



**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, June 6, 2016 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, June 6, 2016 to order at 7:02 p.m.

*There were present:*

**Mr. McCarthy – Mayor Pro Tem  
Mr. Smith – Deputy Mayor Pro Tem  
Ms. Holm – Alt. Deputy Mayor Pro Tem  
Ms. Dawson  
Mr. McGhee  
Mr. Claus  
Mayor Ward**

*Absent/Excused*

**Excused**

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

Led by Mayor Ward

**INVOCATION**

Invocation was given by Elizabeth Holm

**APPROVAL OF AGENDA**

**Mr. McGhee moved to Approve the Agenda of June 6, 2016**

**Seconded by Mr. Claus**

**Mr. McGhee moved to Amend the Agenda to Consent the following items:**

**New Business**

- b. Ordinance 16-11, an Ordinance amending Title 4, Revenue and Finance, adding Chapter 4.26, Classification of Debtors to the City.
- c. Ordinance 16-12, an Ordinance amending Title 15, Building and Construction, Chapter 15-15-060, Local Amendments to the International Building Code

- d. Ordinance 16-13, an Ordinance of the North Pole City Council amending Chapter 12.04, Obstruction or Alteration of Streets, Road Rights-of-Way, Sidewalks or City Property establishing Permits for Parades and Special Events
- e. Ordinance 16-14, an ordinance of the City of North Pole, Alaska to amend the 2016 Budget to accept funding for economic development in North Pole to include work for the Business Retention and Expansion Project (BR&E)

**Seconded by Mr. Claus**

**Discussion**

None

**On the Amendment**

**PASSED**

Yes: 6 –McCarthy, McGhee, Dawson, Claus, Holm, Ward

No: 0

Absent: 1 - Smith

**On the Agenda as amended**

**Discussion**

None

**PASSED**

Yes: 6 –McCarthy, McGhee, Dawson, Claus, Holm, Ward

No: 0

Absent: 1 - Smith

**APPROVAL OF MINUTES**

**Mr. McGhee moved to Approve the Minutes of May 16, 2016**

**Seconded by Mr. Claus**

**Discussion**

None

**PASSED**

Yes: 6 –McCarthy, McGhee, Dawson, Claus, Holm, Ward

No: 0  
Absent: 1 - Smith

### **COMMUNICATIONS FROM THE MAYOR**

- 4<sup>th</sup> of July Meetings are ongoing and we are in need of help from the community. The next meeting will be June 13<sup>th</sup> here at City Hall at 6pm. The Committee chose a theme for this year's parade and festival. Freedom in Motion! We are in need of help and sponsorship for this event!
- The Strategic Planning effort is ongoing and we need residents and community members to review the draft and take the survey. The survey is available on the website, Northpolealaska.com.
- The Borough Parks and Rec Dept. is asking if there is support to keep the flags at the 5<sup>th</sup> Avenue Park. My initial response was that the community would notice and not want to lose the flags. I am looking for council response.
- I gave a presentation to the Charter Review Committee in regards to Chapter 6 of the Charter, Budgets. I look forward to the Charters presentation and recommendations to the council and being able to discuss the recommended changes.
- The Mayors Awards show was last Friday at the Centennial Building (Pioneer Park). The Three Interior Mayors were present to give out the awards to the deserving recipients.

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

- Mr. Claus asked if the Mayor could publicize what the levels of donations are for the 4<sup>th</sup> of July.

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

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

- Our new cars are finally in Anchorage
- Officer Fisher is off to EVOC school in June. (paid for by APSC)
- Sneed foundation made a \$25,000 donation to Trooper Gabe Rich and Trooper Scott Johnson Memorial Park
- APOA awards.
- Lt. Rathbun received Commander of the Year

- Terri Nelson received Support person of the Year
- Lantz Dahlke received Investigator of the Year
- Glen Weber received Citizen of the Year
- Det. Gibson was awarded Officer of the Year for NPPD
- Ofc. Jed Smith was awarded Employee of the Year for NPPD
- Pavillion has arrived for memorial park
- NPPD attended 8 hours of range training at Eielson AFB.
- Radio installed on Motorcycle
- Bidding process for Auction services has started,
- Website for reserve store is in the works.

### **Fire Dept., Deputy Chief Coon**

- Thanked everyone for coming out to the Volunteer Fire Department Dinner.
- Firefighter II class is now going on.
- Hose testing is going on right now. Hydrant testing will be going on next and a notice will go out to all residents.
- NPPD did joint training on continuous CPR.

### **Finance, Tricia Fogarty**

- Auditor will have a presentation at next meeting. They are waiting for the State of Alaska to give the final numbers on PERS.
- April financials are before council tonight.

