Culley

Abstain:

The motion to amend **CARRIED**.

Returning to the main motion:

At the roll call:

Aye: Brown; Green; Tobin; Sparks; Andersen

Nay: Culley

Abstain:

The motion as amended **CARRIED.**

- E. Notice from Kawerak, Inc. re: Small Business Development Conference in Nome on April 26-27, 2016.
- F. Flyer re: Spring Clean-Up in Nome from May 28 – June 5, 2016.
 - Councilman Tobin requested the dump trucks be left out all week.

CITIZENS' COMMENTS

- 1) Judy and Doug Martinson stated the State Fire Marshall gave their Hotel, the Sluicebox, a violation due to an error in paperwork by the City of Nome in 2003. They requested to operate temporarily as a bed & breakfast between June 1st and October 1st to comply with Fire Marshal requirements; though they were concerned doing so would jeopardize their grandfathered rights to operate as a hotel. Judy Martinson stated closing the accommodations completely for the summer would negatively impact birding tourism in Nome.
 - Councilman Sparks asked if the grandfather issue had already been resolved.
 - Manager Moran stated the Fire Marshal decision had come only hours before and he was reviewing the paperwork submitted by the Martinsons for a determination on the grandfather issue.
 - Councilman Culley asked if the permits were ready for review.
 - Ms. Martinson stated they were; but, they need assurances the whole project will be approved by the City before they begin to expend funds.
 - Councilman Tobin asked when they knew about the error.
 - Ms. Martinson stated the Fire Marshal brought up the issue last summer. They had been running the building in good faith as a commercial building since 2004, figuring it was permitted correctly.
 - Councilman Culley stated responsibility ultimately lies with the owner, even if the City made an error in paperwork.
 - Councilman Tobin asked if there were any prior issues.
 - Ms. Martinson stated the issue stems from an IBC discrepancy a former Building Inspector missed.
 - Councilman Brown asked if there was any likelihood the remodel work would extend past the two-year threshold for grandfathered rights in the zoning code.
 - Ms. Martinson said she plans to be done by December 2016.
 - Councilman Andersen suggested the City Manager fix the problem with the grandfather clause.
 - Mayor Beneville noted the potential precedent for the tourism industry in Nome.
- 2) Mitch Erickson spoke to the importance of birding tourism in Nome. He cited a handout relating to visitor numbers and daily expenditures by birders.
 - Councilman Andersen noted the stuffed birds for our museum as well.

- Mayor Beneville noted a previous conflict between the North Pacific Fisheries meeting during birding season.
 - Councilman Brown stated that happened in 2014.
- 3) Kevin Theonis thanked the Council for the \$20,000 contribution of NSEDC Community Benefit Share funds for computers in Nome Elementary School. Students Rachel and Zach Berkeley stated that they learned word processing and keyboarding in school.
- Councilman Andersen asked for a demonstration next year.
 - Kevin Theonis stated that technology was a focus for younger and younger students and that soon he expects to see state-mandated tests requiring keyboarding skills.
- 4) Sue Steinacher spoke in favor of passing O-16-03-02. She noted that in a recent issue of Alaska Magazine, the White Alice towers were mentioned and that the towers were the #2 thing to do in Nome per TripAdvisor's website. She recognized there was a similar debate around the Old St. Joe's renovation; hindsight shows it was a good investment. She also highlighted the towers' importance as a navigational aid.
- Councilman Culley noted that if the towers were torn down, it would be at the behest of Sitnasuak.
- 5) Jacob Phillips, the Technology Director for Nome Public Schools, thanked the Council for the funding for the new computers, explaining there were exciting developments coming for the computer lab. He added that Robin Johnson, the former Technology Director, also voiced her appreciation.

PLANNING AND ZONING

- A. February 2, 2016 Planning Commission Regular Meeting Minutes.
- B. March 1, 2016 Planning Commission Regular Meeting Minutes.

UNFINISHED BUSINESS

- A. O-16-03-02 An Ordinance Authorizing the Purchase and Lease of Real Property by the City of Nome from Sitnasuak Native Corporation by Property Exchange Agreement, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

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

Discussion:

- John Handeland spoke in support of retaining the White Alice site, explaining he has been working on this project for 25 years. The City of Nome obtained access easements in preparation for acquiring the site; however another party came into the mix and acquired title to them. In trying to obtain the site, the City Council previously authorized exchange agreements. Mr. Handeland felt the towers would stand for another 200 years if not torn down.
- Councilman Andersen clarified that the panels had been removed.
- Mr. Handeland confirmed this and noted the Air Force had already remediated the land.
- Councilman Culley noted the DEC letter stated the land was clean "as is."

