



CITY OF NORTH POLE *Alaska*

REGULAR CITY COUNCIL MEETING **Tuesday, January 17, 2017** **Committee of the Whole – 6:30 p.m.** **Regular City Council Meeting – 7:00 p.m.**

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**
 - Student of the Month
 - Rhiannon Powell - NPMS
7. **Council Member Questions of the Mayor**
8. **Communications from Department Heads, Borough Representative and the City Clerk**
9. **Ongoing Projects Report**
 - a. Agnew::Beck Strategic Planning Implementation

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

11. Old Business.

12. New Business

- a. Liquor license renewal for 2 Go Mart #112
- b. Request for tuition reimbursement for Detective Emily Gibson in the amount of \$1,848 for 2017 Winter Semester.
- c. Ordinance 17-01, An Ordinance of the City of North Pole, Alaska to amend Title 4, Revenue and Finance, by creating 4.03, Budget Procedures
- d. Ordinance 17-02, An Ordinance of the City of North Pole, Alaska to amend Title 4, Revenue and Finance, chapter 08, sales tax, by deleting Marijuana taxation

13. Executive Session – To discuss status of the sulfolane litigation

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 Tuesday, January 3, 2017 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 Tuesday, January 3, 2017 to order at 7:00 p.m.

There were present:

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

Absent/Excused

Excused

Excused

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Mayor Ward

INVOCATION

Invocation was given by Councilman McGhee

APPROVAL OF AGENDA

Mr. McGhee *moved to* **approve the agenda of January 3, 2017**

Seconded by Mr. McCarthy

DISCUSSION

None

Mr. McGhee *moved to* **consent the following items under New Business:**

- b. Request for approval of tuition reimbursement for Officer Jed Smith in the amount of \$675
- c. Recommendation to accept Pollen Environmental, LLC's 2017 Wastewater Compliance Monitoring professional services proposal

- d. Recommendation to accept NTL's 2017 Sanitary Survey professional services proposal

Seconded by Mr. McCarthy

On the amendment

Discussion

None

PASSED

Yes: 5– McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

On the Agenda as amended

Discussion

None

PASSED

Yes: 5– McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

APPROVAL OF MINUTES

Mr. McGhee moved to approve the Minutes of December 19, 2016

Seconded by Mr. Claus

Discussion

None

Yes: 5– McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

COMMUNICATIONS FROM THE MAYOR

December 17th was the Politicians with Power tools event at Christmas in Ice. The three local interior mayors were all present and had a grand old time carving ice. Please go vote for your favorite carving, all proceeds will go to the winning mayors non-profit of choice! Voting will go till the end of the event on January 8th.

The Mannequin video we did last meeting was a huge success with almost 35,000 views and 760 shares on Facebook. Thank you to all who participated and we hope to do more fun things in the future

The Alaska DEC is starting a saturation study of the North Pole area to determine if the North Star Fire Station Air Quality Monitor on Hurst is representative of the area. The DEC is looking for 10 people- properties who would be able to provide a place for the monitors to be placed and a 120 volt outlet to power the equipment. Unfortunately the locations are pretty specific so they will be contacting residents to ask permission to locate the monitors. For more information please contact Barbara Trost with DEC at Barbara.trost@alaska.gov

I have received a request for the City of North Pole to comment on the AKLNG project to FERC. The proposed comments make the statement that due diligence has not been completed on the Valdez route and it should be reconsidered, The request is that the City of North Pole, Fairbanks and the FNSB sign as a signatory.

Hope everyone had a great Christmas and New Year's Celebration. I look forward to a productive year in 2017.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

- None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Fire Dept., Deputy Chief Coon

- Prepared for last snowfall and participated with the FNSB emergency management
- Attending the leadership conference in Juneau in February.
- Dep Chief Heineken attending classes for firefighter II.
- Losing live-in
- Looking forward to St. Baldericks in March to raise money for children with cancer.
- Excited that retired Chief Lane is King of North Pole.

Police Dept., Chief Dutra

- Met with Representative Tammy Wilson last week and it was a very productive meeting.
- Officer McCumby has resigned and will be going to Valdez PD.

