

CITY OF NORTH POLE Alaska

REGULAR CITY COUNCIL MEETING Monday, December 19, 2016

MAYOR

Bryce Ward – Borough Rep 888-4444

CITY CLERK

Kathy Weber, MMC 488-8583

COUNCIL MEMBERS

Kevin McCarthy- Alt Dep Mayor Pro Tem	590-0800
Avery Thompson	388-5351
David Skipps	750-5106
Santa Claus	388-3836
Thomas McGhee – Mayor Pro Tem	455-0010
Doug Isaacson - Deputy Mayor Pro Tem	322-3133

- 1. Call to Order/Roll Call
- 2. Pledge of Allegiance to the US Flag
- 3. Invocation
- 4. Approval of the Agenda
- 5. Approval of the Minutes
- 6. Communications from the Mayor
 - Proclamation Bill of Rights
 - Reading of the Bill of Rights Mr. Wade's class
 - Service Awards
 - Holiday Reception
- 7. Council Member Questions of the Mayor
- 8. Communications from Department Heads, Borough Representative and the City Clerk

9. Ongoing Projects Report

10. Citizens Comments (Limited to Five (5) minutes per Citizen)

11. Old Business.

12. New Business

- a. Recommendation to award fuel bid to Alaska Fuel Distributors due to Sourdough Fuel withdrawing their bid.
- b. Liquor License renewal for First Security Investments, Inc dba Pagoda Restaurant
- c. Ordinance 16-29, An Ordinance of the North Pole City Council amending the 2016 Operating Budget
- 13. Executive Session To discuss new employee wage in the NPPD

14. Council Comments

15. Adjournment

The City of North Pole will provide an interpreter at City Council meetings for hearing impaired individuals. The City does require at least 48 hours' notice to arrange for this service. All such requests are subject to the availability of an interpreter. All City Council meetings are recorded on CD. These CD's are available for listening or duplication at the City Clerk's Office during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. or can be purchased for \$10.00 per CD. The City Clerk's Office is located in City Hall, 125 Snowman Lane, North Pole, Alaska.



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, December 5, 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, December 5, 2016 to order at 7:05 p.m.

There were present:

Absent/Excused

Mr. McCarthy – Alt Dep Mayor Pro Tem

Mr. Isaacson - Deputy Mayor Pro Tem

Mr. Thompson

Mr. McGhee - Mayor Pro Tem

Mr. Claus

Mr. Skipps

Mayor Ward - Borough Rep

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Ward

INVOCATION

Invocation was given by Councilman Isaacson

APPROVAL OF AGENDA

Mr. McGhee moved to approve the agenda of December 5, 2016

Seconded by Mr. Claus

DISCUSSION

None

Mr. McGhee moved to amend under Old Business the following item, item b, by correcting the word Resolution to Ordinance and under New Business consenting items b & c

Old Business

b. Resolution Ordinance 16-28, an Resolution Ordinance of the City of North Pole, Alaska to amend Title 13, Public Service

New Business

- b. Approval of the North Pole Planning Commission Representative, David Brandt
- **c.** Approval for the appointment of Bill Butler for the Interior Gas Utility Board Seat

Seconded by Mr. Isaacson

On the amendment

Discussion

None

PASSED

Yes: 7 – McGhee, McCarthy, Isaacson, Thompson, Skipps, Claus, Mayor Ward

No: 0 Absent: 0

On the Agenda as amended

PASSED

Yes: 7 – McCarthy, Isaacson, Thompson, Skipps, Claus, McGhee, Mayor Ward

No: 0 Absent: 0

APPROVAL OF MINUTES

Mr. McGhee moved to approve the Minutes of November 21, 2016

Seconded by Mr. Isaacson

Discussion

Mr. Isaacson states for the record on page 13, that he gave changes to Sally Terch for the minutes because of scrambled/clerical errors.

PASSED

Yes: 7 – Isaacson, Thompson, Skipps, Claus, McGhee, McCarthy, Mayor Ward

No: 0 Absent: 0

COMMUNICATIONS FROM THE MAYOR

There was a meeting on the 29th of November with Agnew Beck, the City's strategic planning contractor to determine the direction for the implementation of components of the strategic plan. The discussion revolved around development both residential and commercial. The groups decided that the best thing that the contractor could do to help in these areas is put together a retail development study that would help the council and potential developers address the needs for retail development to occur. The contractor is working on a cost estimate to ensure that we have the funding remaining in the grant to accomplish this goal.

Last weekend was Winterfest and it was a blast! Despite the colder temperatures people were still eager to attend the Bazaar and Sunday Candle lighting ceremony. Buddy and Karen Lane were crowned King and Queen of North Pole and helped light the City Christmas tree, it was -32 below.

The next council meeting will be the Community Christmas reception; I was thinking it would be fun to do the mannequin challenge with everyone who is present. If you would like to participate or know of someone who would please come and join us!

Tomorrow evening at 5:30 pm the City of Fairbanks and North Pole and the Fairbank North Star Borough will be presenting to the Interior delegation the Capital Project request and priorities. If council is interested in attending and supporting the event will be held at the Fairbanks LIO.

I attended the Moose Creek Water Alternative meeting held at the North Star Fire Station in Moose Creek last week. Extension of the City main to supply Moose Creek is one of the options for consideration of the Site Cleanup Plan. A ROD will not be likely until 2018.