- Mr. Handeland argued that the City of Nome was in the best position to preserve this part of its history at a minor price.
- Councilman Andersen asked what was left on the towers.
- Mr. Handeland stated the dishes and the ribbing were.
- Councilman Andersen asked if it was galvanized.
- Mr. Handeland confirmed the structures were made of galvanized steel.
- Councilman Andersen stated they looked only a week old.
- Councilman Tobin asked if the fence would remain.
- Mr. Handeland stated that decision would fall to the owner.
- Councilman Tobin asked if the weather station would be maintained.
- Mr. Handeland noted it was a good communication site, but wasn't sure if it was actually within the parcel boundaries.
- Councilman Andersen asked about access on the north side.
- Mr. Handeland stated the parcel connects to both access roads; if it doesn't, it needs to be made to.
- Councilman Tobin stated it was a good site for HAM radio.
- Mr. Handeland stated Eric Osborn thought the City could put solar panels there.
- Judy Martinson stated that visitors love them, especially visitors previously associated with the military.

The Council reconvened at 7:49 PM.

A motion was made by C. Green and seconded by C. Tobin to adopt O-16-03-02.

A motion to amend was made by C. Andersen and seconded by C. Brown to strike the leaseback provision in the agreement.

Discussion:

- Councilman Brown understood the City wanted to use the site over the next five years.
- Manager Moran explained that Public Works presently used the site as a laydown area and would prefer the land not be traded. The leaseback provision would give the department five years to designate and develop an alternate site, potentially the snow dump at Grader Greg's Garage.
- Councilman Culley noted the snow dump site would add 30 minutes of equipment time per day.
- Councilman Tobin asked if the snow dump site was ready.
- Councilman Andersen noted other options, such as Belmont Point.
- Councilman Brown noted the ice rink location, after the rink is moved to Commerce Bench.

At the roll call:

Aye: Andersen; Brown; Green;

Nay: Culley; Tobin

Abstain: Sparks

The motion to amend **FAILED**.

Returning to the main motion:

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

The motion **CARRIED**.

NEW BUSINESS

- A. R-16-04-01 A Resolution Authorizing the City Manager to Enter into an Amendment to an Existing Agreement with PND Engineers, Inc. for Additional Services for the Cape Nome Jetty Repair.

A motion was made by C. Andersen and seconded by C. Sparks to approve R-16-04-01.

Discussion:

- Councilman Tobin asked why the Port Director wasn't being authorized to enter into the agreement.
- Councilman Culley stated it needed to go through the City Manager regardless.
- Councilman Andersen stated the City of Nome was comprised as a manager form of government.

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

The motion **CARRIED**.

- B. R-16-04-02 A Resolution Authorizing the City Manager to Sanction Participation in a Multi-Agency Task Force Addressing Housing Issues in the City of Nome.

A motion was made by C. Andersen and seconded by C. Sparks to approve R-16-04-02.

Discussion:

- Councilman Culley asked how much participation would cost.
- Manager Moran stated the City wouldn't incur any extra costs from participating.

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

The motion **CARRIED**.

- C. R-16-04-03 A Resolution Authorizing the Purchase of a New Pumper Truck from Pierce Manufacturing, Inc. for the Nome Volunteer Fire Department.

A motion was made by C. Andersen and seconded by C. Brown to approve R-16-04-03.

Discussion:

- Manager Moran explained the RFP process and the bids received.
- Councilman Tobin asked where the funds were coming from.
- Manager Moran explained there was unexpended money in the FY16 budget in addition to the vehicle replacement fund.
- Councilman Andersen asked who was doing the maintenance on the heavy vehicles.
- Manager Moran stated TSR was performing emergency vehicle repairs, but not heavy vehicle repairs.
- Councilman Andersen asked where the old pumper truck was going.
- Chief West explained it will be staged at the Port, though it will need to be rebuilt soon.
- Councilman Green asked when the City will solicit bids for heavy equipment maintenance again.
- Manager Moran stated the bid is scheduled for this spring.
- Councilman Green stated he was concerned about warranties.