- Tomorrow is the fund raising kick off meeting at City Hall and invites everyone to come and learn about this project to help sell some tickets in support of the park. All the monies will go to the upkeep of the park. There are lots of great prizes.
- Jamie Schwarzkoff from channel 13 news interviewed me today about the Memorial park fundraiser. That will be on the news tonight.
- The article Kriss Capps put in the paper this last weekend did a great job talking about the park and I sent her the new link that was added to the City webpage for the application. The application and criteria guidelines are out so people can start nominating family members to have their names placed in the park. It was a positive article. We are still working with the military, reaching out to them to get names for the park. The fundraising will help with the outreach.
- Kriss Capps also wrote a great article on the Girl Scouts coming in for a tour. Brenda Sadler always does such a great job with those kids and I wanted to give her a shout out. She is a god send and she does great with those girls. They brought in prayer flags which we plan on putting up on the May 1st ceremony at the park. The girls are very excited to see their flags at the park. Would love to see as many Council members at that ceremony as possible. This is a big deal for us.
- I sponsored our department Christmas party at my home. This was the first time I have ever done that. We had over 70 people at my home. It was a lot of fun and I feel truly blessed with all the people that I work with. Great families and good people. Thank you everyone for coming.
- Tomorrow we have our annual department meeting and we are going to do one at the beginning of every year so we can focus the department on goals and objectives for every year. This new year we will be focused on training and organization. We will be focusing a lot on inventory & processes.
- We are noticing our task load has reached its critical capacity and realize that we need help. We have lots of archives and they continue to grow. We need someone to be able to process all the archives and have no one to do it. Fingerprinting is also a burden for my staff as officers get called in from on the road to come in to fingerprint. How much more could we do for the City if we had someone here to help with all these mundane tasks. We miss out on so many grants because we do not have a grant administrator.

Finance, Tricia Fogarty

- Auditors came out and spoke with Mayor and Accountant for issues in 2016. There will be a federal audit for 2016.
- The City will be turning their books over to auditors in February.
- This week will be opening the Clerks budget for 2017.

Director of City Services, Bill Butler

- None

Borough Representative

- None

City Clerk's Office, Kathy Weber

- The women in Admin have been gathering items for the 2017 News Years Baby basket. We have not had anyone contact us yet with the news of their new bundle of joy. We have had many members of the community come in and bring items for the basket and encourage anyone wanting to donate to the cause to bring in their items by January 10th. Julia Laube from channel 13 came in and interviewed me so we can reach the area. City also got some air time for the Christmas Coloring Contest with Santa presenting the winner with a certificate of participation. Thomas McGhee donated a 1 night stay at Hotel North Pole which he won for the best decorated house for Christmas.
- Swore in officers at Santa's Senior Center at their monthly luncheon on Wednesday, December 21, 2016.
- W-2's should be out to all employees by January 15th.
- Our next meeting will be held on Tuesday, January 17th in recognition of Martin Luther King Day.
- Looking for a love story for our newsletter in February. Send yours in to us and you could be our featured article.
- Doing an Employee spotlight in the newsletter. Cody Lougee was our 1st one.
- I will also be taking over for Francie Cork as the Santa Senior Center senior spotlight writer.
- Looking forward to getting a new computer in the council chambers. It has been difficult working with one screen and computer and constantly keeping my fingers crossed that this computer doesn't go down.
- Any council members interested in going to Juneau for AML Winter Conference.
- 356 days until Christmas.

ONGOING PROJECTS

- None

CITIZENS COMMENTS

- None

OLD BUSINESS

**ORDINANCE 16-29, AN ORDINANCE OF THE NORTH POLE CITY COUNCIL
AMENDING THE 2016 OPERATING BUDGET**

Mayor Ward gave an overview of the amended budget. This was the second and final reading.