December 17th is the Politicians with Power tools event at Christmas in Ice. Starting at 12 noon Come watch your local elected officials carve ice babies and vote on your favorite, All proceeds raised will go to the winning carvers Non-Profit of Choice! I am still looking for an ice carving idea!

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

- I want to give a shout out and big thank you to the APA Farthest North Chapter for paying for the archway and Universal Welding for the discounted price they gave us to make the archway for the Memorial Park.
- Lieutenant Rathbun won the school districts and the Rescue Missions First Annual

Responders Exemplary Award and we appreciate all the effort he put into it to get that award. He did a good job representing us a couple weeks ago at that ceremony. Congratulations to Avery Thompson on his award too.

- I attended the week before last the Hamilton Acres Baptist Church law enforcement appreciation dinner which is something they have been holding for about 8 years now. They treated us like Kings and Queens. It was a great event and I appreciate the church for doing that. They wanted to thank the law enforcement for all they do. It was very well attended.
- Chad and I will be leaving tomorrow morning to Anchorage for the week to attend the Executive Development Conference and Sgt. Bellant will be in charge. One of the topics that is being brought up is the Senate Bill 91 that I've been preaching about in front of the Council that I do not like. I also put out a memo to all the Chiefs in the State requesting input from them on the impact of SB 91 on their communities. We are starting to see some statistical studies from communities around the state but it's definitely disturbing and we are interested to see what comes out of it. The Commissioner and Deputy Commissioner have agreed to sit down with all the Chiefs on Thursday at a luncheon. It will be interesting to see what feedback we can give to the Commissioner and the Governor about our concerns with the bill. This is a good step forward.
- I applied for the Strategic Homeland Security grant for rolled over funds from last year. I'm going to apply for a video camera system for the City Hall and the Police Department.
- We've ordered the laptops for the Police Department. We received the docking stations and we are excited to get that project off the ground.
- I just put out the IFB for the door lock security system. We have already received a couple calls.
- Kris Capps from the Daily News Miner is going to do an article about the Memorial Park. They are accepting applications for people who would like to honor their loved ones.

Mr. Isaacson states that he has heard a lot of issues about SB 91. He asks if they have decided to put together some verbiage changes to the law that they would like to see specifically because if you just go and tell the Deputy Commissioner what your issues might be they may or may not get translated as especially needed and he suggests that they keep active in the language of the bill as it needs modified.

Chief Dutra responds that they are putting their heads together to come up with suggestions on what they think needs to be changed. His suggestion would be to repeal but that probably would not happen.

Fire Dept., Deputy Chief Coon

• I've been out of town at the National Fire Academy attending a class with other fire Chiefs around the nation. It was reassuring to know that our issues in North Pole are the same issues in other states. Good education for me and very minimal cost to the City.

- While I was out of town the Fire Department ran flawlessly, I did not have a pile of paperwork on my desk because we have such good people in North Pole. We were even able to promote a Captain while I was out of town. Chief Heineken promoted Lieutenant Raby up to Captain.
- We are still one guy down and we are working through the process of filling those shifts.
- We will be working on more hydrant maintenance and shoveling out the hydrants throughout the winter.
- Our squad will be out a week before Christmas, I think that's December 19th.

Finance, Tricia Fogarty

- Admin sent Stephanie to a user conference with Caselle. It was held in Soldotna. Stephanie got to see some of the new things that are coming up with Connect that we want to switch and she is very excited about that.
- This week we are sending Jamie down to Caselle so she can have one-on-one training
 with them at their office. They have pulled our live data so she will be working with our
 customers and they will walk her through the process.
- Kathy was on vacation and I did payroll this time. She will be back on Wednesday.
- Late last week we found out from the State that when we garnish PFD's we have a program that uploads it to the State, we thought that is was done and it turns out that they do not have a file for us so we will not be getting any PFD garnishments this year. We did budget \$35,000 for that. The program is not really easy to use and it was unfortunate that Renee had been doing that and she left right about the time that the process would be started and there was a problem with the program at that time. We thought we had it figured out. Stephanie was on that and unfortunately it did not happen like we thought it did. This will not happen again. We had budgeted \$56,000 for citations and then we changed that budget to \$100,000 and we are sitting at \$109,000 right now in citations.

Director of City Services, Bill Butler

Building Department

- No new projects submitted to the Building Department.
- Community Development Block Grant application submitted on December 2.
 - Expect to learn status of the application in February 2017.
 - Proposed plan is to gut the existing facility; remodel the interior; update all the building's mechanical systems and utilities; and with any remaining funds build an addition. Size of any addition would be dependent upon the funds available.

Public Works

- First city-wide snowplowing of the season started last weekend. This is also the first snowplowing being performed by the contractor Blackhawk Works on behalf of the City.
- Candy Cane streetlight knocked down by a DUI driver this weekend.

Light is on Badger Road.

- The downed light temporarily blocked roundabout.
- The City has maintenance responsibility for the lights; however, we will pursue the driver's insurance company for the cost of the repair.

Utility Department

- 2nd reading of ordinance requesting a utility rate increase is before Council this evening.
 - Requesting an increase only for the sewer charge.
 - 2017 Utility budget is based upon this rate increase.
 - Rate increase is part of the ongoing effort to respond to loss of sewer revenue after Flint Hills stopped oil refining at the Flint Hill North Pole Refinery.

