



**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 01, 2019 in the Council Chambers of City Hall, 125 Snowman Lane, North Pole, Alaska.

CALL TO ORDER/ROLL CALL

Mayor Welch called the regular City Council meeting of Monday, April 01, 2019 to order at 7:00 p.m.

There were present:

Doug Isaacson – Mayor Pro Tem
Avery Thompson – Deputy Mayor Pro Tem
Perry Walley – Alt Dep Mayor Pro Tem
DeJohn Cromer
Aino Welch
David Skipps
Mayor Welch

Absent/Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Welch

INVOCATION

Invocation was given by Mr. Isaacson

APPROVAL OF AGENDA

Mr. Isaacson moved to approve the agenda of April 01, 2019

Seconded by Ms. Welch

DISCUSSION

Mr. Isaacson moved to consent the following items:

Old Business:

- a. Ordinance 19-05, An Ordinance of the City of North Pole, Alaska to Amend the 2019 Operating Budget and Other Funds.
- b. Ordinance 19-06, An Ordinance of the City of North Pole, Alaska to Amend the 2019 Operating Budget and Other Funds.

Seconded by Ms. Welch

Discussion

None

On the amendment

PASSED

Yes: 7 – Skippis, Thompson, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 0

On the Agenda as amended

Discussion

None

PASSED

Yes: 7 – Skippis, Thompson, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 0

APPROVAL OF MINUTES

Mr. Isaacson *moved to approve the Minutes of March 18, 2019*

Seconded *by Ms. Welch*

Discussion

None

PASSED

Yes: 7 – Skippis, Thompson, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 0

COMMUNICATIONS FROM THE MAYOR (Audio 3:39)

- March 20 – Attended the 3 Mayors' Conference at Fairbanks City Hall.
- March 20 – FMATS Policy Board meeting to confirm the TIPS projects to 2020.
- March 22 – Tiger Team Meeting at FNSB. Discussed military appropriations for building and possible delays to projects due to presidential involvement; up to date information concerning the bed down of F-35s scheduled for Eielson and the F-22s now going to JBER, as well as new tanker support.
- March 26 – Met with Governor Dunleavy and members of his cabinet at the State of Alaska office building. The Governor went through a thorough briefing of his 10 year

fiscal plan and his 2020 proposed budget over a working lunch. He entertained questions and ideas from the 20 of us present. I specifically inquired about PERS relief because he vaguely mentioned it during his briefing. He is willing to work with all the municipalities that are hampered by this \$14.4 billion unfunded liability.

- Attended the Americans for Prosperity Conference with the Governor at the Westmark Hotel. I inquired if he had any plans to attract a new oil refinery to the City of North Pole seeing how we lost 175 jobs when it closed in 2014. He had no plans for that or an idea if it would be feasible in the near future.
- Planning Board Representative – we need a resident to be on the planning board. If you know a resident who would be good to represent the City, please let me know.
- I am putting the committees together for the festival and ethics and everything we have under the sun and I'll have that ready to review at the next meeting.
- Direct your attention to the piece of art work under the screen. This was a gift from Vicky Paddock.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Director of City Services, Bill Butler (Audio 9:09)

Building Department

- 3 residential building permits issued:
 - New construction single family home.
 - Renovation of an existing home
 - Installation of a fireplace.

Public Works

- Christmas tree lights disconnected due to repeated outages due to moisture/water tripping the circuits.
- Homestead pedestrian path is expected to go to bid this week with construction to begin in summer 2019.
- Vandalism on the uptick – street signs stolen on Patriot Drive and had to replace all dog waste stations around town (replaced plastic with metal receptacles).
- Requesting quotes from contractors to perform City-wide street sweeping.
- **Mr. Isaacson** asked if we have considered maybe attaching some RFID to our street signs and property if this becomes a major issue. Mr. Butler replied that we have lost a

few signs so it's not unusual. However, we did have a situation with fire hydrants which is more significant. This issue also seems to be cyclical so it's not constant.