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

#### **Building Department**

- No new permit applications or permits issued since last Council meeting.
- Code change to amend Building Code to adopt regulations about oil and gas industry is before the Council this evening.

#### **Public Works**

- Three summer hires in place—all with at least one year experience working for our Public Works Department.
- Work on summer projects update:
  - Flowers have been planted in the roundabouts, flower boxes out, benches and trash cans installed on Santa Claus Lane.
  - Samples of wayfinding signs outside for your inspection.
  - FMATS project has gone to bid for sidewalk and road paving and crack sealing.
    - Work to be completed no later than October 2016

- Code amendment to clarify Chapter 12.04 inserting reference to parades and events as activities requiring a permit is before the Council this evening.

### **Utility Department**

- Lift Station Rehabilitation Project: Phase 3.
  - Issued Notice to Proceed to Central Environmental, Inc. for Sewer Lift Station Phase 3 project.
  - Contractor's current plan is to begin excavation work the last week of June.
- Request is before Council this evening to place a question on the October 4 ballot authorizing the Utility to borrow up to \$2 million from the state for an Alaska Clean Water Fund loan for the Sewer Outfall Project.
- Begun work on request for a \$1 million Municipal Matching Grant for the Sewer Outfall Project.
  - ADEC limits requests to \$1 million.
  - Submissions due July 15.
  - Will be submitting a resolution to Council at the June 20 meeting to identify the Sewer Outfall Project as the City's #1 capital project for State Fiscal Year 2018. Such a resolution will give our application 50 extra points and make the Utility more competitive.

### **Natural Gas Utility Board**

- IGU continues negotiations with ADIEA and gas supplier Salix to secure a gas supply.

### **Other**

- Code amendment before the Council this evening providing the City an additional means to collect delinquent debts owed the City by denying some services until the debt is repaid.

### **Borough Representative**

- There is an ordinance before the FNSB – Ordinance # , this would change the ordinance so that it would stay with the FNSB and not the Cities. However, it would give us a seat at the table and allow one of our council member to sit on the planning commission.

### **City Clerk's Office, Kathy Weber**

- New countertops in Admin. Many thanks to the PW department. They continue to repaint the Admin office when they have time.
- The recording system is working properly right now.
- Received notice from Chief Lane that he was retiring. His last day will be July 29<sup>th</sup>.

- Aaron continues to work diligently on the litigation information and putting it into Concordance. This is a frustrating function as everything needs to be formatted that comes from the State of Alaska, Williams Alaska Petroleum and Flint Hills Resources.
- Aaron is working with AAMC and the State of Alaska Archives to update the record retention schedule.
- Later this week we will be wrapping up the North Pole code reformat project. The online code will be updated to reflect all of the style changes and corrections made with the reformat, and a new printed version will be prepared.
- The Charter Commission will have a resolution before council on the meeting of June 20<sup>th</sup> with an initiative
- Public Works did an awesome job on the countertops in the main office.

### **ONGOING PROJECTS**

- None

### **CITIZENS COMMENTS**

Francie Cork, 401 Holiday Rd.

Ms. Cork said she has come to the Mayor, the NP Police, and the administration with complaints concerning the property located at 303 W 4<sup>th</sup> Ave. She referred to NPMC 8.04.010 (*8.04.010 Garbage and rubbish – Accumulation – When prohibited. No person shall permit or suffer to accumulate, in or upon any yard, lot, place or premises, or upon any street or sidewalk adjacent to or abutting upon any lot, block, place or premises, owned or occupied by him for which he may be the agent, within the City limits, any stagnant or impure water, refuse, vegetables, decayed or decaying substances, garbage, swill, offal, fecal matter, urine or filth of any kind nor suffer such yard, lot, place or premises to be or remain in such condition as to cause or create a noisome or offensive smell or atmosphere, or thereby to be, become, cause or create a public nuisance.*), and stated that the residents is vacant and in deplorable condition. The property is managed by an agent of Wells Fargo and she has contacted them. She said she doesn't like the fact that we have laws in NPMC and are not enforcing them. She has done everything she knows of and doesn't know what else to do.

### **NEW BUSINESS**

#### **RENEWAL OF THE 2016-2017 CITY OF NORTH POLE HEALTHCARE**

The City of North Pole health renewal is before council and there are no changes this year except to increase the stop loss from \$35,000 to \$40,000.

#### **Public Comment**

None

**Mr. McGhee moved to Approve the renewal of the 2016-2017 City of North Pole Healthcare Contract**

**Seconded by Mr. McCarthy**

**Discussion**

None

**Mr. McGhee moved to Amend by changing the stop loss from \$35,000 to \$45,000.**

**Seconded by Mr. Claus**

**Discussion**

None

**PASSED**

Yes: 6 –McCarthy, McGhee, Dawson, Claus, Holm, Ward

No: 0

Absent: 1 – Smith

On the main motion as amended

**PASSED**

Yes: 6 –McCarthy, McGhee, Dawson, Claus, Holm, Ward

No: 0

Absent: 1 – Smith

**RESOLUTION 16-05, A RESOLUTION TO PLACE AN INITIATIVE ON THE OCTOBER 4, 2016 CITY OF NORTH POLE BALLOT AUTHORIZING THE CITY TO INCUR \$2,000,000 OF DEBT IN THE FORM OF A LOW INTEREST ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) LOAN FOR THE PURPOSE OF CONSTRUCTING AN EXTENSION TO THE WASTEWATER TREATMENT PLANT DISCHARGE SEER MAIN IN RESPONSE TO AN ADEC NOTICE OF VIOLATION**

Mr. Butler informed council of the need to pass this resolution and putting it on the fall ballot. He said this would be paid by the Utility Department and would not raise property taxes. The City of North Pole scored the highest in the State for the Clean Water Fund.

**Public Comment**

None

**Mr. McGhee moved to Approve Resolution 16-05, A Resolution to place an initiative on the October 4, 2016 City of North Pole ballot authorizing the City to incur \$2,000,000 of debt in the form of a low interest Alaska Department of Environmental Conservation (ADEC)**

**loan for the purpose of constructing an extension to the wastewater treatment plant discharge sewer main in response to an ADEC Notice of Violation**

**Seconded by Mr. McCarthy**

**Discussion**

Ms. Holm said she went over Title 46 and didn't see any statute regarding clean water. She said that there needs to be more evidence as to whether the EPA has the authority to force the City into putting in a new pipe and has been accused of being unconstitutional and forcing us to spend \$2,000,000.

**Ms. Holm moved to postpone the Resolution until the June 20<sup>th</sup> to find out how the Supreme Court ruled and if this is constitutional.**

Failed for lack of a second.

Mr. McCarthy said he approves putting this to the voters. He finds it unusual that we have been talking about this for 4 years and now we're talking about whether or not its constitutional.

Ms. Holm said she came across an article concerning the EPA and did not feel that they had the authority to make the City do this. She also said she had spoken with Senator Coghill and Congressman Don Young and neither of them had heard of this.

Mayor Ward called information point of order.

Mayor Ward said they have been talking about this for many years. The idea of spending this kind of money on this kind of problem he would not be wanting to spend \$2,000,000 of putting a pipe into the Tanana River. Given a choice would not want to spend money on this project. However, he will support this going to the people for a vote.

**PASSED**

Yes: 5 –McCarthy, McGhee, Dawson, Claus, Ward

No: 1 - Holm

Absent: 1 – Smith

Mr. McGhee moved to put council comments before the Executive Session.

Seconded by Ms. Holm



## **COUNCIL COMMENTS**

**Ms. Holm** – interesting to hear that the borough was wondering if the City of North Pole was wanting to keep the American flag at the 5<sup>th</sup> Ave Park. She just read a news article where a City and its residents were rebelling because a fire truck was carrying an American flag. She is so happy that we live in a community that is Patriotic.

**Mr. Claus** – enjoying longer hours of daylight and hopes that younger people will keep the noise down for older folks so they will be able to sleep.

**Mr. McCarthy** – so sorry to see pictures of that yard on W 4<sup>th</sup>. He said there are so many other properties in the area that also are like that.. There is a lack of enforcement and no one wants to see that and really nothing that can be done. He feels sorry for her and doesn't think there is any ordinance with teeth that will help her out. He said that hopefully this will shame Wells Fargo to do something.

**Mr. McGhee** – thanked the Mayor and City Clerk for bringing forward a sound healthcare plan. They didn't even fill the house with employees. He thanked Ms. Cork for bringing information on the eyesore and said hopefully we can hold the property owner responsible. With 4<sup>th</sup> of July coming up, he asked everyone to be careful on the roads and City streets.

**Ms. Dawson** – no comment

**Mayor Ward** – has had Ms. Corks issue on the top of his priorities. He will look into it and see what the City can do.

## **EXECUTIVE SESSION**

- To discuss legal issues concerning Flint Hills that could be detrimental to the City's financial welfare if made public.

**ADJOURNMENT**

**Mr. McGhee** *moved to Adjourn the meeting at 8:20 p.m.*

**Seconded by Mr. Claus**

The regular meeting of June 6, 2016 adjourned at 8:20 p.m.

**These minutes passed and approved** by a duly constituted quorum of the North Pole City Council on Monday, June 20, 2016.

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Bryce J. Ward, Mayor

**ATTEST:**

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Kathryn M. Weber, MMC  
North Pole City Clerk