Natural Gas Utility Board

- The negotiations that are occurring between IGU and AIDEA are at a contentious state and the viability of the originally proposed project could be in the balance
 - Major issue surrounds agreement on payment to be made to AID EA for the transfer of the assets of Fairbanks Natural Gas to IGU and the impact this decision could have on the viability of the Interior Energy Project.
 - Regular IGU Board meeting is scheduled for Tuesday, December 6 starting at
 4:00 PM at IGU's office in the Key Bank Building in Fairbanks.

Borough Representative

- There has been no borough meeting since the last time. Mayor Ward was able to attend the meeting in Moose Creek in regards to the water system options that they are considering. There are a few things that they are discussing that he wanted to make sure were brought up at the Borough and he has a meeting scheduled with Mayor Kassell in regards to the land use control options they are considering and making sure they are looking at all the options that are on the table. They are still offering up solutions to the Moose Creek area that offers expansion of our system to service them.
- There is a zoning Ordinance coming up before the Borough. A report will be back to the Council before the next Council meeting with questions that have been brought up.

City Clerk's Office, Kathy Weber

None

ONGOING PROJECTS

None

CITIZENS COMMENTS

None

OLD BUSINESS

ORDINANCE 16-28, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND TITLE 13, PUBLIC SERVICES

Bill Butler introduced Ordinance 16-28, an Ordinance of the City of North Pole, Alaska to amend Title 13, Public Services. For the 2nd reading on Ordinance 16-28 is a request to raise the sewer utility rate. The sewer side of the Utilities had a significant loss of income with the cessation of oil refining at Flint Hills Refinery. The Refinery contributed about 25% of the revenue on the sewer side and also contributed a significate amount to the facility repair and replacements, those are funds that are used for capital projects. Typically earning about \$60,000-65,000 a year on the FRR that would go to capital projects with cessation of oil refining and now it's dropped down to about \$10,000-15,000 a year. This rate would go to operational expenses. When the revenue was lost from the Flint Hills Resources, there was an open position, we decided not to fill that position. We are down from 4 to 3 staff members on the utilities side. We also tried to cut the budget. The first year we tried to make it see how we could do without raising rates that particular year. We ended up transferring money from reserves. It's not a practical way to operate to fund the sewer side with the water side and go into our reserves to fund the sewer department. This increase in revenue will fully fund the operations on the sewer side with its rates.

Public Comment

None

Mr. McGhee moved to adopt Ordinance 16-28, an Ordinance of the City of North Pole, Alaska to amend Title 13, Public Services

Seconded by Mr. McCarthy

Discussion

None

PASSED

Yes: 7 – Thompson, Skipps, Claus, McGhee, McCarthy, Isaacson, Mayor Ward

No: 0 Absent: 0

ORDINANCE 16-27, AN ORDINANCE OF THE NORTH POLE CITY COUNCIL ESTABLISHING THE 2017 OPERATING AND CAPITAL BUDGET AND LEVYING THE MILL RATE, 3RD AND FINAL READING

Mayor Ward introduced the 2017 operating and capital budget and levying the mill rate. Charter states that establishing the new budget for any year, it go before council for 3 readings. We are proud to say that it does have the lowest mill rate in the City of North Pole's history at 1.499 mills and that's been possible by the increase of the sales tax that was approved at the last Council meeting.

The budget does have a few changes from prior years. We do have the City Clerk's budget which has been given its own department numbering so we can be better keep track the expenses associated with general administration versus the City Clerk. We also have all our other budgeted items for all funds within the City of North Pole in the budget. We have also included a new page for our inter fund transfers, to better keep track of those as requested by the auditors.

Public Comment

None

Mr. McGhee *moved to* adopt Ordinance 16-27, an Ordinance of the North Pole City Council establishing the 2017 Operating and Capital Budget and levying the mill rate

Seconded by Mr. McCarthy

Mr. McGhee *moved to* amend by submitting the budget amendments for the maintenance contracts as submitted by the Mayor

	А	В	С	D
1	2017 Budget Ar	nendments		
2				
3				
4	Account Number	Account Name	Amount	Department
5				
6	01-53-2-200	Advertising	-250.00	Police Dept.
7	01-53-2-230	Maintenance Contracts	250.00	Police Dept.
8				
9	04-10-9-998	Budget Transfer	-2,000.00	Building Dept.
10	04-10-2-230	Maintenance Contracts	2,000.00	Building Dept.
11				
12	41-10-9-998	Budget Transfer	-1,420.00	Water Fund
13	41-10-2-230	Maintenance Contacts	1,420.00	Water Fund
14				
15	42-12-9-998	Budget Transfer	-1,420.00	Sewer Fund
16	42-12-2-230	Maintenance Contracts	1,420.00	Sewer Fund

Seconded by Mr. Isaacson

Discussion

Mayor Ward gives a definition for the amendments are to include increases for the contract services that are provided by Caselle for the accounting software. The existing program is expiring and Caselle needs to be upgraded. In order to continue this service, there needs to be an increase and that's what these amendments reflect.

PASSED

Yes: 7 – Claus, McGhee, McCarthy, Isaacson, Thompson, Skipps, Mayor Ward

No: 0 Absent: 0

On the main motion as amended

Discussion

Mr. McGhee states that he is aware of the fact that it has been one of the Mayor's goals since being elected to bring property mill rates down to a comparative rate within the Borough and State and he commends the Mayor for accomplishing that in his second term.

Mr. Isaacson states that the budget does reflect some fiscal restraint. He states that the revenues are not where the budget was but the expenses were kept low. Lowering the property taxes and trying to implement the Strategic plan that will bring about some more investment into the City.

