



**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 20, 2018 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 20, 2018 to order at 7:00 p.m.

There were present:

Avery Thompson – Mayor Pro Tem
David Skipps – Deputy Mayor Pro Tem
Aino Welch – Alt Dep Mayor Pro Tem
Santa Claus
Doug Isaacson
Perry Walley
Mayor Ward

Absent/Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Ward

INVOCATION

Invocation was given by Mr. McGhee

APPROVAL OF AGENDA

Mr. Thompson *moved to approve the agenda of August 20, 2018*

Seconded by Mr. Skipps

DISCUSSION

None

Mr. Thompson *moved to consent the following items:*

Old Business:

- a. Ordinance 18-15, An Ordinance of the City of North Pole, Alaska to Amend the 2018 Utility Budget by Transferring Funding From the Water Division Fund Balance to the Water Division Professional Services to Fully Fund the Source Water Protection Plan and to Fund Operations Plan Updates.

- b. Ordinance 18-16, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks, and Public Places Chapter 03 Marijuana Use in Public Places.
- d. Ordinance 18-18, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks and Public Places Chapter 08 Excavations.
- e. Ordinance 18-19, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks and Public Places Chapter 12 Snow Removal and Changing the Chapter Title to Maintenance of Streets, Road Rights-of-Way, Sidewalks or City Property.

New Business:

- a. Resolution 18-10, A Resolution Accepting Ownership and Maintenance Responsibility for War Eagle Court and the Sewer Main in Lot B5 Eagle Estates Subdivision.
- b. Ordinance 18-21, An Ordinance of the North Pole City Council Amending Section 4.19 Property Disposal.
- c. Recommendation to Accept Revised Snow Plowing Contract with Hubbard Excavation for the 2018-2019 Snow Plowing Season.

Seconded by Mr. Skipps

Discussion

None

On the amendment

PASSED

Yes: 7 – Skipps, Walley, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

On the Agenda as amended

Discussion

None

PASSED

Yes: 7 – Skipps, Walley, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

APPROVAL OF MINUTES

Mr. Thompson moved to approve the Minutes of August 6, 2018

Seconded by Mr. Skippis

Discussion

None

PASSED

Yes: 7 – Skippis, Walley, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

COMMUNICATIONS FROM THE MAYOR (Audio 3:06)

- Mr. Claus read the NORAD Tracks Santa and National Suicide Prevention Week proclamations into the record.
- I was able to participate in the 2040 planning session for UAF. This was part of what they called a world building event, which was very interesting to be a part of. The process is similar to a strategic planning process in which the City undertook several years ago.
- I was also able to welcome the School District teachers back to work on the 10th of the August with the other Mayors and the Governor. Governor Walker also signed several bills at the event related to education.
- August 10th was a very busy day as we also had a visit from the Secretary of the Air Force here in the City of North Pole. Secretary Wilson took the time to meet with the Tiger Team and then came to the City Chambers for a community session. Senator Sullivan was her host, and we were also joined by Governor Walker.
- August 11th was the grand reopening of the Senior Center, which looks amazing! The City is still working on the final details for the title signing and we anticipate a ceremonial process to ‘hand them the key.’
- The annual Senior Games were also in town on the 11th for the horseshoe competition, of which I was privileged to hand out trophies to our 80-90 year old winners!
- North Star Developers had their preconstruction conference with the City and Stantec and has begun phase 1-2 of the development and plans to have the road be in this fall. The agreements have been signed and they are ready to move forward.

COUNCIL MEMBER QUESTIONS OF THE MAYOR (Audio 11:56)

Mr. Isaacson asked if Howard Rixie from the Lions was asked about the rods for the horseshoe pits since the Lions fixed the park. **Mayor Ward** replied that he thinks everyone but Howard was asked.

Mr. Walley asked if Mayor Ward meant to say August 10th instead of April 10th. **Mayor Ward** replied that he meant to say August, not April.

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Finance, Tricia Fogarty (Audio 13:06)

- Full financials were emailed today and the summarized version is on the dais.
- I got an email last week from revenue sharing, or community assistance is what they are called now and we budgeted for \$85,000 and are going to get \$115,000.
- We got our first statement from our first month of the money we transferred to the AML investment pool and we got \$114 in interest on our \$165,000 investment. That doesn't sound like a lot but we only receive about \$400 on the \$3.5 million we have at Mt. McKinley.
- Next week Melanie and I will be attending a user group training for Caselle in Kenai.

