

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, JANUARY 25, 2016 @ 7:00 PM
COUNCIL CHAMBERS IN CITY HALL**

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**MINUTES
NOME CITY COUNCIL
REGULAR MEETING
January 25, 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; Matt Culley

Members Absent: Jerald Brown (excused); Tom Sparks (excused)

Also Present: Richard Beneville, Mayor; Tom Moran, City Manager; Bryant Hammond, City Clerk; Amy Chan, Museum Director; John Papasodora, Nome Police Chief; John Handeland, NJUS Manager;

In the audience: Emily Russel, KNOM; Sandra Medearis; Stan Hooley, Willie Karidis, Iditarod Trail Committee; Kenny Hughes; Julia Farris, Nome Community Center; Anahma Shannon, Kawerak, Inc.

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. Green to approve the agenda as presented.

At the roll call:

Aye: Green; Andersen; Culley; Tobin

Nay:

Abstain:

The motion **CARRIED**.

APPROVAL OF MINUTES

A. January 11, 2015 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; Andersen; Culley; Tobin

Nay:

Abstain:

The motion **CARRIED**.

COMMUNICATIONS

- A. Letter of December 1, 2015 from Craig Fleener to Ambassador Brzezinski re: Arctic Port Development.
 - Councilman Tobin asked if a response was necessary.
 - Manager Moran stated the letter was already old and no response was necessary.
- B. Letter of December 11, 2015 from Eliana to City of Nome re: Iditarod Cruelty.
 - Councilman Tobin stated, that by the same comparisons, skiing was cruel as well.
- C. Letter of December 14, 2015 from Megan Carter to City of Nome: re: Student Letters.
 - Councilman Culley volunteered to respond, suggesting teaching better fact checking.
 - Councilman Andersen suggested second graders from Nome Elementary respond.
- D. Letter of December 22, 2015 from Sandy Martinson to Chip Leeper re: Appreciation for Assistance in AMCC Christmas Potlatch.
- E. Letter of December 28 2015 from Brianna Menadelook to Manager Moran re: Recycling Program in Nome.
 - Councilman Tobin clarified the City already had a recycling program.
 - Councilman Green asked if he meant the program through Kawerak.
 - Mayor Beneville confirmed this, stating the container vans were located by Airport Pizza.
- F. Notice of January 8, 2016 from National Oceanic and Atmospheric Administration re: Amendment 110 to the Bering Sea Groundfish Management Plan.
 - Councilman Tobin requested a copy of the amendment.
- G. Letter of January 12, 2016 from Alcoholic Beverage Control Board to Clerk Hammond re: 2016/2017 Liquor License Renewals.
 - Councilman Culley asked if the applicant owed the City money.
 - Manager Moran stated the applicant owed the City property taxes and had signed a promissory note.
 - Councilman Tobin asked if the City wanted to file a complaint based on taxes not being paid.
- H. Letter of January 14, 2016 from NSEDC to Mayor Beneville re: 2016 Consolidated Bulk Fuel Program.
 - Mayor Beneville asked if the City of Nome participates.
 - Utility Manager Handeland explained there is a 500,000 gallon cap on fuel purchased through the program and the City of Nome currently purchases fuel through a different fuel group. NJUS has submitted a letter requesting an exception to the program.
- I. Letter of January 14, 2016 from Barb Nickels to Manager Moran re: Chamber of Commerce Board of Directors Seat.
 - Councilman Andersen asked if the seat cost the City of Nome money.
 - Manager Moran stated the seat was free of charge.
 - Councilman Tobin volunteered to serve.

A motion was made by C. Andersen and seconded by C. Green to appoint Councilman Tobin to represent the City Council in a non-voting capacity on the Nome Chamber of Commerce Board.

At the roll call:

Aye: Green; Andersen; Culley; Tobin

Nay:

Abstain:

The motion **CARRIED**.

- J. Letter of January 15, 2016 from Alaska Division of Community and Regional Affairs to Mayor Beneville re: 2015 Population Determination.
- Councilman Andersen requested a graph of population change in Nome over the previous decade.
- K. Letter of January 15, 2016 from Alaska Division of Community and Regional Affairs to City of Nome re: FY 17 Community Revenue Sharing.
- Councilman Andersen noted the City would not receive the same amount as the year before.
 - Manager Moran stated he expected a 30 percent dip in FY17, followed by a return to previous levels in FY18.
- L. Letter of January 15, 2016 from US Department of Transportation to Mayor Beneville re: Contamination of CAA Facilities.
- Manager Moran noted a date for the community meeting was not specified, yet DOT already requested the donation of Old St. Joseph's Church for meeting space.
 - Councilman Tobin asked if they meant the White Alice site.
 - Councilman Green clarified the site in question was on the Beam Road and had three towers on it.