Mayor Ward stated that on the expense side of the budget the department heads do a great job of managing that and the credit really should fall to them for making sure we come under budget. He knows that everyone takes this time of year very seriously and in the past savings have been made up for lack of revenue because of folks spending under their authorized amounts. We appreciate that and this helps maintain a strong fiscal position moving into the future.

PASSED

Yes: 7 – McGhee, McCarthy, Isaacson, Thompson, Skipps, Claus, Mayor Ward

No: 0 Absent: 0

NEW BUSINESS

Appeal by Lazerwash/Detrtoit Hot Spring Car Wash for the late fee charge of \$25.88

Introduced by Bill Butler – The figures we have given you were accurate. The bill was for October which included the unpaid bill for September plus it included the late fee as well. The customer actually paid on the October bill they paid the September, the October and the late fee and mistakenly paid what there bill would have been for October if that had been late. They actually have a credit on their bill of \$45.10 at this time.

The policy, I think we should go forward with is if people are late they have to pay their late fees. We treat all people equally. This customer has some history of complaining they have not received their bills. Jamie Duncan has contacted the billing agency and they found that this bill had in fact been sent out. My recommendation is to not forgive the late fee.

Discussion

Mr. Isaacson asked Mr. Butler if he has record of this individual complaining of not receiving their bills and if this is the first time being late.

Mr. Butler responded that this is the first time she has been late.

Mr. Isaacson asks if this person is paying a total of over \$5,000/\$7,000 on these bills.

Mr. Butler states that's approximately two bills, two months, approximately \$2,500.

Mr. Isaacson responds that as far as Mr. Butler's ability he can't forgive the late fee but as far as the Councils ability, there is nothing restricting us from our Ordinances from allowing us to forgive.

Mr. Butler stated the Council gave staff the authority to forgive only in situations where if there was a water leak and water did not go down the sewer. That would be the only thing we are allowed to forgive. The City Council by the code is the final arbiter when someone has a complaint about billing.

Public Comment

None

Mr. Isaacson $moved\ to$ appeal the Lazerwash/Detrtoit Hot Spring Car Wash for the late fee charge of \$25.88

Seconded by Mr. McCarthy

Discussion

Mr. McGhee states that according to our Ordinance, it uses two key words that could be defined as the same. The customer has a right to ask for an appeal to an unjust or inequitable bill. In a

late fee is not an unjust or inequitable request it is a requirement of making payments. Regardless of who you are or how good you are or how diligent you are. If you have made a mistake and missed a bill then you are liable to the late fee. It is a simple rule of application. You pay, you late, you pay.

Mr. McCarthy points out that the past several years they have been on autopay and we get three different emails all month long about the bill and its status. Anyone can go online and check the status of their bill. If people don't use autopay they are used to paying on a certain day of the month. I just can't see a water bill of this size, how you could forget to pay the bill.

Mr. Isaacson states that what is fair and equitable, is anybody who feels they have slipped up have the right to come to the Council with an appeal. As Bill has stated the customer has followed the rules and she is coming to Council. The Council can say nobody gets forgiven or the Council can say yes, people do get forgiven. He states that is we are going to be a City that encourages business we should be a City that tolerates at times some form of human error in business. If this was something that happened all the time he would be inclined to say no but in this case this customer has a good payment history. He feels this should be case by case and for this reason Council should approve the appeal.

Mr. McGhee states that according to testimony, it is the recommendation by the Department head not to forgive it and testimony by both the department head and the accountant, it wasn't the case of forgetting, it was just the opposite of where the customer is saying it's your mistake, I don't need to pay it, you correct it.

Mayor Ward states that as government the City has to take a standard that is above reproach and one that is equal and fair to everyone. If the Council wants to adopt some policy where its states to everyone that if you have good clean history for a long period of time then it is acceptable to forgive one months late notice. That is not the situation right now. This is the same standard that is applied to all the accounts and it needs to be maintained.

Mr. Thompson states that this certainly does not fall within the City Ordinance that really allows to discuss it because it does not fall under one of the two exceptions. If this was to be approved, a precedence would be set where anyone who was late could come before the Council. He is in agreeance with the Mayor. It would be easier to draft an Ordinance that could define what the City would forgive.

Voting on the motion to approve the appeal

Yes: 1 - Isaacson

No: 6 – Thompson, Skipps, Claus, McGhee, McCarthy, Mayor Ward

Absent: 0

APPEAL WAS DENIED

11

RESOLUTION 16-16, A RESOLUTION ESTABLISHING THE 2017 CITY OF NORTH POLE BED TAX GRANT DISTRIBUTION

Introduced by Mayor Ward – We had 4 committee members that listened to their presentations. The scores of the 3 different applicants were totaled up and included in here as a dollar amount. They were then averaged against the amount given to from each person and then divided by the number of participants which came up with the organizational total for disbursement.

This year we had \$62,325 for distribution. This is based on the amounts collected in the prior audit so we are always trying to make sure to keep that funded ahead. The 2017 applicants had requested \$147,000. We only had the \$62,000. Of that amount the amount that came from the committee's recommendation, is the North Pole Chamber of Commerce for \$18,697.50, Explore Fairbanks of \$14,23.13, North Pole Christmas In Ice for \$29,604.38.

These bed tax grant distributions will be made available on January 1st, 2017. Once the P.O.s are issued, the grantees will be given 90% and then have until the application period for the next year to file for their final 10% which also then qualifies them for the next year. This is the recommendation from the committee.

