

**Committee of the Whole – 6:30 P.M.
Regular City Council Meeting – 7:00 P.M.**

A regular meeting of the North Pole City Council was held on Monday, April 1, 2013 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL

Mayor Ward called the regular City Council meeting of Monday, April 1, 2013 to order at 7:00 p.m.

There were present:

**Mr. Holm
Ms. Hunter
Mr. McGhee
Mr. Nelson
Ms. Sikma
Mr. Smith
Mayor Ward**

Absent/Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Pledge of Allegiance led by Mayor Ward

National Anthem sung by NPMS – Brandon Antesberger, Desteny Dawley, Taylor Hendricks, Mary Whipple

INVOCATION

Invocation was given by Preston Smith

APPROVAL OF AGENDA

Mr. McGhee moved to Approve the Agenda of April 1, 2013

Seconded by Ms. Sikma

Discussion

None

PASSED

YES – 7 – Hunter, Sikma, Holm, Smith, Nelson, McGhee, Ward

NO – 0

Absent – 0

APPROVAL OF MINUTES

Mr. McGhee moved to Approve the minutes of March 18, 2013

Seconded by Mr. Holm

Discussion

None

PASSED

YES:

NO:

Absent:

COMMUNICATIONS FROM THE MAYOR

Friday March 22nd was the first 'Muffins with the Mayor' and it was a success. We had about 15 people attend and many stayed for some great conversation. The public is encouraged to attend every third Friday of the month from 7am-9am in Council Chambers!

The Legislature has shifted into overdrive and has begun to burn the midnight oil. We have many things on the docket and hope our legislators are up to the task. For more information please contact our Legislative office (LIO) at 907-452-4448

Next Monday the 8th at 6PM in the Council Chambers there will be a workshop on our revenues and taxes. I am strongly requesting council members please attend. Thank you to the council for a productive workshop last week.

The 4th of July Festivities planning will begin next month. The meeting dates are as follows

CHANGE (April 9th), April 22nd, May 13th, May 28th, June 10th, June 24th and July 2nd. All meetings will be in the Council Chambers at 6PM. Please come if you want to be involved. We only have 7 meetings to plan this event.

National Lemonade day is coming up on May 11th 2013. The City of North Pole is going to issue one day permits to our young entrepreneurs free of charge for this wonderful event.

Encourage your young people to participate. For more info visit:

(<http://alaska.lemonadeday.org>)

Last Friday was the Military Banquet put on by the Fairbanks Chamber of Commerce. North Pole was present and we hosted Sgt. Major Lewis and his wife. Thank you to all of our service men and women.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

- Reminder – DEA national drug take back will be held April 22nd. Old prescription drugs can be dropped off at the police station.
- Just returned from Anchorage on the Incident Command training. They are type 1 teams and come in and manage disasters in communities and bring order to chaos. Both chiefs were able to tour the state EOC.
- Both officers in the Academy are #1 and #2 and he is very proud of them. They will be finished in about 4 weeks.

Fire Department, Chief Lane

- None

Director of City Services, Bill Butler

Building Department

- No new building permits issued since last Council meeting
- Borough appears to be progressing to construction of library this season

Public Works

- Major roads like Santa Claus Lane, 5th, 8th, Old Richards Highway, St. Nicholas Drive are beginning to lose the worst of their ice
 - If warm temperatures continue will start hard pack removal later this week on City roads
- Request for Bids for backhoe will be released April 3 and will close on April 29
 - Hope to make a recommendation at the May 6 Council meeting of a competitive bid

Utility Department

- Request for Bids for wireless communication connection between well house and water treatment plant will close next Tuesday and hope to recommended a contractor at April 15 Council meeting
- Plan to release the Request for Bids for the sewer lining project next week
 - Expect to close bidding first week of May and make a recommendation to Council on April 20th meeting
 - Hope construction will begin in June
- Contracted for an appraisal of the two parcels of State land adjacent to the waste water treatment plant
 - Hope to have appraisal results by May 20 Council meeting
 - First step in acquiring the land—need to know if the price is reasonable related to Utility's long term needs

- Must pay market value
- State will finance the land over 20 years if the City is interested in purchasing the land