CITIZENS' COMMENTS

- 1) Iditarod Trail Committee CEO Stan Hooley thanked the City Council and Mayor for their continued support of the Iditarod and introduced his COO, Willie Karidis. Mr. Hooley noted that snow conditions were not ideal on Southcentral AK, though there currently was enough to start. With the race 50 days away, there was still a lot of work to do. He reiterated his appreciation of City of Nome Support in terms of funds, commitment and energy given to the event.
- Councilman Andersen suggested that Iditarod Trail Committee send a letter requesting donation of funds in October, explaining the process by which the Council designated donations from the NSEDC Community Benefits Share fund.
 - Mayor Beneville thanked the Iditarod Trail Committee for their work and stated Nome was looking forward to seeing dogs on Front Street.

PLANNING AND ZONING

- A. December 1, 2016 Planning Commission Regular Meeting Minutes.

UNFINISHED BUSINESS

- A. O-16-01-01 An Ordinance Approving the 2016 Operations and Maintenance Budget for Nome Joint Utility System, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE.**

For the purpose of holding a public hearing, the council recessed at 7:23 PM.

- Councilman Tobin asked for clarification as to what funds go into debt service.
- Utility Manager Handeland explained \$1.8 million is the net margin prior to depreciation, amortization of larger items, debt service, and fuel inventory. After taking such costs into account, he predicted about a \$600,000 cash margin.
- Commenting on developing an operating reserve, Councilman Culley recalled conversations concerning the rate increase not being sufficient to fully cover operations, yet moving in that direction without overly burdening consumers with a sudden increase.
- Manager Handeland stated \$600,000 should add to the cash reserve based on current rates, though revenue will be monitored quarterly and is expected to change based on lower fuel prices. Adjustments will be considered based on quarterly figures.
- Councilman Culley stated that he understands the need for increased rates and that the current budget is projected and subject to adjustment; he would like to see the actual budget look as good as the projected budget, so as to avoid having a rate hike conversation again.
- Councilman Andersen asked if the rate increase was intended to allow water / sewer to pay for itself.
- Manager Handeland stated water / sewer should be carrying more of its weight, though the Utility wasn't ready to increase the rate a 100% sustainable rate.
- Councilman Andersen asked how much the Utility saved through the insurance premium holiday.
- Manager Handeland stated about \$120,000.
- Councilman Andersen asked how the Utility will handle future maintenance projects.
- Manager Handeland has applied for funding; through it doesn't appear to have made it into the Governor's budget. Funds will have to come out of the operations budget. He stated that the Utility received \$518,000 in principal forgiveness for a project that could be considered "green" due its water saving characteristics.
- Councilman Andersen noted needs should be addressed sooner rather than later.
- Manager Handeland stated the Master Plan was scheduled to be updated.
- Councilman Andersen asked if the list of delinquent accounts has changed over the past six months.
- Manager Handeland stated it has. The Utility is working with problem accounts, not allowing them to grow.
- Councilman Andersen asked if the Utility Board has looked at tightening billing timelines.
- Manager Handeland stated the old tariff was currently being examined with the intent to update it.
- Councilman Andersen stated the time between kilowatt use and when the bill is due can be upwards of 90 days.
- Manager Handeland stated the Utility is looking at a pre-pay option and that deposits to establish utility service have increased from \$75 to upwards of \$250.
- Councilman Andersen requested the minutes from the board meetings going over the tariff.

The Council reconvened at 7:39 PM.

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

At the roll call:

Aye: Green; Culley; Andersen; Tobin;

Nay:

Abstain:

The motion **CARRIED**.

- B. O-16-01-02 An Ordinance Amending Chapter 3.40 and 1.20 of the Nome Code of Ordinances to Provide for the Regulation of the Commercial Marijuana Trade Within City Limits, **SECOND READING/PUBLIC HEARING/FINAL PASSAGE**.