Utility Department

- Sulfolane settlement.
 - Contractor has begun water main installation in Zones 3 & 4 in areas where water table is high.
 - Dewatering permitting has changed due to presences of PFAS compounds – no longer can dewater to surface water like gravel pits.
 - Flint Hills is managing the installation of customer service line connections. They have selected two contractors – Exclusive Paving and Rolling Stone.
 - 50% of the property owners in Zones 1 & 2 have signed up to be connected to the utility extension – 112 out of 225 eligible properties.
 - **Mr. Walley** asked what the anticipation for getting up to the 225 mark was. Mr. Butler replied he suspected we will get another 25% before the \$500 sign-up bonus runs out. So by the end of the summer, we will probably have 75% of the properties in Zones 1 & 2. **Mr. Walley** asked if we anticipate hookup next year for Zones 3 & 4. Mr. Butler replied there is a small chance of late July and August of this year because Exclusive has a very aggressive schedule. We will also need state approval to operate so we may be able to do some in late summer, early fall if things really come together.
 - **Ms. Welch** asked if the new accounts will have the new meters. Mr. Butler replied that there is an availability issue with the company we are purchasing the meters from so they will have the remote reading capacity that will be able to be read in our office, but they won't have the shutoff capacity. We are purchasing the meters with shutoff capacity in steps so as soon as they become available, we will put those in.
- Moose Creek Water System Expansion Project
 - Amended cooperative agreement between US Army Corps of Engineers and City for complete engineering and design of water system extension to community of Moose Creek is before Council this evening.

Natural Gas Utility Board

- IGU is in the final stages of selecting the means to produce LNG for the interior – Siemens Corporation or the IGU doing it internally. Potentially will make the decision at the April 2nd meeting.

Police Dept., Chief Dutra (Audio 22:04)

- Swearing in of Officer James Kuplack.
- Sgt testing is complete and we are working on announcing the results shortly.
- States – a lot more activity in assaults. DV related – some of these spawned from the same residence.
- Leadership training – hope everyone is moving along.
- Started our blood borne pathogen and hazmat training.
- Sent the bid in for the Chena Lakes contract. Three year bid each with a 3% increase. Should have by the next meeting.
- AACOP – supported Governor’s crime bills. We did not support the private police. We did support HB79 PERS LEO/Fire.
- Completed our officers’ room renovations. Please find some time to come look at the work.

Fire Dept., Chief Coon (Audio 28:15)

- The Fire Department was honored with a Special Achievement Award from the Interior Region EMS Council. This award is in recognition of what the department has been doing for outreach in the community. The NPFDF secured Stope-the-Bleed kits for all North Pole schools and participated in updating the school bus safety plan.
- This year’s Open House will be May 18th from 10-4.
- Alaska Shield exercise will take place April 8-12 throughout Alaska.
- Burn Permits are required. They are available online at www.forestry.alaska.gov/burn.
- C-shift went to Star of the North School for career day. Talked with high school students about how to volunteer and career opportunities in the fire service.
- Training:
 - Five members of the department attended the EMS symposium in Fairbanks last week.
 - EMT II training is ongoing until the end of the month.
 - EMT III starts later this month. We have several of our members scheduled to attend.
 - Fire Officer II has been postponed by the state.
 - Four members of the department took an active shooter class last week. The cost of training is paid out of SHSP grant funds.
 - The department participated in a CTC FF-2 extrication class. This is a good opportunity to interact with student Firefighters.
 - **Mayor Welch** asked how long Fire Officer II has been postponed for. Chief Coon replied that is unknown because it is a new class and there are problems with procurement and how funds can be spent. It isn’t an issue on our end, rather on the State.
- Maintenance Report:
 - Still awaiting the new ambulance. It is expected to be delivered next week. It will take some time to get it in service (radio installed, etc).

- The Department will be working with our auction company to auction off the 1990 Suburban and an ambulance this year. Expect to see them at the auction company yard next week.
- Preliminary work is being done on the specifications of a replacement vehicle for the Suburban.
- The Department will be hose testing this month (weather permitting).

