



**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, July 10, 2023, in the North Pole City Hall Chambers.

CALL TO ORDER/ROLL CALL

Mayor Welch called the regular City Council meeting of Monday, July 10, 2023, to order at 7:00 p.m.

Present:

Jeffrey Jacobson – Mayor Pro Tem
DeJohn Cromer – Deputy Mayor Pro Tem
Anton Keller -Alt. Deputy Mayor Pro Tem
David Skipps
Chandra Clack
Aino Welch

Absent/Excused:

None

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Melissa Dionne

INVOCATION

Given by Mr. Jacobson

APPROVAL OF AGENDA

Ms. Welch *moved* to approve the agenda of July 10, 2023

Seconded *by* Mr. Jacobson

Mr. Jacobson *moved* to amend the agenda of July 10, 2023, to consent the following items:

New Business

- a. Ordinance 23-08, An Ordinance of the City of North Pole Amending Title 2 Personnel System
- c. Tuition Reimbursement Agreement Request

Seconded *by* Ms. Welch

On the Amendments

DISCUSSION

None

PASSED

Yes: 7 – A. Welch, Clack, Jacobson, Cromer, Keller, Skipps, Mayor Welch
No: 0
Absent: 0

On the Agenda as Amended

DISCUSSION

None

PASSED

Yes: 7 – A. Welch, Clack, Jacobson, Cromer, Keller, Skipps, Mayor Welch
No: 0
Absent: 0

APPROVAL OF MINUTES

Ms. Welch *moved* to approve the minutes from the 6/19/2023 meeting

Seconded *by* Mr. Skipps

On the Minutes

DISCUSSION

None

PASSED

Yes: 7 – A. Welch, Clack, Jacobson, Cromer, Keller, Skipps, Mayor Welch
No: 0
Absent: 0

COMMUNICATIONS FROM THE MAYOR

- The Mayor shared that he was at the library last week for the meeting regarding 3 Bears. There were more than 80 citizens there, many good questions were asked and answered by the people in attendance. On July 25th from 6-8 at the school district building downtown there will be a public meeting with the planning commission. This store will be the largest 3 Bears store in the state. The Mayor reminded people who would like to attend that there is construction in the area of 5th Ave, so to be sure to plan for that.
- The Mayor has been asked to attend the railroad 100th anniversary celebration this weekend in Nenana. It is also a celebration of the first flight by Ben Eielson from Fairbanks to Nenana. The event starts at 9am and goes until 3pm, there will be many dignitaries in attendance including the governor.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

- None

Our City attorney, Zane Wilson joined us via Zoom to give an update about the City of North Pole vs. Williams Alaska Petroleum Inc. (WAPI). As you may have read in the newspaper, the case went to trial with the State and Flint Hills, the City was severed from that trial at the last minute because the City had a jury trial demand and the State and Flint Hills did not. The City had settled with the State and Flint Hills, so that the State, Flint Hills and the CNP are basically joined as one in a global settlement agreement. The Superior entered a judgement against WAPI

for about \$85- \$100 million dollars. WAPI then appealed to the Alaska Supreme Court where the judgement was affirmed. After that happened there was effort to get the case resolved, but now WAPI has now appealed to the US Supreme Court. WAPI is claiming that because the State of Alaska did not say that the sulfalene was a regulated substance and ask them to clean it up that the State cannot, now, cannot go back and say that it is regulated. There is only about a ½ of a 1% chance that that trial will be granted by the US Supreme Court, however because of the large amount of money involved this case might have a little better chance of being heard.

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

- None

The Mayor made a motion to enter Executive Session to discuss financial matters, that if made public would be detrimental to the finances of the City in matters that we have protected by our attorney/client privilege.

Seconded *by* Mr. Jacobson

Mr. Jacobson made a motion to leave the Executive Session at 7:40pm

Seconded *by* Ms. Welch

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

No report tonight.