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

- Councilman Green asked if they were only considering opening and closing hours.
- Manager Moran stated there were a few more items including a fine schedule, off duty police officer conduct, and a definition of marijuana accessories; but that Councilman Green's point was well taken in that the ordinance before them was skeletal and could be added onto in the future.
- Councilman Andersen clarified that off-duty police could not be in possession of their firearm.
- Councilman Tobin added that was true unless they were undercover.
- Manager Moran referred the Council to the City Attorney's memorandum on pages 68 and 69 of their packet, listing the different aspects of the marijuana trade the City might want to regulation in the future.
- Councilman Culley stated the need to get something on the books and amend it as the City requires, given the local and state circumstances in the future.
- Councilman Green asked Chief Papasodora if Alaska required a concealed carry permit.
- Chief Papasodora stated that anyone in Alaska was permitted to carry a concealed firearm unless otherwise prohibited from doing so.
- Councilman Green stated that an off duty police officer couldn't have a concealed firearm in a marijuana business but a private citizen could.
- Manager Moran stated that was correct.
- Councilman Tobin asked if that was the same for bars.
- Councilman Culley stated you can't be above the legal limit and in possession of a firearm. You can basically buy alcohol but not consume it.
- Councilman Tobin stated that Councilman Brown had some amendments he wanted to make, and had asked Councilman Tobin to table the ordinance until his return.
- Councilman Andersen asked if Councilman Brown had discussed this with the City Clerk.
- Clerk Hammond stated Councilman Brown had indeed mentioned potential amendments to the ordinance.

- Manager Moran stated the ordinance before the Council was skeletal and will come up again as the City and the State work out issues as they arise; it can very easily be amended again.
- Councilman Tobin clarified that with four members present, any vote must be unanimous, and asked what happens if the ordinance does not pass.
- Manager Moran stated the nature of the ordinance would need to be changed substantially and presented under a different title.
- Councilman Culley stated the Council had discussed the matter several times and should pass it. He would be happy to address Councilman Brown's amendments upon his return.
- Councilman Andersen noted that Councilman Brown hadn't stated any issues specifically in past meetings and work sessions.
- Manager Moran noted that Councilman Brown didn't appear to be on the teleconference line, though he had intended to call in. Manager Moran stated that he didn't intend to usurp Councilman Brown's authority, though asked the Council to pass the ordinance, explaining it was a simple framework and could be easily amended when Councilman Brown returns.
- Ken Hughes from the Nome Planning Commission stated he had read the ordinance. He agreed the ordinance in question was a basic framework that could be amended in the future. He added that it was a lot better than what he had seen in the past and encouraged the Council to pass it.

The Council reconvened at 7:48 PM.

A motion was made by C. Culley and seconded by C. Green to adopt O-16-01-02.

At the roll call:

Aye: Green; Culley; Andersen; Tobin;

Nay:

Abstain:

The motion **CARRIED**.

C. R-16-01-04 A Resolution Awarding the 2015 NSEDC Community Benefit Share Funds,

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

Discussion:

- Councilman Andersen responded to an article in the Nome Nugget stating that only \$70,000 went towards children's interests. He clarified that funds going to the Bering Sea Women's Group, the School, NEST, and the Food Bank also benefitted children's interests in direct and indirect ways. The Councilman also stated that he did not make the statement about only five dog teams running the Nome-Council 200.

At the roll call:

Aye: Green; Culley; Andersen; Tobin;

Nay:

Abstain:

The motion **CARRIED**.

NEW BUSINESS

- A. O-16-02-01 An Ordinance Amending the City of Nome FY 2016 General Fund Municipal Budget, **FIRST READING**.
- B. O-16-02-02 , An Ordinance Amending the City of Nome FY 2016 Debt Service Fund Budget, **FIRST READING**.
- C. O-16-02-03 An Ordinance Amending the City of Nome FY 2016 Special Revenue Fund Budget, **FIRST READING**.
- D. O-16-02-04 An Ordinance Amending the City of Nome FY 2016 Capital Projects Fund Budget, **FIRST READING**.
- E. O-16-02-05 An Ordinance Amending the City of Nome FY 2016 Construction Capital Projects Fund Budget, **FIRST READING**.
- F. O-16-02-06 An Ordinance Amending the City of Nome FY 2016 Port of Nome Fund Budget, **FIRST READING**.

A motion was made by C. Culley and seconded by C. Green to advance O-16-02-01, O-16-02-02, O-16-02-03, O-16-02-04, O-16-02-05, and O-16-02-06 to second reading/public hearing/final passage.

At the roll call:

Aye: Green; Culley; Andersen; Tobin;

Nay:

Abstain:

The motion **CARRIED**.