Mr. Claus stated that when someone makes a presentation to the committee and they make a statement that was questionable, he wonders how to go about that.

Mayor Ward stated that at this time the committee has made a recommendation to the Council so the Council can either approve or deny that recommendation. If there is a concern, that would need to be addressed before or after this time.

Public Comment

None

Mr. McGhee moved to introduce & adopt Resolution 16-16, a Resolution establishing the 2017 City of North Pole Bed Tax Grant distribution

Seconded by Mr. McCarthy

Discussion

Mr. Claus stated that he attended the meeting that the committee had to interview the different applicants and at that time, one of the applicants said they were an all-volunteer organization. He expressed concern in regards to their 990 forms.

Mr. McCarthy stated he is not familiar with the Christmas in Ice finances but he does know that they have hired Chinese carvers to help with the park.

Mr. Claus stated that the 990 form lists Keith Fye as the salaried member.

Mr. Isaacson responded to Mr. Claus that this could be a contract labor situation. It would be nice to have more information. He commended the committee and this distribution that does a lot of good to the City of North Pole. All the applicants bring in tourism. He did not recall that any of these organizations have to be all-volunteer. If Christmas in Ice has at times, paid for some of the work, he doesn't have a problem with that. He thinks it would be wise for the Council to except the recommendation and to request clarification next time.

Mr. McGhee stated that all the applicants have to provide the committee with all of their financial records and he is not sure as to what Mr. Claus is referring to. 90% of the people are volunteers at Christmas in Ice but under their financial overview, profit and loss budget, they do have an expense of contract services which include a day labor of \$10,000, accounting of \$1,500, ice carving labor of \$55,000, ice rink of \$6,000 and outside contract services of \$8,000 totaling \$80,500. They did submit their labor cost that they have to employ.

Mr. Claus stated that all three of the organizations are deserving of the bed tax. He agrees with the council members and would like to see more clarification next year.

PASSED

Yes: 7 – Thompson, Skipps, Claus, McGhee, McCarthy, Isaacson, Mayor Ward

No: 0 Absent: 0

RESOLUTION 16-17, A RESOLUTION SUPPORTING LOCAL CONTROL IN THE ISSUANCE OF LIQUOR LICENSES WITHIN FIRST CLASS AND HOME RULE CITIES

Introduced by Mayor Ward – The City of Wasilla and Soldotna have both been in review of this. They are trying to come up with something that is amicable. In our last conversation they felt that there wasn't an amicable resolution to the commission recommendation.

One of the approaches is to request that the State give the same authority to municipalities to regulate alcohol as they have in the marijuana statutes that have been derived. This is restrictive to first class and home rule cities, those that have police power, knowing that they have the ability to actually regulate these establishments. For the rest of the state, they fall under different provisions under title 29. They are under the control of the state troopers.

Liquor licenses are typically established by several different methods, the most common is through population. We have more than our population allows. The case has been made that we service an area larger than 2,200 residents, it's more like 25,000. The same issues are with the City of Wasilla and Soldotna.

There are economic reasons why they are also looking at this, talking with the City of Wasilla there are retail establishments that want to do business in the City but their business model is that of having a liquor store. They are not able to come into the City because it doesn't fit their business model. What we are saying with this Resolution is that we support the idea of giving first class Cities the ability to regulate the number of liquor establishments.

Mr. Thompson asks what the benefit would be in support of this.

Mayor Ward stated that Wasilla has certain stores for example like a Fred Meyer that would like to build in town or a different area that has a liquor store as part of their business model and they are not able to do that business model in town with that component because state law prohibits them from having that establishment. Because of the limitation for population we are not able to have that establishment in the City of North Pole.

Mr. Thompson asked if we know of a situation like that where a business was unable to build in North Pole because they were unable to obtain a liquor license.

Mayor Ward stated that they did have conversations with Pagoda. They did have some issues trying to get a license. Ms. Wilson was able to work with the alcohol board to maneuver through some of these regulations so he was able to stay in the City of North Pole. That is the most recent example of this.

Public Comment

None

Mr. McGhee *moved to* introduce & adopt Resolution 16-17, a Resolution supporting local control in the issuance of liquor licenses within first class and home rule cities

Seconded by Mr. McCarthy

Discussion

Mr. McGhee commended AML and the other Cities for bringing this forward. With the establishment of adding Marijuana to the alcohol control board and giving that control to the municipalities he thought it was only fair that the same municipality could have a voice not only in the number of, but the placement of liquor establishments. So far, they don't have a voice, even when the Council reviews a license renewal we really only have an opinion and not truly a voice. This would give us a voice and would give the residence a voice.

Mr. Isaacson added that different States have very different perspectives on this so well-known restaurant chains have built there business models on what they can do elsewhere. If the City would like to get some businesses that are unique, the City needs to have a tool that will allow the City to say in North Pole and not in Fairbanks. This is a tool that will allow the City to have a greater grasp on the future.

Mr. Thompson stated that he does not think the City would qualify for the rewrite. One of the criteria is that there exists within the City mental health facilities to address alcohol abuse and dependency related issues. A comprehensive plan and zoning code would need to be adopted and other procedures. This requires the City to do a lot that he thinks the City may not be prepared to

do. He liked the idea of having liquor licenses approved by the Council and trying to address these issues locally.