Fire Department, Chief Heineken

- The new fire engine was delivered to a container tote at the port of Tacoma on July 6th. The delay in shipping last month was due to some paint imperfections they found during the dealer's pre-delivery inspection. We anticipate the engine will arrive here in North Pole within the next two weeks.
- Our current first out apparatus seems to be impatient and would not wait for the new engine to arrive for a break. Engine 25 had a severe breakdown late last week and is currently out of service. During a training evolution an abnormal growling noise was discovered while in pump operations. After inspection we found that the pump's gear box is severely damaged due to water infiltration into the oil. Engine 25 will be out of service until repairs can be made. This places Engine 24 back into service as the first out apparatus until the new engine arrives and all in-servicing requirements are met.
- The process to determine a community to donate Engine 24 to has been completed. We received a total of 4 applications. The Committee members evaluated and scored all the applications with the results determining Delta Junction VFD will be the recipient of Engine 24. With the unexpected break down of Engine 25 this may delay the time period of when the actual transfer of the soon to be retired apparatus occurs.
- Firefighter Ian Watson has decided to move back home and attend a paramedic school. He turned in his official letter of resignation this morning. Ian started with our fire department as a volunteer, then

became a resident firefighter and then was hired full time in May of 2022. Ian has been a great asset to our fire department during his time here and we wish him well as he leaves to pursue his goals.

The Mayor asked Chief about the open house at the fire station.

- Chief reasoned that the open house will be July 29th from 10-3, the new engine should be here by then and they plan on doing a push in ceremony during the day. He said that the day is mostly about the kids, getting them involved and showing them what they do.

The Mayor asked about the Fallen Hero's Memorial celebration coming up on the 27th and if he has any information to share about it since the police department was not with us tonight.

- Chief Heineken said that he did not have much info on that at this time.

Ms. Clack asked if there were any fatalities in the accident on the highway recently.

- Chief responded that no, there were no fatalities. Multiple people were transported to the hospital though.

Finance, Tricia Fogarty

- Ms. Fogarty shared that the auditors were on site today, they plan on coming back out tomorrow and Wednesday. Today they talked to Michelle Peede and herself about payroll and procedures and Mr. Wallace met with them to talk about the Moose Creek project. They also met with Sally Terch about business licenses and taxes. The auditors have access to our Tyler program and will be running some tests. Because all the documents and backups are scanned into the system, they have the same access from their office as they do from here. Tomorrow they are going to be doing some testing with PERS with some of the employees that came and left in 2022 and they will be meeting with Ms. Glab on that part.
- Ms. Peede completed the bank statement about 3 weeks ago for the month of April. There are some issues with the May statements and with the sales tax figures.
- There are still some issues with cash receipting in Tyler, she feels like there are still some tweaking that needs done to correct that and they just need to find the correct person to be to help them with it.

The Mayor asked about how responsive Tyler was when they call them for help.

- Ms. Fogarty said that we still do not have a representative and while there are people to help them there is still a lot of pieces that are not working. She said that they are not signing off on those modules until they are fixed to our satisfaction. The auditors have told her that they would also like to talk to a representative from Tyler about how the system works so Ms. Fogarty is trying to identify who that person will be.

Mr. Jacobson thanked Ms. Fogarty for the bank interest statement that she sent out.

- Ms. Fogarty told him that when they get this month's statement that she is going to put together a spreadsheet so that the Council can really see how much that number has changed since last year.

Director of City Services, Danny Wallace

Special Topics

- Moose Creek
 - HC should have all final construction tasks completed by the end of July; these consist of dirt leveling, seeding, and mounding.

- Respec will continue to provide services (along with the City) through the end of the project, on October 30th, 2023. Tasks for the rest of the project will include quality control, water meter replacements, and documentation.

Building Department

- ACS did a site survey and fixed one of the sites we reported (the utility box in the roundabout). Still awaiting a status on the ACS building
- Building season is well underway with at least 7 homes and an 11-plex (2739 Stone point) under construction and a number of gas line installations. No issues as a result of any of these.

