

**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, August 5, 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, August 5, 2013 to order at 7:00 p.m.

***There were present:***

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

***Absent/Excused***

**Excused  
  
Excused**

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

Led by Mayor Ward

**INVOCATION**

Invocation was given by Michelle Sikma

**APPROVAL OF AGENDA**

**Mr. McGhee moved to Approve the Agenda of August 5, 2013**

**Seconded by Ms. Sikma**

**Discussion**

None

**Mr. McGhee moved to consent the following items under New Business:**

- a. Request from Christmas In Ice for 2<sup>nd</sup> Quarter 2013 Bed Tax
- b. Resolution 13-10, A Resolution Establishing The Sewer Lift Station Rehabilitation Project Phase 3 as The City of North Pole's Utility Department Priority Capital Project for Calendar Year 2014
- c. Resolution 13-11, A Resolution Requesting Transfer of Funding from the Fairbanks North Star Borough to the City of North Pole for Beautification Projects within the City Limits

- d. Resolution 13-12, A Resolution Of The North Pole City Council Designating City Officials Authorization To Sign On City Of North Pole Accounts

**Seconded by Ms. Sikma**

**Discussion**

None

***On the Amendment***

**PASSED**

YES – 4 –Sikma, Holm, McGhee, Ward

NO – 0

Absent – 2- Hunter, Smith

***On the main motion as amended***

**PASSED**

YES – 4 –Sikma, Holm, McGhee, Ward

NO – 0

Absent – 2 – Hunter, Smith

**APPROVAL OF MINUTES**

**Mr. Holm moved to Approve the minutes of July 15, 2013**

**Seconded by Mr. McGhee**

**Discussion**

None

**PASSED**

YES – 4 –Sikma, Holm, McGhee, Ward

NO – 0

Absent – 2 – Hunter, Smith

**COMMUNICATIONS FROM THE MAYOR**

Big Thanks to World Changers for painting City Hall, Public Works Staff is finishing up with final cut in around some doors and windows as well as re-hanging the Christmas lights. We have received lots of compliments on the changes here at City hall.

The Draft EIS (DEIS)public comment period has been extended to August 30<sup>th</sup>. Comments are being accepted through their website [www.alaskaf-16eis.com](http://www.alaskaf-16eis.com)

Muffins With the Mayor will also be next Friday from 7am to 9AM here at city hall.

I got to have dinner with the commanding general of the Pacific Army Forces last week and was introduced to the new USARAK General, General Shields. Alaska remains an important part of the Army's strategic plan.

I spoke at the RCA hearings on the 30<sup>th</sup> of July, in favor of a gas distribution network to North Pole, I also addressed the criterion that needs to be met for anyone looking at providing natural gas to the interior: Build-out commitment, security of supply, and speed of build-out were the primary items I discussed.

The three Mayors and key leaders in the community met with Senator Murkowski on the 27<sup>th</sup> to discuss Eielson AFB, we discussed the F-35's and our congressional delegations support for the mission and aircraft at Eielson.

All of our legislative grant paperwork has been turned in and approved, departments are working on the details of implementing their projects.

Last week we received a check from Golden Valley for \$25,800 for overpaid streetlight electric bills. We have also discovered during the process that 326 of our residents have not been paying sales tax on their electric bills (of which I have been one). We have reviewed GVEA's account list and given our feedback. We have also taken actions to estimate the amount of taxes unpaid to the City of North Pole from GVEA. I will keep the council posted.

#### **COUNCIL MEMBER QUESTIONS OF THE MAYOR**

Mr. Holm asked the Mayor about the 326 GVEA users who are not paying sales tax on their bills and when this is resolved, is the City going to start charging them or are they going to be back-billed.

Mayor Ward stated that per NPMC, it is the City's responsibility to go back and find out what the number is and that the City is working with GVEA on the back-payment and that from this point forward, those residents who were not paying sales tax will show the sales tax on their future GVEA utility bill. Mayor Ward stated that the statute of limitations is 6 years for municipalities.

Mr. Holm asked if the City had gotten any further or gotten any bids from any other companies besides Information Insights on the Fire Department study.

Mayor Ward said that he had not gone any further with that because at this time he did not intend to move forward with it and it is not something that he feels is in the best interest of the City at this time.

Mr. Holm said he disagreed with the Mayor on that issue.