Mayor Ward agreed that Mr. Thompson made a valid point and that additional clarification needs to be included. This is nothing that has to move at rocket speed so if there is a desire to add changes, that can be done.

Mr. Thompson stated that the Council should add the language so the City can actually participate in the re-write.

Mr. McGhee, Mr. Isaacson, Mr. Claus, Mr. Thompson would like to be added as co-sponsors.

Mr. Isaacson and Mr. Claus will not be at the next meeting.

PASSED

Yes: 7 – Skipps, Claus, McGhee, McCarthy, Isaacson, Thompson, Mayor Ward

No: 0 Absent: 0

Council Comments

Mr. Claus stated he will not be at the next meeting. He is going to Lake Tahoe. He wished everyone a Merry Christmas.

Mr. Skipps wished everyone Happy Holidays and a Merry Christmas

Mr. Isaacson stated that he will not be at the next meeting and will be visiting family. He apologized for having conversations during the Council meeting. He wished everyone a Merry Christmas.

Mr. McGhee stated that he just told Mr. Isaacson that he wasn't going to adjourn. Mr. McGhee wished everyone a Merry Christmas and to be safe in their travels. He commended the new Councilmen and looks forward to the New Year.

Mr. McCarthy statedthat he thinks this is the best budget that he has seen the Council crank out in the time he has been here. He is very happy with it.

Mr. Thompson stated as a new Council member he thanks the Council with how well everyone & everything works very smoothly. He has enjoyed his time so far and expressed his appreciation for everyone. He was able to attend his son's band concert and apologized for being a little late. He wished a Merry Christmas to everyone.

Mayor Ward thanked the staff at City Hall for their efforts on the City's Facebook page and is excited about the growing likes of the page. He would like to do the Mannequin Challenge at the

next Council meeting. He talked about the Candlelight Ceremony and that Mayor Kassel was able to come and join them. They will affirm a Christmas Proclamation, a day of unity where everyone can come together. It will be a 3 page proclamation and be on display at City Hall. He is thankful to the other Mayors for their strong partnership.

Mr. McGhee moved to adjourn the meeting at 8:34 p.m.

Seconded by Mr. Isaacson

The regular meeting of Monday, December 5, 2016 adjourned at 8:34 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, December 19, 2016.

	Bryce J. Ward, Mayor
ATTEST:	
	_
Kathryn M. Weber, MMC	_
North Pole City Clerk	



Introduced by: Mayor Jeffrey Jacobson

Date: December 17, 2001

RESOLUTION 01-15 A RESOLUTION PROMOTING PUBLIC AWARENESS AND EDUCATION OF THE BILL OF RIGHTS

WHEREAS, the best hope for continuation of our liberties and the knowledge that our institutions are based in equality, and

WHEREAS, the full protection of these individual liberties is vital to maintain our republic, and

WHEREAS, the Bill of Rights is the sole lasting protection of individual liberties, and

WHEREAS, these guaranteed liberties have enabled this nation to prosper, adapt and survive in our changing world situation, and

WHEREAS, individuals of all persuasions need to be assured of their protection under the Constitution and the First Ten Amendments (The Bill of Rights).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH POLE, ALASKA:

- The Bill of Rights will be read publicly on an annual basis during the second meeting of the City Council each December.
- That the Constitution of the United States of America and specifically the Bill of Rights be posted in City Hall where the public may view and read them.

Passed and approved by a duly constituted quorum of the North Pole City Council this 17th day of December, 2001.

leffrey James Jacobson, Mayor

ATTEST:

Kathryn Weber, City Clerk

Bill of Rights

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be

otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

125 Snowman Lane North Pole, Alaska 99705 (907) 488-8593 (907) 488-3002 (fax) bill@northpolealaska.com

City of North Pole Director of City Services

Memo

To: North Pole City Council

From: Bill Butler

Date: December 13, 2016

Subject: Heating Fuel Bid Recommendation

Recommendation: Accept the bid from Alaska Fuel Distributors for the delivery and supply of heating fuel in 2017 due to Sourdough Fuel withdrawing their bid

The City received five (5) bids to supply heating fuel for its municipal facilities for the period January 1, 2017 to December 31, 2017. All bids were based upon the rack price plus delivery and other charges. Any changes in the rack price will be passed on to the City. Below is a summary table of the bid prices. Sourdough Fuel offered the City the same rate as it did to the Fairbanks North Star Borough, however, on December 13, 2016 Sourdough withdrew their bid based upon recommendations of their legal department. Alaska Fuel Distributors is the second lowest responsive bidder

Company	Fuel Type	Rack charge	Delivery charge	Total cost delivered
Alaska Fuel Distributors	1	\$1.9900	\$0.0114	\$2.0014
	2	na	na	na
Sourdough Fuel	1	\$1.9950	-\$0.1450	\$1.8500
WITHDRAWN	2	\$1.9450	-\$0.0950	\$1.8500
Alaska Fuel Services	1	\$1.9950	\$0.0590	\$2.0540
	2	\$1.9450	\$0.0590	\$2.0040
Alaska Aero Fuel	1	\$1.9950	\$0.0750	\$2.0700
	2	\$1.9950	\$0.0750	\$2.0700
Crowley Fuel	1	\$1.9969	\$0.1500	\$2.1469
	2	na	na	na

125 Snowman Lane North Pole, AK 99705

P: 907-488-8583 F: 907-488-3002 C: 907-388-2728

Email: Kathy.Weber@northpolealaska.org

City of North Pole Office of the City Clerk/HR Mgr

Memo

To:

NP City Council

From: Ka

Kathy Weber, CMC - City Clerk

Date:

12/14/2016

Re:

Liquor License Renewal

The ABC Board has contacted the City of North Pole as the following business is renewing their licenses within our jurisdiction.