At the roll call:

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

Nay:

Abstain:

The motion **CARRIED**.

CITY ATTORNEY'S REPORT

N/A

UTILITY MANAGER'S REPORT

- Utility Manager Handeland gave a verbal report:
- NJUS received and installed fluoride monitoring equipment.
- The wind turbine blade is scheduled for repair this week.
- Water leaks around town are being addressed.
- NJUS completed the Wartsilla SCADA integration.
- NSEDC transferred \$737,000 for the fuel subsidy.
- It appears Wells Fargo will not need a GO Bond for the fuel purchase this year.
- The Quintillion project is underway and making a mud pit of the streets; their contractor will address the issue once the streets dry out.
 - Councilman Andersen asked if the Utility Board has discussed the purchase of extra fuel while prices are low.
 - Manager Handeland stated that it was on the agenda for next week's meeting.
 - Councilman Andersen stated that the City of Nome could be the lender.

CITY MANAGER'S REPORT

- Manager Moran referred to his written report and congratulated Janet Bloodgood and Nathan Barron for receiving Employee of the Month for February and March, respectively.

- He read the State of Alaska capital budget and noted that the Port of Nome deep draft design was allocated \$1.6 million.
 - Councilman Andersen asked about the Port of Nome impound status.
 - Manager Moran stated that most delinquent accounts are paid up quickly; though if not, the items will go to public auction.
 - Councilman Andersen asked that the Nome Volunteer Ambulance Department appreciation dinner be made open to the public, as NSHC will likely give a generous donation.

CITIZENS' COMMENTS

- 1) Chief Papasodora apologized for missing the last Planning Commission discussion concerning the Animal Control Officer resolution. During the 1st quarter of 2016 there were 97 calls for service; 18 were impounds, 14 citations, four bites, and one muskox call.
 - Councilman Andersen asked the Chief's stance on the crime bill currently in the legislature.
 - Chief Papasodora stated a lot of legislation under discussion currently will be bad for the City of Nome. For example, one bill allows for release on recognizance for most misdemeanor violations. The crime reform bill Councilman Andersen referenced will give NPD fewer resources to enforce the law.
 - Councilman Andersen surmised there might be more intoxicated individuals as a result.
 - Councilman Culley understood saving money was the motivation, though he recognized that the proposed approach might encourage escalation.
 - Mayor Beneville asked as to the bill's status.
 - Councilman Andersen stated that it has only passed the Senate.
 - Councilman Culley emphasized the bill was a move to save money.
- 2) Jessica Russell addressed the Council regarding Head Start teacher funding. She noted the strides her son has made while enrolled in Head Start and noted the importance of having a certified teacher.

COUNCILMEN'S COMMENTS

- 1) Councilman Sparks asked the staff to mind the details when putting out the bid package for the vehicle repair contract this spring.
- 2) Councilman Tobin noted concern over cash businesses at the Port operating without a sales tax license.
 - Councilman Green noted that some barter transactions at the Port were untaxable. Councilman Tobin commended Amy Chan on the Iditarod exhibits and program. He also commended her efforts during the recent flood, and asked how the archivist was doing.
 - Mrs. Chan noted that Amanda Demeter was finishing up her third week in town and is doing a great job.
 Councilman Tobin asked if Ms. Demeter would be able to speak at Rotary. He noted that energy bill payers should check their bills to ensure they are receiving their subsidy. He noted he would be out of town from May 10th to May 30th.
- 3) Councilman Andersen – No comment.

- 4) Councilman Brown noted he abstained from the Cape Nome jetty resolution because his employer BSNC ships gravel over the jetty and he noted it was a potential conflict of interest.
- 5) Councilman Culley stated that, as a citizen, he liked the White Alice site and was happy the Council was able to pass the ordinance.
- 6) Councilman Green – No comment.

MAYOR'S REPORT

- Mayor Beneville thanked Councilman Culley for not hindering the vote on the White Alice ordinance and was thankful the Port of Nome was still in the state capital budget.
- He noted it has been a light week and that he had been showing a Japanese photographer around who is doing a travel piece on Alaska.

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 8:28 PM.

APPROVED and SIGNED this 25th day of April, 2016.


RICHARD BENEVILLE
Mayor

ATTEST:


BRYANT HAMMOND
City Clerk