Natural Gas Utility Board

- Utility board is in a period of anticipation waiting for major State actions...
- Governor's initiative to fund liquefaction, trucking, storage and distribution
- Regulatory Commission decision of Certificate of Need

City Accountant, Lisa Vaughn

- None

Borough Representative

- None

City Clerk

- Alaska USA Insurance, the brokers for our medical insurance, will be here on Friday, April 12th at 9:00 to a basic "self insurance" training session with Mayor Ward so that he can be better prepared for the health plan renewal coming up in June.
- We received our foil imprints today with the 60th Anniversary on them. We also have a few pens imprinted with the 60th Anniversary on them also.
- Reminder that Mayor is having a Council Workshop on Monday, April 8, 2013 from 6:00 – 8:00 p.m. You will be receiving an Ordinance with the personnel changes tomorrow morning along with the agenda.

ONGOING PROJECTS

None

CITIZENS COMMENTS

Robert Bradley, 3940 Birch Lane North Pole, AK

Mr. Bradley had concerns with the safety and use of ATV's and snowmachines in the North Pole area. He asked the council to limit the use of them on the city streets and highways. He would like to see more patrolling in the area.

Mr. McGhee asked if he was aware of state statute that regulates ATV's. He stated that council can make a decision to make the law more stringent in the city limits.

Dawn Murphy, FCVB

Packets with the 2012 audit were distributed to council members and Ms. Murphy stated that there were no material weaknesses or deficiencies. Also included in the packet were the top 10 travel destinations of which Fairbanks is named at the #2 destination to visit in the United States in 2013 by Lonely Planet, the leading travel guidebook publisher and website. FCVB will hold

their annual banquet on April 20, 2013 at the Princess Lodge and council members should be receiving their invitations in the mail shortly.

OLD BUSINESS

None

NEW BUSINESS

DISPUTE UTILITY BILL BY ANTHONY ETTARI IN THE AMOUNT OF \$1231.95

Mr. Butler came forward and gave an explanation of the protocol when a leak is detected at a residence. After a meter reading is done, if there is a leak, Ms. Fogarty will send out a notice to the owner to inform them of the problem. Mr. Bottles, the property manager, was reached and was informed that the leak needed to be corrected. The utility department, upon arriving at the residence, did a profile of how much water was leaking. Mr. Bottles corrected the problem when notified of the situation. The utility department did not see any evidence of a sink hole, mud, or water/ice on the property where 95,000 gallons of water went through the meter.

Mr. Smith asked if there was a circulation pump.

Mr. Butler said there was no heat on in the house for some time according to the manager and circulation pumps are not required.

Ms. Hunter asked where 400 gallons of water per hour would go.

Mr. Butler said that if a tap was open or a toilet was running or a pipe was broken, that 400 gallons per minute could go through and would probably freeze under the trailer. Mr. Hollis did not provide any evidence, pictures, etc. to prove that the water did not go down the drain.

Ms. Hunter asked the timeframe of this event.

Mayor Ward said that Ms. Fogarty had talked with him at 11:00 a.m. and the water was shut off at 7:00 p.m. It was not until later that Mr. Hollis came in and said that there was a leak.

Mr. Holm asked if we normally look for that evidence or was it the homeowners responsibility.

Mr. Butler said that the Utility Department wasn't going in to look for a leak and didn't go in to inspect but to look at the meter. The responsibility falls to the homeowner to bring evidence to council in order to ask forgiveness for the utility bill.

Mr. Holm asked if we can shut the water off.

Mr. Butler said that we can not shut the water off and that the owner needs to shut it off under the home. If there is a serious situation the utility department will call the police and enter the home to shut the water off if the homeowner can not be reached or is out of town. Mr. Butler stated that there was no proof provided by the owner that the pipes had been fixed and that the ground would be frozen under the trailer and therefore would be ice on the ground.

Hollis Bottles, 912 23rd Ave, Fairbanks, AK

Mr. Bottles stated that he is the property manager of the residence. He said that 95,000 gallons of water leaked under the trailer and that it did not go into the City sewer system and went into a hole under the trailer. He would like to get some kind of relief from this \$3,200 bill.