Lic.#	Doing Business As	License Type	Licensee	Premises Address
2851	Pagoda Chinese Restaurant	Beverage Dispensary	First Security Investments, Inc	431 N Santa Claus Lane

The ABC Board is required under Alaska Statute to notify the City in writing that these establishments are renewing their liquor license so the city council can file a "protest" if they so desire.

The City Council is provided information on any complaints regarding the establishments from the Police Department, Fire Department, and also if they are up to date with City business license, water & sewer, and all sales tax.

As of this date there are no violations against any of the establishments up for renewal and recommendation is for a vote of non-objection for the above businesses.

Thank you



Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

December 1, 2016

City of North Pole Attn: Kathy Weber

Via Email: kathy.weber@northpolealaska.org

Cc: <u>kmajor@fnsb.us</u>

Re: Notice of 2017/2018 Liquor License Renewal Application

License Type:Restaurant/Eating PlaceLicense Number:2985		2985	
Licensee:	First Security Investments, Inc.		
Doing Business As:	Pagoda Restaurant		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Cynthia Franklin, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board Renewal License Application

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

alcohol.licensing@alaska.gov

https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant / eating place license that will expire on December 31, 2016. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only needs to be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

Form AB-17a: Restaurant / Eating Place

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

	ection 1 - Establishmen liness seeking to have its license rener		ntact info	rmation	
Licensee:	First Security Investments Inc.			License #:	2985
License Type:	Restaurant/Eating Place			Statute:	AS 04.11.100
Doing Business As:	Pagoda Restaurant				
Premises Address:	no premises				
Local Governing Body:	City of North Pole (Fairbanks No	orth Star Bon	ough)		
Community Council:	None				
Mailing Address:	431 Santa Clau	s land	e		
City:	North Pole	State:	AK	ZIP	: 99705
Enter information for the lice	nsee who will be designated as the pr	imary point of	f contact regard	ling this applicati	on and the license.
Designated Licensee:	XI BIN LIN				
Contact Phone:	907-388-7000	Business (Phone:	907-48	8-3338
Contact Email:	ben@pagodares	itaura	nt. Cor		
Yes Seasonal License?	No If "Yes", write your s	ix-month op	erating perio	d:	





Alaska Alcoholic Beverage Control Board Renewal License Application

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

alcohol.licensing@alaska.gov

ALCOHOL MARIJUANA CONTROL OFFICE STATE OF ALASKA

https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Section 2 - Sole Proprietor Ownership Information

Form AB-17a: Restaurant / Eating Place

This section must be completed by any sole proprietor who is applying for a license. Entitles should skip to Section 3. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse). This individual is an: applicant affiliate Name: Address: City: State: ZIP: Email: **Contact Phone:** affiliate This individual is an: applicant Name: Address: City: State: ZIP: Email: **Contact Phone:** Section 3 - Entity Ownership Information This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC). Partnerships may skip to Page 3. Sole proprietors should skip to Section 4. 54544D Alaska DOC Entity #: **Alaska Division of Corporations:** No Is your entity in good standing with the Alaska Division of Corporations? [Form AB-17a] (rev 10/25/2016)



Alaska Alcoholic Beverage Control Board

alcohol.licensing@alaska.gov

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600

https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Anchorage, AK 99501

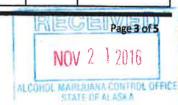
Renewal License Application

Form AB-17a: Restaurant / Eating Place

This subsection must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner

with an Interest of 10%	or more, and for each general partner	•			·
Entity Official:	XI BIN LIN				
Title(s):	President,	Phone:	907-388.7000	% Owr	ned: /00
Address:	431 Santa Claus	lane			
City:	North Pole	State:	AK	ZIP:	99705
W	•				
Entity Official:	& Bin Lin				
Title(s):	Vice-Prasident	Phone:	907-388-7000	% Owr	ned: 100
Address:	431 Santa Claus	IN			
City:	North Pole	State:	AK	ZIP:	99705
Entity Official:	KI Bin Lin				
Title(s):	Secretary	Phone:	907-388-200	% Own	red: 100
Address:	431 Santa Clau	15 /An	e		
City:	North Pole	State:	AK	ZIP:	99705
	Total Control of the				
Entity Official:	M Bin Lin			-	
Title(s):	Treasurer	Phone:	90).3887000	% Own	red: /00
Address:	431 Santa Cla	us /w	ne		
City:	North Pole	State:	AK	ZIP:	99705
Entity Official:					
Title(s):		Phone:		% Own	ed:
Address:					
City:		State:		ZIP:	
Form AR-17al (rev 10/25/2016)				IDJIE#	