Public Works Department

- Beautification efforts continue to include the addition of a retaining wall on the outside of this building. We still have the parking lot resurfacing and repainting in the queue (that will occur later this month)
- They have been doing numerous utility locates for gas and streetlight installation (been very busy with this task).
- For the streetlight installations, all boring has been completed and they will begin installing poles on 1st avenue this week. We did have some local residents concerned about pole location and DOT's contractors were able to accommodate those requests.

Utility Department

- The water department's Sanitation Survey, conducted by Mike Pollen (NTL Alaska), will occur tomorrow. This is a requirement every three years and measures our adherence to DEC requirements.
- Copper and lead testing was completed recently (no issues)
- Finally, for the 5th year in a row, our Water System has been recognized by the State of Alaska. Our Utility has achieved Ursa Major status in Water System Excellence for 2022. The Water System Excellence Award is a concerted effort between ADEC's Drinking Water Program and Operator Certification Program to evaluate and recognize drinking water systems who Maintained 4 quarters of Operator Certification compliance and no open, unresolved, or incurred Drinking Water violations during the award year. Only 272 out of 1824 utilities in Alaska were awarded this designation (15%).

The Mayor thanked Mr. Wallace for what he has prepared for the total compensation committee that is meeting next month. The Mayor asked about the address where the vandalism has reportedly happened in the city.

- Mr. Wallace responded that it was 2450 Homestead. Mr. Wallace said that there is an ongoing investigation happening.

Mr. Skipp asked about the parking lot redo here at City Hall and if it included the police department side.

- Mr. Wallace said he thinks that the work is confined to just the large parking lot out front but would talk to Cody for the details. He said the purpose is to make it more user friendly for handicap parking, but also to make better use of the space and redraw the lines for the spaces.

The Mayor asked about the combined heat and power project.

- Mr. Wallace said that the project is stalled. They are looking into grant options to pay for the steps to plan the project. The purpose is to pursue options in grants and public/private partnerships, but they will not be putting the City at risk for the costs. Basically, without those grants and private funding the project is pretty much dead in the water.

Human Resources, Ellen Glab

- Ms. Glab joined us via Zoom, she has been working with the staff on different projects that they have needed assistance on. She is working on making sure that Tyler is updated with scans and information to help with the audit.
- She is also continuing to monitor where the staff is at with the new training.

The Mayor thanked her for work on the mileage form, he likes that it is fillable on the computer.

Ms. Clack asked where we were at with the training.

- Ms. Glab said not much has changed since her last report. She has made herself available for in-person training but has had no response to it.

Mr. Skippy asked about that training and what we can do to make sure that it is done in a timely manner.

- Ms. Glab said that she feels like she is offering everything that she can offer to the staff at this time.

Borough Representative

- Ms. Welch attended the FNSB meeting on 6/22/2023
- 9.a. Memorandum from Aaron Lojewski, FNSB Presiding Officer, recommending the appointment of Matt Cooper to the Board of Ethics. Passed
- 13.a. ORDINANCE NO. 2023-31. An Ordinance Approving A Property Tax Exemption For Housing Incentive Purposes From The Levy Of Borough Taxes For Property Located At Lot 10, Dawson Subdivision (Located Off Sandvik Street In Fairbanks). (Sponsor: Assembly) Passed
- 13.b. ORDINANCE NO. 2023-34. An Ordinance Amending FNSBC 8.04.060 And Placing Upon The Ballot For The Regular Election The Question Of Exempting From Taxation Farm Structures Used Exclusively For Farming Activity. Passed
- 13.c. ORDINANCE NO. 2023-35. An Ordinance Amending Chapter 3.24 FNSBC And FNSBC Title 4 Regarding Assembly Committee And Board And Commission Meetings. Passed
- 13.d. ORDINANCE NO. 2022-20-2C. An Ordinance Amending The FY 2022-23 Budget By Appropriating \$1,250,000 In State Grant Funding To The Transit Enterprise Projects Fund For The Voluntary Heating Oil To Natural Gas Or Propane Conversion Program. Passed
- 13.e. ORDINANCE NO. 2022-20-2D. Re-appropriating \$559,840 For The South Cushman Rifle Range Safety Improvements Project (Sponsor: Mayor Ward) Passed
- 13.f. ORDINANCE NO. 2023-32. An Ordinance Rezoning Tract B-1, Brookside Park First Addition From Multiple-Family Residential With A Groundwater Damage Protection Overlay And A Waterway Protection Overlay (MF/GWP/WP) To Fairbanks North Star Borough June 22, Outdoor Recreation With A