Public Comment

None

Mr. McGhee *moved to Adopt Ordinance 16-29, An Ordinance of the North Pole City Council amending the 2016 Operating Budget*

Seconded by Mr. Thompson

Discussion

None

Mr. McGhee *moved to Amend Ordinance 16-29, An Ordinance of the North Pole City Council amending the 2016 Operating Budget as follows:*

Increase	01-00-9-999	Transfer in	\$5,080.00
Decrease	01-00-2-900	Fund Balance	\$5,080.00
Increase	01-53-9-900	Citation State Admin Fee	\$3,350.00
Decrease	01-53-1-001	PD-Wages Full Time	\$3,350.00

Seconded by Mr. Claus

Discussion

None

On the amendment

PASSED

Yes: 5– McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

On the main motion as amended

PASSED

Yes: 5– McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

NEW BUSINESS

REQUEST FOR APPROVAL TO PURCHASE 2 PATROL VEHICLES THROUGH THE STATE OF ALASKA FLEET VEHICLE BID IN THE AMOUNT OF \$56,782

Chief Dutra updated council on the reasons for purchasing 2 new vehicles.

Mr. Thompson asked if there was a way to find an increase of \$2,768 to add ballistic panels to the driver's doors of the two vehicles.

Chief Dutra stated they could find the money. He asked the Mayor what the expected income from the mil rate for the fleet funds was going to be so he could factor that into the equation.

Mayor Ward stated that they have those approved in ordinance so he will have to refer back to the budget.

Mr. McCarthy asked if they have considered buying the panels and other equipment once the vehicles arrive.

Chief Dutra stated he did not know enough about them but suggested that if they are going to be installed, they should be factory installed panels. He stated he also has a large number of extra vests that they are going to have made into covers for the doors for extra protection.

Mr. McGhee said he recognized the need and the Chief looking for funding. He asked if the Chief would be upgrading these vehicles and also asked the Mayor if the council would be prepared to make this happen.

Ms. Fogarty stated that there was \$57,000 in the Fleet Vehicle Fund.

Public Comment

None

Mr. McGhee *moved to* approved the request for approval to purchase 2 patrol vehicles through the State of Alaska Fleet vehicle bid in the amount of \$56,782

Seconded by Mr. McCarthy

Discussion

Mr. Thompson made a motion to authorize the purchase of two patrol vehicles & purchase two ballistic door panels for those vehicles.

Chief Dutra asked the Council to approve the cars the way they are now and he will add the panels after the fact.

Mr. Thompson withdrew his motion.

Mayor Ward stated that we are approving the purchase of the two vehicles and then departmental authority to purchase the ballistic panels out of the state forfeiture fund in the budget which there is money for these types of things.

Mayor Ward stated that he didn't agree with how this was being chopped up.

Mr. McGhee agreed that this should not have come forward the way it did. This wasn't prepared properly.

Mr. Thompson said that he didn't think this was something that had to have a fiscal note.

Mayor Ward wanted everyone to have an understanding of how this works. It's coming before council and if they deviate from the budget then their needs to be a fiscal note. He said it's not as clear as how he would like it to be.

Mr. McGhee said that the budget process was changed so that it is easier to approve by categories. If the council starts bouncing it around with department heads this could be detrimental to the budget and the council needs to be careful as to how this is done. The safety of the department is the biggest concern.

Mr. Claus states he understood the concerns of other Council members but he agreed with McCarthy in that they can be purchased and installed at a later time.

Mr. Thompson said part of our gratuity is that if something is out there we should look at it and not approve something blindly and he did not regret bringing this up tonight. If there is a document, whether it is water or sewer, he will bring it up unless there is a better way to do it.

Mayor Ward asked what fleet fund this is coming from.

Mr. Thompson *moved to* amend to authorize the purchase of two patrol vehicles for \$56,782 from fund 23-10-9-922 and purchase two ballistic door panels for those vehicles for \$2,768 from the State Forfeiture Fund account 13-10-9-600.

Seconded by Mr. Claus

Discussion

Mr. McGhee stated he was not pleased with how this has gone down.

Mr. Thompson stated that the issues are not just with money or procedural mishaps or whether or not an administrator is choosing to spend money the way that we like. Statistics and facts show increased safety issues and he is in support of the ballistic panels.

Mayor Ward spoke in favor of this. His issue is that if there are going to be changes that we make sure we are clear where the monies are coming from. He would tell any council member if they want to make any amendments to come and talk with the Mayor, Dept. Head or City Clerk.