- G. R-16-01-05 A Resolution Authorizing Full and Final Exhibit Casework Services by Formations, Inc. at the Richard Foster Building for the Additional Cost of \$300,000,

A motion was made by C. Andersen and seconded by C. Culley to approve R-16-01-05.

Discussion:

- Manager Moran noted that the three people that wrote the resolution, DOWL Project Manager Kendall Gee, Museum Director Chan, and himself, were present to answer questions should the Council have any.
- Councilman Andersen recalled there was \$1,000,000 set aside for exhibit work in the budget and inquired about the additional \$29,000 noted in the resolution.

- Manager Moran clarified that freight put the contract over \$1,000,000 and that freight was a separate line item, aside from the \$1,000,000 exhibit work. He referred the recital in R-16—01-05 stating as such.
- Councilman Culley asked for specific numbers on the project budget for freight and how much had been spent to date, stating he didn't like the word "additional."
- Kendall Gee stated he would have to look that up.
- Manager Moran stated the freight line appeared to be \$50,000.
- Councilman Andersen requested a copy of the master budget.

At the roll call:

Aye: Green; Culley; Andersen; Tobin;

Nay:

Abstain:

The motion **CARRIED**.

CITY ATTORNEY'S REPORT

N/A

UTILITY MANAGER'S REPORT

- Utility Manager Handeland stated the CAT generators were running well and that there was a good wind for producing power. One EWT and several of the Entegriety Turbines were running. With respect to the other EWT, the necessary parts for the technician were not available in Nome, so he would have to return the following weekend.
- Effective Wednesday, the Utility would begin using the new payment processing system.
- The Utility submitted 50% of their 2016 PILOT payment to the City and would be submitting on a quarterly basis henceforth.
- Manager Handeland stated Utility had the 2016 - 2018 fuel contract in hand, ready for review and acceptance. The price will not be known until the day of the lift, with pricing being determined by either the price the day of the lift, average price during the month of the lift, or a three day wrap, which is the average of three days surrounding the lift. Due to lower prices, the Utility expects to amend the budget to reduce fuel surcharge revenue.
- Manager Handeland encouraged Nome residents to apply for the NSEDC energy subsidy. He was not sure how the process would be implemented, if the funds would be a one-time payment or handled over several months.
 - Councilman Andersen asked if residents could sign up if they were out of town.
 - Manager Handeland said most likely yes, and to contact NSEDC.
- Manager Handeland thanked the Council for passing the budget-adopting ordinance and noted that Nome Elder Chuck Reader passed away and the next Utility Board meeting would be canceled.
 - Councilman Andersen asked how much fuel storage the City has and inquired about filling up since prices are so low.
 - Manager Handeland stated 3.2 million gallons. The Utility would have to borrow more to purchase the extra inventory and there is always the possibility of seeing further decreases in price. The Utility Board had a similar conversation last year.
 - Councilman Andersen requested a Benefit / Cost analysis for the wind farm.
 - Manager Handeland stated he could deliver a brief summary to Councilman Andersen.
 - Councilman Culley asked about CVA and unfunded liability of pensions.

- Manager Handeland stated the Utility was planning on renewing the agreement, even though they were not using it.
- Councilman Tobin asked when the Utility Board would next meet.
- Manager Handeland said in the next week or two, due to some items that needed finalization.
- Councilman Green asked if all of the smaller wind turbines were working.
- Manager Handeland stated that some had broken tip brakes; the Utility has been trying to utilize the EWTs to more of their capacity. As the winds decrease, operators turn more on.
- Councilman Green asked if the Utility had plans to expand.
- Manager Handeland stated the short term goal was to make better use of the current capacity before any expansion. They were currently working with Alaska Center for Energy and Power and the Alaska Energy Authority on analyzing data towards this end.
- Councilman Tobin asked if he was involved with the Pilgrim Hot Springs meeting.
- Manager Handeland stated he was not involved and that Pilgrim Ltd has become unreachable.
- Councilman Green asked if the Utility had looked into battery storage.
- Manager Handeland stated that the Utility is looking into different storage options, though it's a moving target.
- Councilman Andersen asked for specific numbers on excess capacity, should the Utility decided to fill the tanks completely this summer.
- Mayor Beneville stated there were rumors of the Denali Commission being funded again.
- Manager Handeland stated that the Denali Commission was primarily focused on smaller villages and AVEC communities.