## **COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK**

### **Fire Department, Chief Lane**

- Bids have gone out for the ambulance and the ladder truck and hope to have the ambulance recommendation to council at the next meeting for award. The ladder truck closes on August 26<sup>th</sup> and should have that recommendation to council at the first meeting in September.
- Hydrant testing is finished and they are in the process of apparatus testing.
- Working on a \$65,000 citywide Homeland Security grant that will get the City some radios, equipment to put into an EOC, as well as pay backfill and overtime for training for Alaska Shield 2014 that is coming up in March and are hoping to hear something on that funding by the middle of September.

Mr. McGhee said he would like to see a report on the volunteer fire fighters and how we can build up those numbers again.

Chief Lane said that it currently ranges from 5 – 10 who are active even though they are showing 25 volunteers.

### **Director of City Services, Bill Butler**

#### **Building Department**

- Issued permit to Universal Welding
- Issued a foundation permit for a residential project

#### **Public Works**

- Facelift of City Hall
  - Painting exterior-Completed
  - Landscaping-Continuing
- Exercise trail equipment to be delivered in mid-August
- Paving projects throughout City are nearing completion
- Public Works has orders road striping equipment
- Energy Efficiency grant applications due August 12
  - Writing a grant with goal to replace lights in City buildings with LED lights

#### **Utility Department**

- Utility tour August 19
  - **CHANGE OF TIME 5:30-7:00 PM** work session

- Will meet at City Hall at 5:30
- Transportation will be provided
- Dinner will be provided after the tour at City Hall
- Sewer Lining Project
  - Lining of sewer mains proceeding on schedule
  - No major problems encountered to date
- Municipal Matching Grant funding requests due August 5
  - Request submitted August 5
  - Need to send supporting resolution identifying Utility #1 priority

### **Natural Gas Utility Board**

- Regulatory Commission of Alaska (RCA)
  - Had a public hearing on July 30 at Borough Building
  - Goal was to gather input on competing Fairbanks Natural Gas and Interior Gas Utility's competing requests for overlapping service areas
- Turnout of approximately 50 people offering testimony

Ms. Sikma asked if there could be anything done within the City to reduce speed limits because of children playing in the streets.

Mr. Butler said he has been talking with different people and with the Mayor about doing something to help alleviate that.

### **Police Department, Chief Dutra**

- None

### **Accountant, Lisa Vaughn**

- Catching up on things.
- PERS audit is coming up in August. They will also be auditing the 2012 Social Security contributors.
- Accts Payable Clerk is cleaning up reports on the modules.

### **Borough Representative, Mayor Ward**

- FNSB passed ordinance to pay property owners for foreclosures on taxes.

### **City Clerk**

- The ads for the election on October 1, 2013 have started.

The Municipal Election for the City of North Pole will be held Tuesday, October 1, 2013. Declaration of Candidacy may be filed with the North Pole Clerk's Office at 125 Snowman Lane, from August 5, 2013 at 8:00 a.m. through August 16, 2013 at 5:00 p.m. for the following:

**CITY OF NORTH POLE COUNCIL SEATS**

(All offices serve at-large)

- City Council Seat.....3-year term Incumbent – Thomas McGhee
- City Council Seat.....3-year term Incumbent – Richard Holm
- City Council Seat.....1-year term Incumbent – Preston Smith
- City Council Seat.....1 year term Vacant -
- City Council Seat.....2-year term Vacant -

**QUALIFICATIONS**

A candidate for city mayor or city council must be a qualified voter of the State of Alaska who has resided within the city for a period of one (1) year preceding the period for filing a declaration of candidacy. An elected person may hold only one (1) elective seat at a time.

**DECLARATION OF CANDIDACY**

A candidate for municipal office is nominated by executing a declaration of candidacy under oath and a properly and fully completed public financial disclosure statement that complies with the requirements of state law.

**REQUIRED WHEN FILING FOR ALL ELECTED CITY OFFICES**

- Completed Declaration of Candidacy obtained from the clerk's office
- Completed Public Financial Disclosure Statement that complies with state law. For more information contact APOC at <http://doa.alaska.gov/apoc/> or 800-478-4176
- A twenty five dollar (\$25) non-refundable filing fee shall accompany the declaration of candidacy and PFDS

**CANDIDATE FILING INFORMATION**

Location: City Clerk's Office, 125 Snowman Lane  
Filing Opens: 8:00 a.m., August 5, 2013  
Filing Closes: 5:00 p.m., August 16, 2013  
Withdrawal Deadline: 5:00 p.m., August 23, 2013

\*Note: A candidate desiring to withdraw may do so by filing a written request with the clerk by August 23, 2013 at 5:00 p.m.

Please go to our website at [www.northpolealaska.com](http://www.northpolealaska.com) for more information and forms.

**ONGOING PROJECTS**

None

**CITIZENS COMMENTS**

- Mike Gendreau –1105 St. Nicholas Drive

220 Park Way “Bargain Bin” –

Mr. Gendreau stated that he was upset about the removal of his signs and wanted this statement read into the minutes as follows:

My name is Michael Gendreau and I have been a resident of this City for over 30 years. My residence is located at 1105 Saint Nicholas Drive. My wife and I also own property at 220 Park Way where we operate our small business known as the Bargain Bin.

I am here tonight to discuss a serious issue concerning our business that was created by members of the City Council. We have had a small commercially made sign in place for a little over 2 years. In the last two weeks my small business sign which sits adjacent to the sidewalk near Pizza Hut was torn down. For 4 days we had no sign. My wife and I lost significant revenue because of this action. In addition we were extremely stressed. The City of North Pole also lost sales tax revenue. I need people on this Council to understand some things.

Our sign represents 30 to 35% of our annual revenue and the same percentage applies for sales tax collected for this City. It is what brings in the tourist and people from Fairbanks who otherwise would not know we exist. I try to be a responsible person. I don't just go out and do what I want. I check things out. A little over 2 years ago I had a meeting with Mayor Isaacson. I asked him if there were any City laws or ordinances prohibiting me from placing a small sign in its current location. His answer to me was “No there is not”. I asked him if he or the City police would have a problem if I put it out. Once again he said, “We do not have and will not”. Mayor Isaacson then stated he wanted to caution me about something. He explained to me that DOT is the sole entity for regulating ad policing signs in this area. He also told me they are extremely sensitive about signs on the roundabouts. I heeded his warning and I have never placed a sign on the roundabouts and never will.

In the beginning my signs started disappearing. We lost between \$300 and \$400 worth. We even filed a complaint with the North Pole Police Department for theft and vandalism. My wife eventually caught a DOT employee tearing it down. I went and got a copy and thoroughly reviewed the signage regulations. I found DOT was not following their own regulations. By taking pictures and annotating dates and times, I built a case against them. They did not submit to me in writing their concern and they did not give me thirty days to respond. My sign was often torn down and others were left up which equates to selective enforcement. My Alaska Legislative office agreed with me that I have a good case and they would pursue it for me. Legislators in Juneau satisfactorily handled my case with DOT. Our sign has sat out there for over a year now undisturbed. I also want you to know that during the winter I go out and shovel all new snow in a large area around my sign. I do not want to interfere with the operators who come along and clear snow from the sidewalk.

For the life of me I cannot understand the recent actions by people on this City Council. Towns like Valdez vigorously support their small business people. They allow them to have small sandwich boards out on the edge of the sidewalks. In my opinion the signs actually add to the appeal and charm of the city.

I have some questions for all of you:

Does this City Council intend to harm its small businesses, churches, civic organizations, and school children fund raising activities?

Is it your intent to decrease the City's annual sales tax revenue?

Do you realize the scope and magnitude of sign enforcement in the entire City limits of North Pole?

Have you thought about who would enforce it and the cost to the City taxpayers?

I for one, as a City taxpayer, do not want our Police force to become the sign police. Do you realize selective enforcement is discrimination and is not an option?

Why was I not given the decency and courtesy of a phone call so I could have an opportunity to discuss this issue with you like an adult?

Could we not have worked on the together and come up with a better solution?

Why do people on this council think they have the right to walk around like law enforcement and destroy a person's property and interrupt their legally licensed business?

If I were a mean and vindictive person, I think I would have been well within my rights to process vandalism charges against anyone involved. When you tore down my sign, did you consider that you might be creating unnecessary liability for yourself and the City?

I am not here to be a trouble maker. I have not mentioned any names as I am not here to make a personal attack on anyone. My wife and I love the City of North Pole and are very proud and grateful to live here. Possible the people involved in tearing down our sign simply do not understand the magnitude of the stress and harm they have caused us. They left me now choice or option but to come before this Council tonight and stand up for what I believe are my rights as an American citizen. I would like to offer all of you a friendly and meaningful reminder;

“The men and women elected to this Council are brought her by our citizens to represent us. We the people, do not work for them nor do they assume a special status or privilege over us”. Simply put, they do not reign, but are elected to serve. When our elected Councilmen believe they are justified to assume the role of Constable, judiciary and legislator, based on their title of “Councilman” and believe they are in their right to attack a small businessman and his livelihood because they don't like signage, then I believe, this municipality has gone out of control.

I say again, membership to this Council does not give a member special privilege, power or status. You only have an obligation to represent your constituents. Even in North Pole we have a representative government with checks and balances, not a monarchy.

I would like to thank Mayor ward for his time, courtesy, ad professionalism during the meetings ad conversations that I have had with him in the last two weeks. I would like to sincerely thank all people on the Council for your time this evening and the good things that you do accomplish for the people in this City.

- Ron Jones, 2410 San Augustus Drive

Mr. Jones said that Senator Murkowski has moved to suspend the move of the F-16's until 2014 and that the F-35's have a 40% chance of relocating here.

## **OLD BUSINESS**

### **ORDINANCE 13-11, AN ORDINANCE CREATING CHAPTER 4.24, DESIGNATED FUNDS PURPOSED TO RECEIVE MONIES DESIGNATED FOR CAPITAL PROJECTS AND VEHICLE FLEET PURCHASES, 2<sup>nd</sup> Reading**

### **ORDINANCE 13-12, AN ORDINANCE AMENDING CHAPTER 4.12, SECTION .020, TAX LEVY AND COLLECTION, 2<sup>nd</sup> Reading**

Mayor Ward said the idea behind this is to create separate funds for a savings account to put money away for Capital Projects and Fleet Purchases. The .50 mill increase was designed to do this as a way to start a savings account as such.



**Public Comment**

None

**Mr. McGhee moved to Adopt Ordinance 13-11, An Ordinance Creating Chapter 4.24, Designated Funds Purposed to Receive Monies Designated for Capital Projects and Vehicle Fleet Purchases and Ordinance 13-12, An Ordinance Amending Chapter 4.12, Section .020, Tax Levy And Collection, 2<sup>nd</sup> Reading**

**Seconded by Ms. Sikma**

**Discussion**

Mr. McGhee said that he would like to see the departments put more money in this when it comes to budget time and he is happy that the City is moving in this direction.

Mr. Holm said he has problem with the verbiage and supports the principal behind the ordinance but without changing the verbiage it can be construed as simply a tax or funds that are strictly paid by property owners.

**Mr. McGhee moved to Amend ordinance 13-11, line 46: striking the words ~~General Fund~~ and**

**Seconded by Ms. Sikma**

**Discussion**

Mr. Holm asked what change this makes on the perception of the who ordinance.

Mayor Ward said that it didn't but was a grammatical change.

***On the amendment***

**PASSED**

YES – 4 –Sikma, Holm, McGhee, Ward

NO – 0

Absent – 2 – Hunter, Smith

***On the main motion as amended***

**Discussion**

Mayor Ward stated that this is exactly what the Council said they were going to do and that it is a good step in the right direction and looks forward to working with the Council on some of the great ideas that have come forward in the past.

**PASSED**

YES – 3 –Sikma, McGhee, Ward

NO – 1 - Holm,

Absent – 2 – Hunter, Smith

**COUNCIL COMMENTS**

**Mr. Holm** – No comment

**Ms. Sikma** – said this was her final meeting and she is regretful of leaving and had optimistic growth for the city. She encouraged everyone to be involved with the Finance Committee and reviewing Ordinances. She asked everyone to support Christmas in Ice as it's part of what North Pole is about and is an amazing event and to not weaken the structure of that organization. She encouraged the council to ask the departments for statistics so that they can make educated decisions. She will miss everyone.

**Mr. McGhee** – thanked Michelle Sikma for her time on the council. She thanked the public for being here and Chief Lane for his continued dedication to Itadori Sister City. He told the story of a Harley that had floated here from Japan during the tsunami and the man that refused to take it back because so many in his country had lost so much.

**Mayor Ward** – thanked Ms. Sikma for her service to the community and that it was a pleasure to having her on council. He wished her well wherever she ends up. The Mayor thanked the Itadori visitors for their gifts and the great time they had last night at the Welcoming Party. The utility department is doing their tour on August 19<sup>th</sup> at 5:30 for the council members and public. Mayor Ward thanked citizens for coming out and appreciated all the involvement.

**ADJOURNMENT**

**Mr. McGhee adjourned the meeting at 8:19 p.m.**

**Seconded by Mr. Holm**

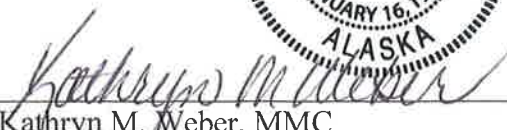
The regular meeting of August 5, 2013 adjourned at 8:19 p.m.

**These minutes passed and approved** by a duly constituted quorum of the North Pole City Council on Monday, August 19, 2013.



  
\_\_\_\_\_  
Bryce J. Ward, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kathryn M. Weber, MMC  
North Pole City Clerk