Director of City Services, Bill Butler (Audio 15:29)

Building Department

- Foundation and framing permit issued for 4-plex on Cross Way.
- Permit issued for installation of plug-ins at North Pole Library.
- North Pole Middle School Mechanical Upgrades Project postponed until 2019 due to late issue of FNSB award.
- Early permitting stage for a 3-plex.

Public Works

- Last Friday a Public Works staff member received a serious dog bite on West 1st Avenue while doing brush cutting.
- Plan to begin excavation adjacent to Dog Park to address 3rd Avenue flooding (have done some stop-gap efforts to direct water away from road).
- Brush cutting across City; expect to finish this week.
- **Mr. Isaacson** complimented the Public Works department on the brush cutting.

Utility Department

- Sulfolane settlement.
 - Winding down pipe installation – slightly ahead of schedule.
 - Planning to begin brush cutting in Zones 3 & 4 in September followed by limited additional pipe installation to take advantage of dropping ground water level.
 - Commissioning activities beginning on water mains – pressure testing, flushing, and chlorination.
 - Peridot pump house – installing piping and plumbing inside the pump house; 4th ring installed for 750,000 tank with tank roof expected to be installed this week.

Natural Gas Utility Board

- A board member, Frank Abegg, has resigned and Mayor Matherly has nominated a replacement, Gary Wilken.

Siemens will be presenting a term sheet of an alternative gas supply contract.

Fire Dept., Chief Coon (Audio 23:05)

- The fire apparatus driver operator class took the state test last week and all 12 members passed the practical portion of the test and we are awaiting results from the written exam.
- Kyle Fagerstrom is our new engineer. Kyle will start on September 16th. The department will now be fully staffed. Kyle is a paramedic and comes to us with a lot of experience.
- The department participated in the Youth Safety Day last Saturday. Captain Haywood, FF Payne, FF Reckker, and live-in FF Green took the rescue trailer and Rescue 21 to the Carlson Center. They distributed fire prevention and preparedness materials.
- The Fire Department hosted the Santa Ana College Fire Tech students at the station. The students were given a tour of the station and live-in dorms. Hopefully some of the students will take advantage of the live-in program if they come back to attend UAF.
- FF-1 starts next month. This is a 200 hour course that is held jointly with UAF/CTC.
- Fill the Boot will be August 25th this year. Please come out and support MDA.
- I will be on scheduled leave for the next Council meeting. Deputy Chief Heineken will attend.
- The Fire Department and the Borough Emergency Operations are going to meet on developing a joint ambulance spec. Hopefully this will serve two purposes: cost and interoperability. It is expected that we are going to purchase the new ambulance this year. This will take nearly all of the department's fleet funds.
- The Clerk forwarded each of you the NIMS requirements for elected officials. They are meant to be done in order. Let me know if you have any problems.
- **Mr. Isaacson** complimented AJ and Andrew at the Fire Department who took time to entertain a hyper 7 year old.

Police Dept., Chief Dutra (Audio 31:50)

- School started and we had a call at each school, most of them were minor. NP football game also attended by NPPD and all went off without any major issues.
- We met with all 4 school principals and key leaders within the school district to discuss our SRO plan for the 2018-19 school year. Everyone is super stoked to be part of this and everyone looks forward to the project.
- I conducted a security review with staff at Star of the North School. We discussed preliminary plans to train the students and staff in ALiCE over the next few months.
- We taught another ALiCE class at Fair Hill Christian School. Sgt. Bellant taught 15 teachers and staff.
- I attended the get together with the Mayor and leaders on the 10th.
- I attended in full uniform the 4H Celebrity Show on August 9th. I was definitely over

dressed and not prepared to show a lamb (named Henry). I did lose to a UAF hockey player but only because he was better looking. I took 2nd out of 7 celebrities in my group. Next year I will not be in full uniform. I made sure I didn't have to show a pig – I had to draw the line somewhere.