CITY MANAGER'S REPORT

- Manager Moran welcomed the City's DC delegation back to town and stated he was looking forward to Iditarod.
- Manager Moran suggested and the Council assented to a work session on the budget amendments on Friday, January 29 at noon.
 - Councilman Andersen requested 11 x 17 copies of the budget.
- Manager Moran announced the Library would be closed for the month of February for the move into the Richard Foster Building, which will be done utilizing primarily volunteers.
- Manager Moran announced the Nome Volunteer Fire Department Retirement and Awards party on Saturday.
- With regards to the Richard Foster Building, the team is currently addressing issues with the sprinkler system.
 - Councilman Tobin asked if the commissioning would be on schedule.
 - Manager Moran stated it was still scheduled for January 27 and 28.
 - Councilman Andersen asked if the City had saved any of the 1/4" sheets to protect the floor during the move.
 - Manager Moran stated they were still in the building.
 - Councilman Culley asked if there was anything of note from the Fire Marshall.
 - Manager Moran referred him to the Building Inspector's report in their packet.
 - Councilman Andersen requested a vehicle status report for all City-owned vehicles and a vehicle needs report by department.
 - Councilman Andersen requested more detail on the work Building Maintenance performed alongside their FY16 goals. He suggested percentage complete and task lists.

- Councilman Andersen stated the desire to go through the NPD statistics in detail at a later date.
- Councilman Green asked if the Nome Chamber of Commerce was in charge of marketing Nome.
- Manager stated they were, however both the City Manager and Mayor felt there needed to be more.
- Councilman Green stated he never saw Nome advertised anywhere.
- Mayor Beneville stated a Rack Card Program is run out of the Anchorage Visitors' Association. Nome Chamber should be member, if they are not currently.

CITIZENS' COMMENTS

- 1) Museum Director Chan thanked the Council for passing R-16-01-05, explaining the contract funds are being used on a two-phase exhibit deployment. Alaska Marine Lines allowed for a reduced rate of two 40-foot containers each summer for shipping. Museum staff and Formations are currently in design, preparing mock ups and graphics and working with newly catalogued item. She announced a small exhibit on dogsledding and museum space preview in March to coincide with Iditarod visitors. Director Chan stated the Museum was looking at a grand opening around October 25th.
 - Councilman Andersen suggested tracking the container vans, as a decrease in shipping costs could also indicate a decrease in customer service and timely delivery.

COUNCILMEN'S COMMENTS

- 1) Councilman Green stated that he lived in Nome and on the Yukon before snow machines were widely used. In reference to the communications concerning Iditarod cruelty, in the past, mushers would shoot dogs that wouldn't perform. He didn't understand why she was writing the letter now.
- 2) Councilman Andersen – no comment.
- 3) Councilman Culley – no comment.
- 4) Councilman Tobin noted an organization in town that was sending its board and their families to Orlando, FL for a board meeting and that it seemed outrageous to run a board that way.
 - Councilman Andersen clarified the organization that Councilman Tobin was referring to was Norton Sound Health Corporation. The decision was made by a 24 member vote with three abstaining to schedule a board meeting in conjunction with a National Association of Hospitals Conference that same week. All tickets were paid for with mileage and any additional costs for family members were to be borne by the board member inviting them.

Councilman Tobin asked if the Hospital was up-to-date in contributing to employee retirement.

 - Councilman answered affirmatively.

Councilman Tobin voiced his appreciation for the NSEDC subsidy.

MAYOR'S REPORT

- Mayor Beneville reported he had just returned from DC, where he was happy to report that he noticed a sense of urgency for Arctic Port Development; it was on everyone's tongues.
- Mayor Beneville was able to tour an icebreaker funded by Shell, and was impressed by the relatively modest cost of \$300,000,000. The captain of the icebreaker reported that a port in Nome would be welcome to many mariners in the Bering Sea. Mayor Beneville stated that he felt Arctic Port Development was above politics, that the next administration would continue in the same direction due to the importance of the issues and the current US Chairmanship of the Arctic Council. He applauded Commissioner Alvanna-Stimpfle's work over the DC trip and referred to the Port of Nome as "America's Strategic Port."
- Mayor Beneville noted there was a Mongolian Delegation in town meeting with local organizations on issues of domestic violence.

EXECUTIVE SESSION

N/A

ADJOURNMENT

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

Hearing no objections, the Nome Common Council adjourned at 9:05 PM.

APPROVED and SIGNED this 8th day of February, 2016.



RICHARD BENEVILLE,
Mayor

ATTEST:



BRYANT HAMMOND
City Clerk