Groundwater Damage Protection Overlay And A Waterways Protection Overlay (OR/GWP/WP) Or Other Appropriate Zone (RZ2023-005). (Sponsor: Assembly) Passed

- 13.g. ORDINANCE NO. 2023-33. An Ordinance Rezoning 2 lots from Multiple-Family Residential (MF) (Located North Of Indiana Avenue And East Of University Avenue) To General from (GC) With A Waterways Protection (WP) Overlay Of 50 Feet Along The Noyes Slough Or Other Appropriate Zone -----(Located North Of Indiana Avenue And East Of University Avenue) Passed
- Fairbanks Report
 - No patrol officers, for a few hours, but not staff shortage. They will still use other staff to respond to calls. Got a contract, Police bonus 60k for lateral over 5 years, 13 years of services, a insurance policy Increase pay by substantial amount.

The Mayor asked if there was any mention about sunseting the amount of money that people can get for tax abatement for the building in the Military Facility Zone.

- Ms. Welch said no it was not mentioned at the meeting.

City Clerk's Office, Melissa Dionne

- Ms. Dionne shared that she will be leaving her position with the City at the end of November/first week in December. She is working with HR on getting that job description worked out so that it can be advertised in the next month or so. She asked everyone if they had someone in mind who would be a good candidate to please give them her contact information.

ON GOING PROJECTS

None

New Business

- Ordinance 23-09, An Ordinance of the City of North Pole Amending Title 2 Personnel System, Travel and Host Reimbursement

Mr. Keller *moved* to amend ordinance 23-09, to change the form to a monthly form – no more than a 30-day time period, due no later than 10 business days into the next month.

Seconded *by* Mr. Cromer

On the Amendment

DISCUSSION

None

PASSED

Yes: 5 – Clack, Jacobson, Cromer, Keller, Skipps

No: 2 – A. Welch, Mayor Welch

Absent: 0

On the Ordinance

DISCUSSION

None

PASSED

Yes: 7 – A. Welch, Clack, Jacobson, Cromer, Keller, Skipps, Mayor Welch

No: 0

Absent: 0

COUNCIL COMMENTS

- Ms. Welch shared that she has been enjoying the weather outside, it has been wonderful gardening weather. She said that she recently had 8 baby bunnies born to her rabbit and that she has really been enjoying them and playing the concerned momma. She reminded everyone to please pay attention while driving on the roads, there was recently a rollover accident on the highway and luckily, we didn't lose anybody. She is praying that everyone will take their own safety in mind but also everyone else's. We have lots of children out there right now, on the streets, on the sidewalks and they come out quickly. She said just to think about how long it will take to fill out paperwork or go to jail for running over somebody because you were going too fast and were in an accident. She said speeding through the city is only going to get you home a minute or 2 faster and it's just not worth it.
- Mr. Skipps reminded everyone that they needed to complete the training that HR sent out. He also shared that he was checking out the new website just recently and that it is really user friendly.
- Ms. Clack agreed that the website is excellent and that she had a good time going through it. She said that she hopes the Council has had a chance to get their personal bio to the Clerk for use on the website. She said that it would be great to see all of us as leaders to get that training done, that we do set the precedent to all the employees and everyone in North Pole.
- Mr. Keller said that he is excited about the summer that we have had, that it has been a little rainy, but it hasn't been smokey that he can look out the windows of his business and still see the trees a quarter of a mile away. He said that his lungs like it too. He asked that with the beautiful weather that everyone be safe, in the water, on the land, in the air. We need to enjoy the Alaskan summer while it's here and to get out and enjoy the Alaska region that we live in and to keep having safe fun.
- Mr. Cromer shared that he also likes the website and that he did give his bio and picture to the Clerk for use. He reminded everyone that the candidate application period starts next Monday for the open Council seats and ends July 31st. There are 2 of the Council leaving and he wants to make sure that there are people applying for those seats.
- Mr. Jacobson let everyone know that his allergies are raging tonight, and he apologized for nodding off tonight because he can barely stay awake due to the medications. Prior to the meeting he handed out an article that talked about things that were happening around the state and an article about a man in Kenai who got a grant to turn plastic into lumbar like 2x4's and 2x6's. The article shares the process that he uses and said that it is a lovely green color due to the use of the caps over the oil wells that is used on the North Slope and that is where 75% of the plastic comes from. The company is going to be doing a road tour through Kenai and Anchorage educating people on their project. He said that he shared it to get people thinking about this because there is a person in our community who is wanting to take glass and recycle it into sand for building materials. He said he thinks with that person's enthusiasm and knowing that those grants are out there he hopes that maybe we could soon have a glass crushing/sand making facility here in North Pole. He said that he sits on the Fast Planning and Project Enhancement Committee, and they