- We did lower the base price on the three police vehicles at auction.
- Officer Smith conducted traffic stop training at the academy and Lt. Lindhag provided active shooter training.
- We currently have 4 applicants moving onto backgrounds. We have a long way to go but we are plugging away.
- Some relief bet to patrol as Det. Gibson is back and plugged directly into patrol to help relieve the pressure of losing 2 and those on vacation.
- We will be receiving approximately \$8000 for state forfeitures.
- Mayor and I agreed on a trade in for seized and forfeited guns for approximately \$4400.
- I attended AACOP meeting last week. I will attend my first APSC board meeting tomorrow.
- Normal business plus we have actively been rewriting policies. 10 new chapters converted and DV checklists and policies ready for updates. Also rewrote our professional development for several positions.
- Had a meeting with FWW Chief about ALiCE and hosting active shooter single officer response.

Borough Representative – Mr. Isaacson (Audio 38:59)

- The Badger Road Transfer Site will be down from August 13 – September 6ish.
- Mr. Williams, Chief of Staff, answered a citizen's question regarding maximizing the benefit of using credit cards to provide mileage for staff trips. He stated that they are leaning toward cards that provide cash back, as the cash is worth more than the air miles.
- Fairbanks Mayor Jim Matherly reported that FMATS is in the process of going private and will have a new name: FAST Planning. FAST is the acronym for **F**airbanks **A**rea **S**urface **T**ransportation.
- School Report: School is starting, if you want to learn where the busses will stop in your neighborhood or for your children, go to www.k12northstar.org/transportation, select Route Information, search by school.
- **Reconsiderations:**
 - Ordinance 2018-07: Lease of Borough Land. The Assembly voted for reconsideration and will take it up again on the meeting of August 23, 2018 for the purpose of discussing bidding and notification requirements. I've not read the entire ordinance and am not sure to which extent, if any, it affects the City or City residents.
 - Ordinance 2018-12: regarding Urban Livestock. The Assembly voted for reconsideration and amended the ordinance to allow up to 2 qualified adult animals and their offspring up to 8 months.

- **Ordinances Introduced with Possible Affects to North Pole:**
 - Ordinance 2018-14: Eliminate Five Fire Service Commissions and Create a Fire and Emergency Medical Services Commission. After unanimous public testimony against this ordinance, it was referred to an Assembly work session with the Mayor, and Fire Area Service Commissioners, Chiefs, and Contractors (which I take to mean the NPFd which provides EMS services to the FNSB) as soon as practicable with concurrence with the Presiding Officer.

City Clerk's Office, Judy Binkley (Audio 44:44)

- The ballots have been finalized and samples are posted at City Hall as well as on the website. I've also posted each of the propositions on the website and am starting to get some questions about them.
- Absentee in-person voting (aka "early voting") will be available at City Hall once the ballots have been printed, which by code is no later than September 17th.
- The primary election is tomorrow and City Hall is a precinct. If you are able, please stay after the Council meeting tonight and help set up.

ONGOING PROJECTS

None

CITIZENS COMMENTS – (Limited to Five (5) minutes per Citizen) (Audio 45:54)

- **Thomas R. McGhee**, 1152 North Star Drive: Informed Council that Phil Zastrow has sold his property and is leaving the community. His health is failing him and it would be nice if the City recognized him. Mr. McGhee also spoke about the marijuana proposition on the ballot and stated he will be voting for it under the pretense that we need to support the idea that if we are going to grow, then we need to keep the family bedroom community and charm we have here. Asked Council what they knew about the above ground contamination of sulfolane.

OLD BUSINESS

ORDINANCE 18-17, AN ORDINANCE OF THE NORTH POLE CITY COUNCIL AMENDING TITLE 12 STREETS, SIDEWALKS, AND PUBLIC PLACES CHAPTER 04 OBSTRUCTION OR ALTERATION OF STREETS, ROAD RIGHTS-OF-WAY, SIDEWALKS OR CITY PROPERTY. (Audio 50:00)

Mayor Ward introduced the ordinance.

Public Comment (Audio 51:05)

- **Thomas R. McGhee**, 1152 North Star Drive: Stated that he supports this ordinance without any amendments. Asked if Council members have driven around the streets and

neighborhoods in our City and have seen the concern about leftover signs, leftover garbage, and piles of dirt and things that have been left out.