Mr. McGhee asked where the leak was.

Mr. Bottles stated that the break was in the main line and that the meter was broken due to being frozen.

Mr. Holm asked if there was some way for the tenant to get pictures of the damage or some kind of proof.

Mr. Bottles said that he told the tenant to shovel dirt under the trailer and into the hole.

Mr. Smith asked if the owner was able to do a payment plan for this bill.

Mr. Bottles said the average bill is 4000-5000 gallons of water per month. He said there is no way 95,000 gallons of water could run through there.

Ms. Sikma asked if he filled the hole in or if there was someone who could go in and check it out.

Mr. Bottles said that if the City wanted to send someone underneath the trailer that would be fine but he wasn't going under there.

Ms. Sikma asked how the pipe was repaired if the tenant couldn't get in there.

Mr. Bottles said the tenant did get under there and that it was a plastic pipe that was broken and has been fixed since then.

Public Comment

None

Mr. McGhee moved to Deny financial assistance to Mr. Ettari in the amount of \$1,231.95 for the sewer portion of his utility bill

Seconded by Mr. Smith

Discussion

Mr. McGhee said that the tenant didn't prove that 95,000 gallons of water didn't go through the meter.

Ms. Hunter said that there is a cost to the water and that when the council forgives a bill, the rest of the residents have to pay for that water. She said that an extended payment plan may be in order.

Mr. Smith said that he would also like to see a payment plan for the resident do it would be easier for them to pay it back to the City.

Mr. Holm said that the City's policy is that when there is no proof offered or any willingness to take any pictures, and that 95,000 gallons would have been a lot of water, that he is in favor of the motion.

Mr. Nelson said that without any proof of any negligence on the owners part that we couldn't grant relief.

Ms. Sikma said she regrets his situation but without proof that she agrees with the rest of the council.

Mr. McGhee said he has a Jacuzzi that holds 475 gallons of water and he can fill it within 3 hours off of the tap in his bathroom. It's not uncommon to use that much water.

Mr. Ward said it was Mr. Bottles responsibly to come forward with evidence that the water idn't go down the drain. By code, the owner must provide proof or pay the cost of the water. If he can come back with roof then the city may be able to forgive a portion of it . It is a cost to our utility rate payers.

PASSED

YES: 7 – Hunter, Sikma, Holm, Smith, Nelson, McGhee, Ward

NO: 0

Absent: 0

EXECUTIVE SESSION

Mr. McGhee *moved to adjourn into Executive Session to discuss City of North Pole vs Heather Burns on sales tax issues.*

Seconded by Ms. Sikma

Mayor Ward brought the meeting back to order at 8:50 p.m.

Mr. McGhee *moved to direct the Mayor to file with a collection agency and hold the sales tax debt until the date of statute of limitations.*

Seconded by Mr. Holm

PASSED

YES: 7 – Hunter, Sikma, Holm, Smith, Nelson, McGhee, Ward

NO: 0

Absent: 0

COUNCIL COMMENTS

Mr. Holm – Good Evening.

Mr. Smith – Hopes everyone had a good Easter and enjoy the rest of the week.

Mr. Nelson – Happy April Fool’s Day!

Mr. McGhee – thanked the Bradley’s for coming in and Phil Zastrow for attending. He would like to know why the Fire Dept was here tonight. Just a reminder to council, that they have the power to help the police to enforce the ATV’s in the City. He asked everyone to be responsible with ATV’s. Glad sodium chloride went down. Be safe.

Ms. Hunter – thanked NPMS for doing the National Anthem. She also thanked Mr. Bradley and is concerned about the 4 wheelers and young children with parents that don’t have enough safety awareness to be doing that. She would hate to have the city face a death due to ATV’s in the city. She thanked Mr. McGhee for bringing this to our attention and other safety issues.

Ms. Sikma – no comment

Mayor Ward – thanked NPMS for singing the anthem and to let him know. He is happy about the public involvement and all the input at the council workshop and their efforts.

ADJOURNMENT

Mr. McGhee adjourned the meeting at 8: 56 p.m.

Seconded by Ms. Sikma

The regular meeting of April 1, 2013 adjourned at 8:56 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, April 15, 2013.



Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk