

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 18, 2014 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 18, 2014 to order at 7:00 p.m.

There were present:

Ms. Holm
Ms. Hunter
Mr. McCarthy
Mr. McGhee
Mr. Smith
Mr. Welch
Mayor Ward

Absent/Excused

Excused

Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Ward

INVOCATION

Invocation was given by Councilwoman Holm

APPROVAL OF AGENDA

Ms. Holm moved to Approve the Agenda of August 18, 2014

Seconded by Mr. Smith

Discussion

None

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

- b. Recommendation from Chief Dutra to award the North Pole Police Station Cooling Upgrades to Slayden Plumbing in the amount of \$86,899
- c. Recommendation for A & A Roofing Co., Inc. for roof repairs on City Hall and North Pole Police Station in the amount of \$42,000.

- d. New liquor license approval for Wildeberry, LLC dba Grizzli's
- e. Ordinance 14-15, An Ordinance of the City of North Pole, Alaska amending Title 4, Revenue & Finance, Chapter 4.25 Designated Funds, and adding Section 4.25.080, Health Insurance Reserve Fund

Seconded by Ms. Holm

Discussion

None

On the amendment

PASSED

YES – 5 – McCarthy, Smith, Holm, Hunter, Ward

NO – 0

Absent – 2 – McGhee, Welch

On the main motion as amended

Discussion

None

PASSED

YES – 5 – McCarthy, Smith, Holm, Hunter, Ward

NO – 0

Absent – 2 – McGhee, Welch

APPROVAL OF MINUTES

Ms. Holm moved to Approve the minutes of August 4, 2014

Seconded by Mr. Smith

Discussion

None

PASSED

YES – 5 – McCarthy, Smith, Holm, Hunter, Ward

NO – 0

Absent – 2 – McGhee, Welch

COMMUNICATIONS FROM THE MAYOR

I will be taking some time off this summer (Thursdays and Fridays) If you would like to stop in please call and make an appointment to ensure I am here at City Hall. I always carry my phone if there is a need to immediately reach me.

Please be mindful of the engineers out surveying the City for the new gas system. They are preparing for construction to happen in 2015!

We have received several calls in regards to flooding basements due to the rain and the high water table. There is very little the City can do for flooding basements due to the water table. We are also asking people to make sure that any sump pumps that are in their basement are not hooked up to the city sewer mains. Water pumped into the system from an alternative source is not metered and increases the cost of the utility. If you have questions please call City Hall 488-2281

The Interior Gas Utility will be meeting at Hotel North Pole (449 North Santa Claus Ln) on Monday August 25th from 5-7 pm. Please come get informed on the upcoming projects to get gas to the residents of North Pole. For more information please contact Mindy O'Neill Community Affairs Manager for the IGU at 907-374-4474 or go to Interiorgas.com

Muffins with the Mayor was a success last week and a great way for residents to come voice their concerns and address issues we have in the community. One of the items that came up for discussion was the safety at the intersection of NPHS Blvd and the Richardson Highway. I was able to inform the public that we have passed a resolution earlier this year to nominate that intersection for a FMATS safety improvement project. I look forward to continuing the Muffins tradition into the future.

I was able to have a brief meeting with Col. Winkler from Eielson AFB last week. Col. Winkler is the new 'base commander' for Eielson and replaces General Mark Kelly. We were able to get to know each other better and discuss his first couple months as the base commander. I look forward to a productive relationship with Eielson AFB as we move toward F-35's in the Future.

I sent a letter to the Attorney General last week in regards to the resolution efforts regarding sulfolane. I asked for a formal seat at the table during discussions regarding sulfolane and am anxiously awaiting a response.

I was honored to address the teachers at their first day of school last week. Some of the new teachers were my fellow classmates and some of my old teachers were still there. I was able to share about the impact teachers have on their students and the importance of the search for knowledge.

I am pleased to announce that the Memorial Park will enter into the design stages as we were able to sign an agreement with Design Alaska to do the design and public participation plan in the creation of the park. Using the IRS forfeiture monies the City will partner with Design Alaska to complete a construction ready set of Plans and cost estimate for the construction of the park in 2015.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

- Talk about VIP's and explorers. Over the years assisted us with crowd control, fingerprinting of children, bike rodeo's, volunteers for active shooter and more. This money came from a drug dealer inside the City of Fairbanks and this money should go back into a worthy cause to help support the community and I couldn't think of a more deserving group. Lorna has been the Director of this group for many years and it is my understanding both the VIP's and Explorers struggle with funding.
 - Under Asset Forfeiture rules: Recently authorized.
- We just hired back Officer Nathaniel Missimer who was a reserve officer for us for a short period.
- Lorna Illingworth stated that the Police Explorer Program give young adults an opportunity to learn about law enforcement and make a difference in the community. Explorers participate in all of the following activities:
 - **Law Enforcement Training**
 - Police Procedures
 - Criminal Laws
 - Ride-Alongs
 - Firearms Safety
 - Self Defense
 - Leadership Training
 - **Teaching Younger Kids**
 - Drug Awareness

- Bike Safety
- Personal Safety
- **Community Service**
 - Bicycle Patrol
 - Graffiti Removal
 - Crime Prevention Projects
- **Assisting Police**
 - Evidence Searches
 - Searches for Missing Persons
 - Traffic and crowd Control for Special Events
 - Assist with Law Enforcement Training as Role Players
- **Social Activities**
 - Camping Trips
 - State Conferences
 - Parties
 - National Conferences
 - Movie Nights

Applicants are now being accepted for the next Explorer Academy. Applications are available at your school counselor's office or Fairbanks Police Department, 911 Cushman St. or online at: www.fairbanksalaska.us/fpd-volunteer-explorer.

City Accountant, Lisa Vaughn

- Update on July financial statement and other revenues within the City budget.

Fire Department, Chief Lane

- None

Director of City Services, Bill Butler

Building Department

- New commercial permit issued for AT&T Reseller Store on Badger Road
- Almost \$7.8 in building projects this year

Public Works

- Weather continues to affect Public Works projects
 - Down to a single summer hire, one worker had to leave early to enter his college wrestling program
 - Road patching has begun—potholes, dips, etc.

- Have begun road striping between projects and when weather is acceptable (learned from DOT Maintenance they plan to repair crosswalks in roundabouts with inlays, but probably will not be until 2015)
- Begun brush cutting around City, but with reduced staff will affect this effort (plan to hire a contractor to do brush cutting if Public Works staff cannot)
- Weather hindered fitness trail work at site #5, but equipment was installed today
- Received an additional \$5,000 from the Snedden Family Foundation to help complete the fitness trail
- Plan to have a “Grand Opening” of fitness trail Saturday, August 23
- Dog park work hindered by flooding, but plan to begin fence work this week
- Saint Nicholas Drive project held an inspection on 13th, major issues were cleaning of the site

Utility Department

- Received contact from ADEC that they are proposing to address sewer outfall problem with a Notice of Violation
- Have not been able to talk directly with ADEC about what this means for the Utility
- Wastewater treatment plant is moving forward with building modifications
 - Rainfall has slowed lowering the lagoons which must occur to upgrade the sewer lift station and replace critical plant piping, but Ghemm is keeping the project on track
 - The emergency generator and enclosure must be built and this is 90 days from delivery which puts this part of the project into October

Natural Gas Utility Board

- Previously reported IGU was at a critical juncture of negotiating a take-or pay gas supply contract as early as August 5th
- Financing of the liquefaction plant on the North Slope and determining the method and cost of trucking are slowing the process and delayed take-or-pay negotiations
- Engineering of Phase 1 in the North Pole area continues
- Award of a Phase 2 engineering went to MJB for \$839,548 (Phase 2 is northern North Pole and line to Eielson AFB)
- Process begun to solicit an operator to run the gas utility has begun
- November will mark 2nd year of IGU and there are two positions opening by election on the Board

Borough Representative

- Nothing on the agenda that concerned the City of North Pole.

City Clerk, Kathy Weber

- Laserfiche workflow is continuing. We are in the process of looking into adding the Police Department to the system.
- The state primary election is tomorrow. Polls will open at 7:00 a.m. and stay open until 8:00 p.m. North Pole residents will vote at the City Hall precinct. The general election will be held on Tuesday, November 4, 2014.
- City of North Pole continues to work with the FNSB and City of Fairbanks to coordinate the 2014 Preparedness Expo on Saturday, October 4, 2014 at the Carlson Center. I have included the flyer, Expo objectives, and a registration form if anyone is interested in sponsoring or being a part of this important event. The City of North Pole will be fielding all calls from area residents on this event.
- Pro Music will be out on Thursday to start installing the new sound system in the council chambers. We should be up and running by our meeting of September 2nd.
- Reminder that the first council meeting in September will be on Tuesday, September 2, 2014 due to Labor Day weekend.
- Continue to work on the legal review of the NPMC.
- Proof reading NPMC so as to make changes before we do a final print. This has been a long, slow process.

NOTICE OF ELECTION

DECLARATION OF CANDIDACY & FILING DATES

CITY OF NORTH POLE

The Municipal Election for the City of North Pole will be held Tuesday, October 7, 2014. The Declaration of Candidacy closed on Friday, August 15, 2014 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

City Council Seat.....3-year term

Two candidates filed for the two City Council seats. They are Thomas McGhee and Kevin McCarthy.

Withdrawal Deadline: A candidate desiring to withdraw may do so by filing a written request with the clerk no later than 5:00 p.m., August 22, 2014.

ONGOING PROJECTS

- None

CITIZENS COMMENTS

- None

OLD BUSINESS

- None

NEW BUSINESS

REQUEST FROM GARY GALVIN FOR PARTIAL FORGIVENESS OF WATER BILL DUE TO BREAK

Mayor Ward stated that Mr. Galvin came before council approximately a month ago and drafted a letter to council asking for partial forgiveness of his water bill.

Public Comment

None

Ms. Holm *moved to* adopted a partial forgiveness of the water bill due to a break.

Seconded by Mr. Smith

Discussion

Ms. Holm stated that with information that was provided by council she wanted to know if the council would be willing to decrease the amount if Mr. Galvin agreed to sign a Confession of Judgment.

Ms. Hunter said that to consider anything but what was in code would be a dangerous precedence to set.

Mr. Smith felt sympathy for Mr. Galvin and said no one has \$10,000 to pay a water bill. He wished there was a mechanism that could catch this sooner.

Mr. McCarthy asked Mr. Butler where the break was. He wanted clarification.

Mr. Butler said that the fitting applied was not done properly and that it appeared that's where the leak/break was.

Mr. McCarthy stated that when new water lines were installed in his house he made sure special fittings were installed. It bothers him that this happened and \$10,000 is a lot of money. He stated that he has insurance and the owner should have insurance also to cover this.

Mayor Ward said it was unfortunate but ultimately it is the responsibility of the owner and should be maintained properly. There are things that you can do to insure that the property is taken care of. He has a hard time voting for any forgiveness of this account. However, it goes back to the owner's responsibility. The sewer portion of the bill was already forgiven and he can't see the rate payers paying for this.

Ms. Holm said that showing compassion for this owner who just took over the property in March who didn't know there was a lien on the property when he bought it because he was in Hawaii. She said this isn't the first time we've put something onto the rate payers. She would like to see partial forgiveness.

Mr. Smith said he would like to see a repayment plan for him.

Mayor Ward said that the Satisfaction of Judgment is a repayment plan and that Mr. Galvin does not want to go through that plan.

Ms. Holm withdrew her motion

Mr. Smith withdrew his second

Ms. Holm moved to request from Gary Galvin for forgiveness of water bill due to break using 13.12.110, Part E, to recomputed at a later time.

Failed for lack of a second

Mr. McCarthy moved to deny forgiveness of the \$10,000 water bill resulting in the loss of 450,000 gallons due to a water break.

Seconded by Ms. Hunter

Discussion

Mayor Ward cited code:

13.12.110 Appeal of utility billings.

- A. Any City utility customer who believes his utility billing is unjust and inequitable as applied to his property within the intent of the City utility rules and regulations may make written application to the City Council requesting a review of his utility billing. The application shall include the facts and data upon which the appeal is based.
- B. While awaiting Council review of his appeal, the customer shall pay the amount of the disputed bill to the City within thirty days from the mailing date to avoid becoming delinquent. Subsequent bills shall be paid in full within the prescribed time limit.
- C. Payment of disputed bills as required by this section shall not be deemed to prejudice an otherwise valid contest.
- D. Review of the request shall be made by the City Council who shall determine if it is substantiated or not, including recommending further study of the matter by a designated representative.
- E. If the request is determined to be substantiated, the charges for the customer shall be recomputed based on the Council approved terms, and the new charges thus recomputed shall be applicable retroactively up to one year.
- F. In instances where a utility customer billing appeal relates to a situation limited to forgiveness of sewer service and associated charges where the customer can document the water upon which the charges are calculated was not discharged into the sewer system, the Mayor or his designee may waive these charges without the appeal proceeding to the City Council for approval. Should such an appeal be granted by the Mayor or his designee, he shall report the waiver of these charges to the City Council. (Ord. 12-02 §2(part), 2012; Ord. 00-16 §2(part), 2000; Ord. 82-8 §2.L, 1982)

PASSED

YES – 4 – McCarthy, Smith, Hunter, Ward

NO – 1 - Holm

Absent - 2– McGhee, Welch

**ORDINANCE 14-16, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA
TO AMEND THE 2014 BUDGET TO AUTHORIZE REPAYMENT OF AN ALASKA
CLEAN WATER FUND LOAN USED TO HELP REPAIR AGING TECHITE
SEWER MAINS**

Mr. Butler stated that the city borrowed monies from the State of Alaska through an Alaska Clean Water Fund Loan with an annual interest rate of 1.5 percent per year for a period of 20 years to repair the aging Techite sewer mains. The total funds borrowed by the City were \$682,735.51 combined with load forgiveness of \$102,409.74 which resulted in a debt to be repaid by the City totaling \$580,325.77. The first payment is due October 1, 2014 totaling

\$27,428.53 and each of the succeeding 19 payments each totaling \$33,801.50. This loan was approved by the voters.

Public Comment

None

Mr. McCarthy *moved to* Introduce and advance Ordinance 14-16, an ordinance of the City of North Pole, Alaska to amend the 2014 budget to authorize repayment of an Alaska Clean Water Fund loan to use to help repair aging techite sewer mains

Seconded by Ms. Holm

Discussion

None

PASSED

YES – 5 – McCarthy, Smith, Holm, Hunter, Ward

NO – 0

Absent - 2– McGhee, Welch

ORDINANCE 14-17, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA ADOPTING LEGISLATIVE GRANTS AWARDED TO THE CITY OF NORTH POLE IN 2014 AND APPROVING THEM IN THE 2014 CITY OF NORTH POLE BUDGET

Mayor Ward said that it was his pleasure to present the legislative grand awards appropriated by the 28th Alaska Legislature for the City of North Pole. The City of North Pole was fortunate to have all of the request/needs met by the legislature. Special thanks to our legislator for allowing the City to move forward with these important projects.

The City of North Pole, through Resolution 13-21, requested monies for Strategic Planning, a skid steer loader for Public Works, to redesign City Hall, a mixing zone compliance for North Pole Utilities and a de-watering study in the sulfolane plume. The City has also agreed to match all general fund grants with a 10 % match of our own funding.

Funding was not appropriated for the de-watering study in the sulfolane plume because ADEC (Alaska Dept. of Environmental Conservation) has agreed to do the study. ADEC is in the final stages of developing a BMP (Best Management Practices) for de-watering in the sulfolane plume.

Public Comment

None

Mr. McCarthy moved to Introduce and advance Ordinance 14-16, an ordinance of the City of North Pole, Alaska to amend the 2014 budget to authorize repayment of an Alaska Clean Water Fund loan to use to help repair aging techite sewer mains

Seconded by Mr. Smith

Discussion

Mr. Smith said that it was good to see a lot of good things come out of the state legislature to help the City.

Mayor Ward said that video's were sent along with a 10% match from the City really helped in securing those grants.

PASSED

YES – 5 – McCarthy, Smith, Holm, Hunter, Ward

NO – 0

Absent - 2– McGhee, Welch

COUNCIL COMMENTS

Mr. McCarthy- happy that Ms. Holm brought her baby and that we should try and rescue her better. He likes having a little one here.

Ms. Holm – thanked everyone for being so accommodating tonight.

Ms. Hunter – passed out a report on the AML conference and brought a portion of that to the attention of the council on marijuana. She asked council to please look at what the costs would be to the state and to individuals. She appreciated hearing the presentation on Volunteers in Policing.

Mr. Smith – be on the look out as school starts this week.

Mayor Ward – if councilmen are interested in making amendments please come in and let the clerk help you in advance. Also, watch for students. He addressed the teacher orientation last week and saw previous teachers and schoolmates.

ADJOURNMENT

Ms. Hunter adjourned the meeting at 8:26 p.m.

Seconded by Mr. Smith

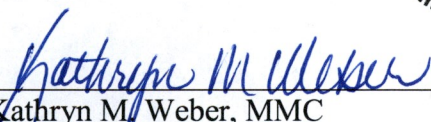
The regular meeting of August 18, 2014 adjourned at 8:26 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, September 2, 2014.




Bryce J. Ward, Mayor

ATTEST:


Kathryn M. Weber, MMC
North Pole City Clerk