Mr. Thompson *moved to* adopt Ordinance 18-17, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks, and Public Places Chapter 04 Obstruction or Alteration of Streets, Road Rights-of-Way, Sidewalks or City Property.

Seconded by Ms. Welch

Discussion (Audio 52:40)

Mr. Isaacson *moved to* amend Ordinance 18-17, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks, and Public Places Chapter 04 Obstruction or Alteration of Streets, Road Rights-of-Way, Sidewalks or City Property by inserting the following after line 37:

Exemptions:

- a. Notices of the City of North Pole or other notices from State or Borough or other governmental agency;
- b. Event signage not to exceed 24 hours after the event;
- c. For sale signage, except those signs that are affixed to a utility pole, street light or street sign pole, or fences in DOT right-of-way, or obstructing a sidewalk or street, or placed in a roundabout.

Seconded by Mr. Thompson

Discussion on the amendment (Audio 53:30)

Mr. Isaacson stated he doesn't think it's good government or good governance when we create law and then wink at it selectively.

Mr. Skipps asked for clarification about the amendment regarding just fences in DOT right-of-ways, or any DOT right-of-way.

Mr. Isaacson replied that the reason he put that in the amendment is because that is the most common place signs are put up.

Mr. Isaacson *moved to* amend the amendment to Ordinance 18-17, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks, and Public Places Chapter 04 Obstruction or Alteration of Streets, Road Rights-of-Way, Sidewalks or City Property by removing the word 'fences' in c.

Seconded by Mr. Thompson

Discussion on the amendment to the amendment

None

On the amendment to the amendment

PASSED

Yes: 7 – Skipps, Walley, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

Discussion on the amendment as amended (Audio 1:00:29)

Mr. Thompson stated that he likes the idea of having exemptions and supports ‘a’ and ‘b’ but ‘c’ gets confusing and seems to be more than is needed.

Ms. Welch asked for clarification on the amendment. Is it stating that we give an exemption to ‘for sale’ signs but not an exemption to those that are not placed legally?

Mr. Isaacson replied yes to Ms. Welch. He also stated that this amendment is saying you can put a sign nice and neatly into the ground. We don’t want it hanging on our utility poles, street lamps, etc.

Mayor Ward stated that the attorney’s recommendation was to not approve the amendment because even if the City says it’s not illegal, you would still be breaking state law. If the intent of the Council is to not enforce it, we should probably remove this section or change the penalty section.

Mr. Isaacson clarified that we are considering passing a law that we don’t really have powers over unless we specifically state the City won’t enforce this.

Mayor Ward stated that per the conversation with the attorney, you cannot say it’s permissible because it’s against state law, but if we want to say that you are allowed to put up signs, then their recommendation is to remove the section that says ‘unlawful to obstruct’.

Mr. Claus stated he agrees with the Mayor and will be voting against this amendment as it’s against state law.

Mr. Walley stated that as he said before, this is a tool in a toolbox. It’s a tool to educate people so he will be voting against this amendment.

Ms. Welch stated she would not vote in favor of the amendment.

Mr. Thompson *called the question*

On the amendment as amended

FAILED

Yes: 1 – Isaacson

No: 6 – Skipps, Walley, Thompson, Claus, Welch, Ward

Absent: 0

Discussion on the main motion (Audio 1:14:59)

Mr. Isaacson *moved to amend Ordinance 18-17, An Ordinance of the North Pole City Council Amending Title 12 Streets, Sidewalks, and Public Places Chapter 04 Obstruction or Alteration of Streets, Road Rights-of-Way, Sidewalks or City Property by striking lines 32-37.*

Motion failed to carry for lack of second

Discussion on the main motion (Audio 1:15:44)

Mr. Isaacson stated he likes the ordinance overall, except for the fact that in trying to keep the City clean, you've now sanitized it so much that you made criminals out of the housewife who is having a garage sale. You've made it impossible for someone to lawfully put up a girl scout sign. You're making it impossible for kids who are having a car wash to legally put a sign out. Don't create law that you don't intend to enforce.