Mr. McGhee stated that the statistics that were brought up are not based on Alaska statistics but they are still a concern and no argument there. The police department is one of the most life threatening jobs he can imagine. His concern is that maybe Chief Dutra should be here asking to retrofit all the doors of every police vehicle if that is in fact the need in our community today. As responsible financiers and personal budget overseers then that's something the council should look at. A council member brought this up not the Chief which he should have. As a council member, he argues the way this has been brought forward. Chief Dutra brought forward what he could afford and what he wanted.

Mr. Thompson said that this wasn't Chief Dutra that brought it up and this is someone looking line by line to see what options are available, seeing a good option and bringing it up and there is nothing unprofessional, there is no collusion. This was simply bringing up what is the best bet for the city and pointing it out. This doesn't have anything to do with trust of the Dept. Heads, this is simply a single line item of \$2,768 that will increase the safety of City employees that he saw and suggested. He stated that there was probably a better way of doing it. He takes responsibility of the back & forth of the night but he is still in support.

PASSED

Yes: 4 - McCarthy, Thompson, Claus, Mayor Ward

No: 1 - McGhee

Absent: 2- Isaacson, Skipps

On the main motion as amended

PASSED

Yes: 5- McGhee, McCarthy, Thompson, Claus, Mayor Ward

No: 0

Absent: 2- Isaacson, Skipps

Council Comments

Mr. McGhee – said the meeting was lively and good and hopes everyone is safe this new year.

Mr. McCarthy – said he is upset about the way the meeting went and how Chief Dutra was talked to tonight and is disappointed.

Mr. Thompson – stated that he is still learning how to work with the council with his limited time and working his way through the very interesting book, Roberts Rules of Order.

Mr. Claus – Not having a full time job he has the opportunity to talk with Department Heads and has been open about law enforcement issues. He would like to see the council be more proactive with what the Department Heads are doing and feels badly about how things went tonight. There are a variety of viewpoints and on the whole, they do a good job and give a lot of authority to Department Heads and they do a good job. Happy new year everyone.

Mayor Ward - Happy New Year to everyone and he let everyone know that staff is here as a resource. We would love to brief the Council ahead of time to make sure everyone is updated and educated.

Mr. McGhee *moved to adjourn the meeting at 8:38 p.m.*

Seconded by Mr. Thompson

The regular meeting of Tuesday, January 3, 2017 adjourned at 8:38p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, January 17, 2017.

Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

Office of the Mayor
City of North Pole

Proclamation

WHEREAS, Rhiannon Powell is in the 7th grade at North Pole Middle School and is the daughter of Jeff Macomber of North Pole; and

WHEREAS, Rhiannon maintains a 4.0 GPA and is active with Student Council and is a trusted and dependable office aide; and

WHEREAS, Rhiannon is eager to learn and is self-motivated, respectful and kind to her peers and adults; and

WHEREAS, Rhiannon is a conscientious, responsible student who strives for excellence and has a contagious positive attitude; and

WHEREAS, the City of North Pole desires to recognize the outstanding students in the community.

NOW, THEREFORE I, Bryce J. Ward, Mayor of the City of North Pole, do hereby proclaim Rhiannon Powell;

The North Pole City Council

“Student of the Month”

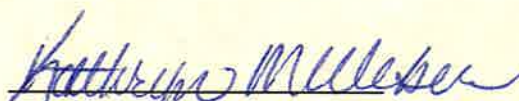
For the Month of January 2017

*North Pole City Council
High School Student of the Month
For January 2017*



Bryce J. Ward, Mayor

ATTEST:



*Kathryn M Weber, MMC
North Pole City Clerk*



Tasks

1. Conduct Assessment Kickoff – Meet with Mayor Ward and key members of the City Council and staff to review study area, expectations, process, timeline, and roles for the assessment process.
2. Reevaluate City of North Pole Commercial District Zoning – Work with Mayor Ward, City Council and key staff to identify and conduct outreach to business owners located in areas zoned “general use”. Assess business owner interest in rezoning as “commercial district”. As part of this task, develop clear, concise outreach tools that explain current and potential changes to City zoning, and impact on existing/future businesses. Develop summary of business owner feedback, including any concerns, questions and/or likelihood of supporting rezone.
3. Assess Community Retail Needs
 - a. Start with existing data including background research from the City’s comprehensive strategic plan process including: survey and stakeholder interview results; summary of existing/previous studies and plans such as the *2016 Fairbanks North Star Borough Comprehensive Economic Development Strategy* and the *North Pole Radius Study*. Supplement existing data with other business/retail-specific plans, research or studies conducted on the Fairbanks North Star Borough, Eielson Air Force Base, and the City of North Pole, specifically.
 - b. Interview other relevant stakeholders including Eielson Air Force Base F-35 beddown lead/team to gain a better understanding of potential retail needs for incoming troops and their families.
4. Identify Potential Retailer Needs and Opportunities
 - a. Inventory Commercial Property – Identify, and, if not already in existence, develop a database of potential retail real estate opportunities in the City and the Greater North Pole Area (99705 area code). The geographic boundaries of this search may extend beyond the 99705 area code to more accurately assess potential competition.
 - b. Inventory Existing Retail in Competing Markets and Analyze the Competition
 - i. Using the outcomes of Task 3 to inform an inventory of existing retail on Eielson Air Force Base, in Fairbanks, and along the Richardson Highway (outside the City of North Pole limits).
 - Develop a list of retailers in the above locations that do not exist in the City of North Pole, or the Great North Pole Area.
 - As part of the inventory process, visit retail operations (especially those that align with community needs as assessed in Task 3) and interview retail management with the goal of better understanding their site selection process – how do they make the decision to open a store or set of stores? What are the specific criteria? Who are the decision makers?
 - Identify competitor’s (EAFB, Fairbanks) strengths, weaknesses, opportunities, and threats to potential retailers. How does the City and Greater North Pole Area compare? What qualities would or would not attract future retailers?

- Identify and interview brokers and tenant representatives that work mostly with retail tenants in the Fairbanks North Star Borough. Get their perspective on what retail tenants are seeking in terms of location, space, and other desired conditions.
- c. Identify potential implementation/marketing strategies for recruiting retail to the City of North Pole/the Greater North Pole Area. Examples include:
 - i. Work with the Fairbanks North Star Borough Economic Development Corporation and the Chambers of Commerce to sell the region first and City of North Pole second. Retailers are not looking for one location, like an industrial prospect, but want to expand in the region with multiple outlets for effective product distribution.
 - ii. Develop and practice a well thought out “one-minute/60 second” elevator speech on North Pole from the retailers’ point of view.
 - iii. Develop customized electronic or hard copy marketing materials targeting retailers in “their language”, with a concise, visual message that speaks to their specific needs.
 - iv. Attend retail conferences and trade shows. Use customized marketing materials to target specific retailers and tenant representatives. Try to book meetings in advance of the conference to ensure the retailers presence and adequate time to showcase North Pole. For example, identify franchises that will fill a void in North Pole and focus energy on recruiting a potential franchise that is already located in the area (e.g., Fred Meyer).
 - v. Ensure marketing materials are clearly marked and easily accessible on the City’s website and social media.
 - vi. Conduct numerous “touches” and different types of touches (e.g., calls, letters, meetings, company headquarter visits) with potential retailers.
- 5. Develop a Draft and Final Assessment of Retail Needs and Opportunities for the City of North Pole/Greater North Pole Area
 - a. Use the results of Tasks 1 – 4 to develop a draft assessment report. Conduct a work session with to share preliminary results and get input from Mayor Ward, City Council and department heads. As relevant, share preliminary results with other stakeholders including Eielson Air Force Base and Fairbanks North Star Borough leadership and staff.
 - b. Based on stakeholder feedback, especially direction from Mayor Ward and the City Council, revise and finalize the assessment report, including initial implementation steps.