Alaska Alcoholic Beverage Control Board Renewal License Application

Form AB-17a: Restaurant / Eating Place

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

alcohol.licensing@alaska.gov https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Section 4 - Authorization		
Communication with AMCO staff:	Yes	No
Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?	V	
If "Yes", disclose the name of the individual and the reason for this authorization: Anthony PerKins		
Section 5 – License Operation		
Check the box that best describes your liquor license operations in calendar years 2015 and 2016:		
The license was regularly operated continuously throughout each year, for 8 or more hours each day.]
The license was regularly operated during a specific season each year, for 8 or more hours each day.		
The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. If this box is checked, an AMCO employee will contact you after reviewing your application.		
The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years. If this box is checked, an AMCO employee will contact you after reviewing your application.		5
Section 6 - Convictions		
Applicant convictions in calendar years 2015 and 2016:	Yes	No
Has any person named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2015 or 2016?		
If "Yes", list all convictions:		_
RECE	IVE	
[Form AB-17a] {rev 10/25/2016} NOV Z	KACIBITES	e 4 of 5



Alaska Alcoholic Beverage Control Board Renewal License Application

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

alcohol.licensing@alaska.gov https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Section 7 - Certifications

Form AB-17a: Restaurant / Eating Place

Read each line belo	w, and then sign	your initials in the box to	the right of each state	ement:	Initials
		defined in AS 04.11.260) that all current entity off			
I certify on behalf of any other form prov	myself or of the ided by AMCO is	organized entity that I ung grounds for rejection or d	derstand that providing lenial of this application	g a false statement on to n or revocation of any li	his form or cense issued.
I certify that in accor in the licensed busin		4.11.450, no one other tha	an the licensee(s) has a	direct or indirect finance	cial interest
	ged the business	nctional floor plan or redu name or the ownership (in ontrol Board.			
		estrictions pertaining to the restriction imposed by the			has not been
I certify that the gro- calendar years 2015	•	e sale of food at the restau	urant equal at least 509	% of the total gross rece	ipts for
3 AAC 304, and that provide all informati	this application, on required by the given to me by	newal, I declare under per including all accompanying ne Alcoholic Beverage Con AMCO staff will result in t	g schedules and staten trol Board in support c this application being r	nents, is true, correct, a of this applicat <mark>i</mark> on and u	nd complete. I agree to inderstand that failure to plete.
Printed name of lice	}	Notary Public MATTHEW J. BRAI State of Alaska y Commission Expires Ja Subscribed and sworn t	n. 21, 2019	for the State of	
License Fee:	\$ 600.00	Filing Fee:	\$ 200.00	TOTAL:	\$ 800.00
Late Fee of \$500	.00 – if receive	d or postmarked after	01/03/2017:		
Miscellaneous F	ees:				
GRAND TOTAL (f different tha	n TOTAL):			ROBINIES.
Form AB-17a] (rev 10/	25/2016)				Page 5 of 5 NOV 2 2016 L MARIULANA CONTROL OFFICE STATE OF ALASKA

Sponsored by: Mayor Bryce J. Ward Introduced & Advanced: December 19, 2016 Adoption & Final Reading: January 2, 2017

CITY OF NORTH POLE 1 2 **ORDINANCE 16-29** AN ORDINANCE OF THE NORTH POLE CITY COUNCIL AMENDING 3 4 THE 2016 OPERATING BUDGET 5 WHEREAS, pursuant to City of North Pole Home Rule Charter Section VI the Mayor has 6 proposed an operating budget with anticipated income and expenditures of the City during the 7 next fiscal year; and 8 WHEREAS, The City of North Pole has established budgets for the City Debt Service, Non-9 Major and Community Funds that are outside of the general operating, capital and vehicle fleet-10 reserve budgets; and 11 WHEREAS, The Budget is a living document that needs to be adjusted as needed to reflect 12 actual conditions: and. WHEREAS, the following fiscal note reflects the changes needed to maintain budget 13 14 authorization and compliance as directed by the council. 15 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole: 16 Section 1. This ordinance is of a special nature and shall not be included in the North Pole Code 17 of Ordinances. 18 19 Section 2. Effective date. This ordinance shall become effective January 2, 2017. 20 21 22 PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 23 2nd day of January, 2017. 24 25 26 27 Bryce J. Ward, Mayor 28 29 30 ATTEST: 31 32 33 Kathryn M. Weber, MMC 34 North Pole City Clerk 35 PASSED/FAILED Yes: No: Absent:

THE POLICY OF TH

City of North Pole, Alaska

Fiscal Note Year:2016

Accompanying Ordinance Resolution:	ORD 16-29	
Originator/Sponsor:	Mayor Bryce Ward	
Date: 12-14-16	12-14-16	
Does the Ordinance or Resolution have a fiscal		
impact?	YES	NO

Account Description	Account No.	2016 Budget Amendments
Fire Dept Equipment	1-54-6-600	+540
Fire Dept Recruitment	1-54-5-505	+712
Fire Dept Wages	1-54-1-001	-1,500
Fire Dept Overtime	1-54-1-007	+1,500
Fire Department Electricity	1-54-3-305	-1,252
Admin Office equipment	1-51-3-335	+3,000
Admin Operational supplies	1-51-3-340	-3,000
Sewer Phone and Data	42-12-3-320	+3,000
Sewer Electric	42-12-3-305	-3,000

Summary: (Brief description of proposed alterations as defined by accompanying ordinance or resolution. Where did the money come from and how will it be used). Proposed changes to ensure compliance with the 2016 budget. Funds are proposed to be moved within the fund- department and do not affect the departments overall budget bottom line. Budget variances that are or are expected to exceed \$500 were considered for this amendment

Prepared By:	Em June	Date: 12-14-16
Finance Approval:_	Out of town	Date:

NOTE- Fiscal notes attached to an ordinance are considered amendments to the budget and do not require an additional approval for insertion into the budget document.