Finance, Tricia Fogarty (Audio 35:53)

- There is a highlighted fiscal note on the dais as there was a numbering error in the one you received in your packet.
- We hired a temporary accounting assistant and she starts tomorrow.
- **Mr. Cromer** asked if there was an update about Amazon and sales tax. Ms. Fogarty replied we received a business license application and they did submit some sales tax. They requested a letter from the City stating internet sales are exempt from sales tax in order to turn that off in their system so there's been some discussion about maybe taking that exemption out of Code.
- **Mr. Isaacson** asked for clarification purposes if the money Amazon sent was just from actual City residents because we open ourselves up for liability if sales tax is collected from outside the City. Ms. Fogarty replied there is no way of knowing exactly who the sales tax was collected from as Amazon does not provide a report to the City.
- **Mr. Thompson** asked if the City could escrow the sales tax remitted by Amazon and then make a determination on a requested refund from us. Ms. Fogarty replied that we do not give refunds unless they put "paid under protest" on their check.
- **Ms. Welch** asked who can give the money back when people are charged the sales tax. Ms. Fogarty replied that it would be Amazon.
- **Mr. Cromer** asked what Amazon is getting out of this. Mayor Welch replied that there was a Supreme Court decision with South Dakota vs. Wayfair and Amazon probably doesn't want trouble with the Supreme Court ruling.
- **Ms. Welch** asked how much the check was for. Mayor Welch replied it was around \$4880.

Borough Representative, Council Member Walley (Audio 46:04)

- Provided an update on the transfer sites.
- Ordinance 2019-10 regarding small wireless facilities and to amend the definitions and standards for communication towers.
- Ordinance 2019-13 authorized the direct sale of some land.
- Ordinance 2018-48 was regarding rezoning of approximately 420 acres by Farmer's Loop.

City Clerk's Office, Judy Binkley

- I have been working on the health insurance plan renewal and am working with our brokers to explore options to keep the plan affordable while maintaining the benefits we currently have. Mayor Welch and I have a call scheduled with the brokers next Monday afternoon.

ONGOING PROJECTS

None

CITIZENS COMMENTS – (Limited to Five (5) minutes per Citizen)

None

OLD BUSINESS

Consented

Public Comment

None

Mr. Thompson *moved to suspend the rules and discuss items c and e under new business.*

Seconded by Mr. Isaacson

NEW BUSINESS

ORDINANCE 19-07, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 2, ADMINISTRATION AND PERSONNEL CHAPTER 36 PERSONNEL SYSTEM, SECTION 470 REGARDING PAY. (Audio 59:21)

Chief Dutra introduced the ordinance.

Public Comment (Audio 1:10:15)

Geoff Coon, 110 Lewis Street, North Pole – It appears this ordinance gives a benefit to the employees of one department and not the employees of another department the same benefit. The North Pole Fire Department struggles similarly with recruitment and retention issues as the Police Department but this ordinance specifically excludes members of the Fire Department, even though the liability and risks associated with training a new firefighter is similar.

Lantz Dahlke, 453 Evolyn Drive, North Pole – The FTO program is so crucial now in the law enforcement field that it is immediately asked anytime an officer is involved in any kind of incident and they come up in a court of law. They are asked about their training. This program is extremely essential in the world that we live in today.

Kevin Haywood, 110 Lewis Street, North Pole – I am in favor of the pay of the officers. The one thing we just want to look out for our department is to take the Fire Department exemption out of it. Being exempted hinders us in the future from whatever future growth we might have in the Fire Department. We are all in favor of it and would just like to see the exemption for the Fire Department taken out of it.

Mr. Thompson *moved to Introduce and Advance Ordinance 19-07, An Ordinance of the City of North Pole, Alaska to Amend Title 2, Administration and Personnel Chapter 36 Personnel System, Section 470 Regarding Pay.*

Seconded by Ms. Welch

Discussion (Audio 1:30:29)

Mr. Thompson *moved to Amend Ordinance 19-07, An Ordinance of the City of North Pole, Alaska to Amend Title 2, Administration and Personnel Chapter 36 Personnel System, Section 470 Regarding Pay by Replacing “Employees (excluding Fire Department Personnel) who are actively training a recruit employee...” on Line 74 With “FTO Pay. “Sworn Police Department employees who are actively training a sworn recruit Police Department employee...”.*

Seconded by Ms. Welch

Discussion on the amendment (Audio 1:32:01)

Mr. Isaacson stated that this amendment really clarifies that this is a Police Department issue. The other departments in the City, Fire, Utilities, Admin, etc, could create additional paragraphs equivalent for them.