City of North Pole Comprehensive Strategic Plan Implementation

Assessment of Retail Needs and Opportunities - Schedule, Key Dates and Tasks

TASKS	January 2017	February 2017	March 2017
1. Conduct Assessment Kickoff	<p>●</p> <p>January 17, 2017: Regular Council Meeting; A::B Presenting Telephonically</p>		
2. Reevaluate City of North Pole Commercial District Zoning			
3. Assess Community Retail Needs			
4. Identify Potential Retailer Needs + Opportunities			
5. Develop a Draft + Final Assessment of Retails Needs + Opportunities		<p>■ ●</p> <p>Tues, Feb 21, 2017, 5:30-6:30p: Council Work Session to Review Draft Assessment; A::B In-Person</p>	<p>■ ●</p> <p>Mon, March 20, 2017, 5:30-6:30p: Council Work Session to Review Final Assessment; A::B In-Person</p>

● = meeting or workshop (telephonic or in-person) ■ = product or deliverable

Memo

To: NP City Council
From: Kathy Weber, CMC – City Clerk
Date: 1/11/2017
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	2 Go Mart	Beverage Dispensary	AK, Inc	3392 Badger Rd

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



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**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 4, 2016

City of North Pole

Attn: Kathy Weber

Via Email: kathy.weber@northpolealaska.org

Cc: kmajor@fnsb.us

Re: Notice of 2017/2018 Liquor License Renewal Application

License Type:	Package Store	License Number:	2227
Licensee:	AK, Inc.		
Doing Business As:	2 Go Mart #112		

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,

A handwritten signature in blue ink, appearing to read "C. Franklin".

Cynthia Franklin, Director

amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board
Renewal License Application
Form AB-17b: Package Store

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 package store 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.

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.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed.

Licensee:	AK, Inc.	License #:	2227
License Type:	Package Store	Statute:	AS 04.11.150
Doing Business As:	2 Go Mart #112		
Premises Address:	3392 Badger Road		
Local Governing Body:	City of North Pole (Fairbanks North Star Borough)		
Community Council:	None		

Mailing Address:	1040 N. Benson Ave				
City:	upland	State:	CA	ZIP:	91786

Enter information for the licensee who will be designated as the primary point of contact regarding this application and the license.

Designated Licensee:	Sammer Anabi		
Contact Phone:	(909) 394-4728	Business Phone:	Same
Contact Email:	sircifej@carenterprises.net		

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: _____



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

Alaska Alcoholic Beverage Control Board Renewal License Application Form AB-17b: Package Store

Section 2 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities 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:					

This individual is an: ☐ applicant ☐ affiliate

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.

Alaska DOC Entity #:	10024884
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Alaska Division of Corporations:

Yes No

Is your entity in good standing with the Alaska Division of Corporations?

☒ ☐





Alaska Alcoholic Beverage Control Board
Renewal License Application
Form AB-17b: Package Store

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.

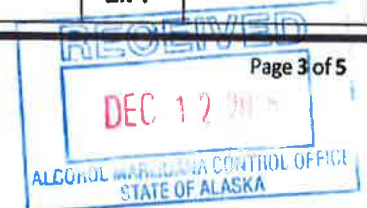
Entity Official:	Rawa Anabi as Trustee of the SAMMER and Rawa Anabi Family Trust				
Title(s):	Shareholder	Phone:	(907) 394-4728	% Owned:	51
Address:	1040 N. Benson Ave				
City:	Upland	State:	CA	ZIP:	91786

Entity Official:	Rawa Anabi				
Title(s):	Director, Secretary	Phone:	(907) 394-4728	% Owned:	—
Address:	1040 N. Benson Ave				
City:	Upland	State:	CA	ZIP:	91786

Entity Official:	SAMMER I Anabi as Trustee of the SAMMER and Rawa Anabi Family Trust				
Title(s):	Shareholder	Phone:	(907) 394-4728	% Owned:	49
Address:	1040 N. Benson Ave				
City:	Upland	State:	CA	ZIP:	91786

Entity Official:	SAMMIR Anabi				
Title(s):	Director, Pres. Treasurer	Phone:	(907) 394-4728	% Owned:	—
Address:	1040 N. Benson Ave.				
City:	Upland	State:	CA	ZIP:	91786

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board Renewal License Application Form AB-17b: Package Store

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?

☒ ☐

If "Yes", disclose the name of the individual and the reason for this authorization:

JAMES STURLEY, General Manager. Mr. Sturley is knowledgeable enough to receive and provide information to and from AMCO staff.

Section 5 – License Operation

Written Orders:

Yes No

Did you sell alcoholic beverages in response to a written order in calendar years 2015 or 2016?

☐ ☒

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.