have started talking about putting some decorations on some of the bridges in the area, in particular the Wendell, Cushman and Barnette Street bridges among others, as well as on the underpasses that some of those bridges have walkways. They are going to go through a public process to hire an artist. Mr. Jacobson shared with them that we are considering here in North Pole of doing something a little bigger than a repeat of snowflakes or Christmas ornaments and that we wanted to recognize 75 years of history. Mr. Jacobson asked the Mayor, since he is on the Policy Board, to please make sure that the Council would like to be involved in dictating what kind of mural we want on our bridges and overpasses. Mr. Jacobson wished everyone a happy Golden Days, he said there are activities every day of the week with Saturday being the parade and rubber ducky race.

- The Mayor said that he mentioned earlier in his comments that the City of Nenana is having a big triple celebration this upcoming weekend July 15th. It starts at 9 when they are going to open a time capsule to fill. At 10am they are going to commemorate the first flight that Ben Eielson made from Fairbanks to Nenana. There are many other things that they will be doing that day as well. At the bridge in Nenana there is a monument recognizing the Polish engineers that built that bridge 100 years ago, that will be at 10:30. Lunch will be from noon to 1 followed by the ribbon cutting at the bridge. The railroad centennial has their ceremony at 1:15 with the Governor and the Interior delegation and then at 2:20 will be the golden spike ceremony. The Mayor of Nenana approached Mayor Welch asking for his help in getting a fly over by the 168th but he doesn't not think that it was arranged far enough in advance for it to work. He said that he hopes that it works out because the question begs, if Ben Eielson hadn't made that trip 100 years ago, would we even have EAFB here today. He shared that EAFB means a lot to him. On the 6th of July he had his 50th anniversary of becoming active duty in the Air Force and his first assignment was King Salmon. EAFB was very prominent on his displays and got to look at the combat alert cells and watch the Alaska patrol scrambling out of Eielson, Galena or King Salmon. On the 7th of July he, along with his wife, celebrated 24 years of living in Alaska from when the FAA brought them up here. He said although he has lived here 24 years, he feels like he is still learning about the community. He invited everyone to go to Nenana this weekend. He shared that he let the Nenana Mayor know that had he wanted a flyby with F-16s that he needed to plan it 6 months ago with the Secretary of the Air Force, but he is still hoping that the Air Guard can make it happen with a Stratotanker. There will be other aviation groups like the Civil Air Patrol and the Experimental Aircraft Association will be there doing flights into the airport in Nenana that is just south of town. He said that it should be a pretty good day and it is nice to get out of town every once in a while.

ADJOURNMENT

Ms. Welch *moved* to adjourn.

Seconded *by* Mr. Jacobson

The regular meeting of Monday, July 10, 2023, adjourned at 8:47. p.m.

These minutes **passed and approved** by a duly constituted quorum of the North Pole City Council on Monday, July 10, 2023.

ATTEST:

Melissa Dionne
Melissa Dionne, City Clerk



Michael J. Keh
Mayor, City of North Pole, Alaska