Mr. Cromer stated he felt like the Fire Department deserves the same \$2 differential if they are training somebody.

Ms. Welch stated the police officer training is very defined and would like to see the Fire Department come up with a defined program.

Mr. Thompson stated that Chief Dutra talked about this during his budget workshop and budgeted for this so there fiscal impact to the City. Other departments can develop a training plan that has a known fiscal cost and a known number of hours.

On the amendment

PASSED

Yes: 6 – Skipp, Thompson, Isaacson, Walley, Welch, Welch

No: 1 – Cromer

Absent: 0

Discussion on the motion as amended

None

On the motion as amended

PASSED

Yes: 6 – Skipps, Thompson, Isaacson, Walley, Welch, Welch

No: 1 – Cromer

Absent: 0

Mr. Thompson was excused at 8:55 p.m.

Mr. Isaacson moved to suspend the rules for 6 minutes.

ORDINANCE 19-08, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO APPROVE THE AMENDED COOPERATIVE AGREEMENT WITH THE US ARMY CORPS OF ENGINEERS FOR THE ENGINEERING AND DESIGN OF THE MOOSE CREEK WATER SYSTEM EXPANSION PROJECT AND ASSOCIATED FISCAL

NOTE. (Audio 1:51:06)

Mr. Butler introduced the ordinance.

Public Comment

None

Mr. Walley moved to Introduce and Advance Ordinance 19-08, An Ordinance of the City of North Pole, Alaska to Approve the Amended Cooperative Agreement with the US Army Corps of Engineers for the Engineering and Design of the Moose Creek Water System Expansion Project and Associated Fiscal Note.

Seconded by Ms. Welch

Discussion

None

PASSED

Yes: 6 – Skipps, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 1 – Thompson

RESTAURANT DESIGNATION PERMIT APPLICATION FOR MOODY BREWS BBQ & CATERING. (Audio 2:21:27)

Ms. Fogarty introduced the application.

Public Comment

None

Mr. Walley *moved to Approve the Restaurant Designation Permit Application for Moody Brews BBQ & Catering.*

Seconded by Ms. Welch

Discussion (Audio 2:35:12)

Mr. Skipps stated it would have shown how important this was if Moody Brews had been here to discuss the situation.

Mr. Walley stated an option may be to attach a lien to the liquor license.

PASSED

Yes: 6 – Skipp, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 1 – Thompson

Mr. Isaacson *moved to suspend the rules to continue the meeting until 10:30 p.m.*

Seconded by Ms. Welch

LIQUOR LICENSE RENEWAL FOR MOODY BREWS BBQ & CATERING. (Audio 2:41:38)

Ms. Fogarty introduced the renewal.

Public Comment

None

Ms. Welch *moved to File No Protest to the Liquor License Renewal for Moody Brews BBQ & Catering.*

Seconded by Mr. Walley

Discussion

None

PASSED

Yes: 6 – Skippis, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 1 – Thompson

REQUEST TO WRITE-OFF MICHAEL AND AMBER NOLAN UTILITY ACCOUNT 5747.03 & BENJAMIN MERRELL UTILITY ACCOUNT 6127.03. (Audio 2:43:18)

Mr. Butler introduced the request.

Public Comment

None

Mr. Walley *moved to Approve the Request to Write-Off Michael and Amber Nolan Utility Account 5747.03 & Benjamin Merrell Utility Account 6127.03.*

Seconded by Ms. Welch

Discussion (Audio 2:49:44)

Mr. Isaacson stated he appreciates the fact the City is getting new meters. The only reason the Council is writing these off is because they have surrendered their houses back to the bank. So if you think you're going to escape having to pay the City because we just got tired of collecting on you, that's not the intent of this action. It's because you surrendered your house.

PASSED

Yes: 6 – Skippis, Isaacson, Cromer, Walley, Welch, Welch

No: 0

Absent: 1 – Thompson

COUNCIL COMMENTS

None

Mr. Isaacson *moved to adjourn the meeting at 10:03 p.m.*

Seconded by Ms. Welch

The regular meeting of Monday, April 01, 2019 adjourned at 10:04 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, April 15, 2019.

Michael W. Welch, Mayor

ATTEST:

Judy L. Binkley, City Clerk