Mayor Ward took the opportunity to give some clarification. If you look at the violations and penalties section, we are taking these violations from being a misdemeanor to a simple citation. We are decriminalizing maybe to a degree. So the intent behind this is to actually make it something we we're going to use and let people know we don't want the place to look like a dump.

On the main motion

PASSED

Yes: 6 – Skippis, Walley, Thompson, Claus, Welch, Ward

No: 1 – Isaacson

Absent: 0

ORDINANCE 18-20, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 1, BY UPDATING GENERAL PENALTIES AND INCLUDING A SURCHARGE SECTION AND MINOR OFFENSE FINE SCHEDULE. (Audio 1:21:09)

Mayor Ward introduced the ordinance.

Public Comment

None

Mr. Thompson *moved to introduce and advance Ordinance 18-20, An Ordinance of the City of North Pole, Alaska to Amend Title 1, by Updating General Penalties and Including a Surcharge Section and Minor Offense Fine Schedule.*

Seconded by Ms. Welch

Discussion (Audio 1:22:23)

Mr. Isaacson *moved to amend the fine amount for 12.04.020 in Ordinance 18-20, An Ordinance of the City of North Pole, Alaska to Amend Title 1, by Updating General Penalties and Including a Surcharge Section and Minor Offense Fine Schedule as follows:*

- **Mandatory written warning for 1st offense**
- **\$50 for 2nd offense**
- **\$150 for 3rd offense**
- **\$300 for 4th offense**

Seconded *by Ms. Welch*

Discussion on the amendment (Audio 1:26:00)

Mr. Walley stated he appreciates the idea of the warning, but if you look at the fine schedule as a whole, there are no other sections with a warning. I agree with the fines that are set forth in the original ordinance.

Mr. Thompson stated he does not support this amendment and likes the way it's currently set up. One thing to consider is that there is not a mechanism in place to issue written warnings and have that tracked. We would have to develop an entire new administrative section on how to track this so that we would know when a second offense has occurred.

Mayor Ward clarified with Mr. Thompson that there is no option for a written warning ask there is no mechanism in place at the state level where that can be tracked.

Mr. Isaacson *moved to rescind his amendment*

Ms. Welch *called the question*

PASSED

Yes: 7 – Skippis, Walley, Thompson, Claus, Isaacson, Welch, Ward

No: 0

Absent: 0

NEW BUSINESS

Consented

Public Comment

None

COUNCIL COMMENTS (Audio 1:31:44)

Mr. Claus – Please be sure to vote tomorrow.

Mr. Thompson – The primary is tomorrow so get out there and vote. School has started and is in full swing so continue to drive safely and watch out for the little ones crossing the streets and working on their new routines to get to school.

Mr. Walley – None

Mr. Skipps – None

Ms. Welch – In light of the proclamation about suicide, I just want to mention that we recently lost Sarah Mitchell, who took her own life, here in Fairbanks. It's important that we keep our eyes open for those who on the outside, have the happy smile, but if you really look, can see there is something not quite right. Sometimes all it takes is asking that question.

Mr. Isaacson – Good discussion on behalf of our residents. We don't just rubber stamp everything, we examine it. I was saddened to hear that Phil Zastrow is leaving as he's done a lot for our community so let's please do a proclamation for him.

Mayor Ward – If you have any funny stories regarding Phil, please share those with me and I'll work on putting something together for him. As for the proclamation today on suicide, it's amazing how that's something that touches everyone. If you haven't been touched by that, then you know, unfortunately, it's just a matter of time. Ms. Welch, I appreciate your words on that and reach out if you see someone, or have a suspicion something is wrong. An update to the Council on the MFZ – we did hear back from the state and unfortunately, they missed a portion of the statute that says there's a 30 day comment period that they did not start in enough time to be able to meet the 60 day waiting period that they have by statute. So the 30 day comment period started on the 15th of August and hopefully we will be the first to actually receive the MFZ designation.

Mr. Thompson *moved to adjourn the meeting at 8:40 p.m.*

Seconded by Ms. Welch

The regular meeting of Monday, August 20, 2018 adjourned at 8:41 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, September 4, 2018.

Bryce J. Ward, Mayor

ATTEST:

Judy Binkley, North Pole City Clerk