Section 6 – Convictions

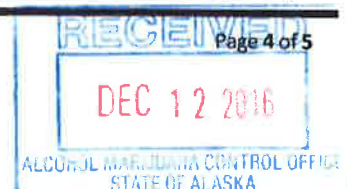
Applicant convictions in calendar years 2015 and 2016:

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:





Alaska Alcoholic Beverage Control Board
Renewal License Application
Form AB-17b: Package Store

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

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and if the licensee is an organized entity, that all current entity officials and stakeholders are listed with the Alaska Division of Corporations.

SA

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

SA

I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

SA

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.

SA

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Alcoholic Beverage Control Board.

SA

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Summer Annabi

Signature of licensee

R Annabi

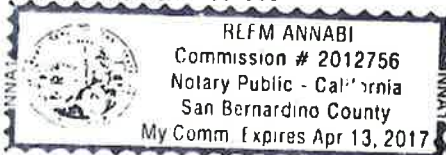
Signature of Notary Public

Summer Annabi

Printed name of licensee

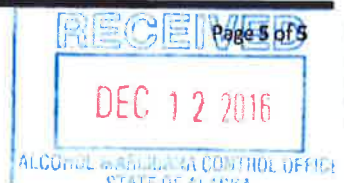
Notary Public in and for the State of *California*

My commission expires: *April 13, 17*



Subscribed and sworn to before me this *2nd* day of *December*, 20*16*.

License Fee:	\$ 1500.00	Filing Fee:	\$ 200.00	TOTAL:	\$ 1700.00
Late Fee of \$500.00 – if received or postmarked after 01/03/2017:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					





**North Pole Police Dept.
125 Snowman Ln.
North Pole, AK 99705**

**Chief Steve Dutra
Phone: 907-488-8459
Fax: 907-488-5299**

January 3, 2017

To: Det. Emily Gibson

Re: Tuition Reimbursement Approval

Det. Gibson, I authorize the tuition reimbursement request in the amount of \$1,848.00 for your 2017 Winter semester. I firmly believe that your courses are beneficial to the department and will help further your goals of receiving your bachelor's degree.

Thank you for taking time out of your busy schedule to improve your education.


Chief Steve Dutra



CITY OF NORTH POLE

Alaska

City of North Pole Tuition Reimbursement Agreement

2.36.231 Tuition reimbursements.

A. An employee who registers for course work to be taken on personal time that is considered to be of benefit to the City may be reimbursed up to one hundred percent of the tuition expense. In order to be considered for reimbursement, the employee must, prior to enrollment, receive department head approval and submit a tuition reimbursement agreement obtained by Human Resources that explains how the course will be of mutual benefit to the City and the employee and that funds are available in the department's budget. Pre-approval by the City Council is required on all tuition reimbursements prior to the enrollment.

B. Upon completion of the course, the employee shall submit evidence of successful completion and a brief written summary of the outcome of the course to their respective department head who will verify and issue the reimbursement. A copy of the transcript must be attached to the tuition reimbursement request. The employee shall sign an agreement that the tuition will be returned to the City if the employee leaves City employment within twelve months from date of completion of the course. (Ord. 16-07 § 2, 2016; Ord. 02-01 § 2, 2002; Ord. 00-04 § 2, 2000)

Department:

North Pole Police Department

Employee Name:

Emily Diana Gibson

Date of request:

01/03/2017

Course Work Desired:

ECON F201X / MATH F122X / BA F390

Education Institution:

University of Alaska Fairbanks

Course Dates:

1/17/17 - 5/6/17

Cost of Course work:

\$1848.00

Departmental Approval

This course is deemed beneficial to the City of North Pole and the employee and funds are available in the department's budget.

Department Head Signature: _____

Date: 1-3-17

City Council Approval

This agreement was approved by the City Council on the ____ day of _____, _____: (Minutes attached)

City Clerk Attest: _____

Seal

The employee agrees that the tuition will be returned to the city if he/she leaves city employment within twelve months from date of completion of the course.

Upon completion of the course, the employee shall furnish evidence of successful completion and a brief written summary of the outcome of the course to their respective department head who will verify and issue the reimbursement. A copy of the transcript must be attached to the Tuition Reimbursement Request.

Employee Signature: _____

Dept Head Signature: _____

Date: _____



**North Pole Police Dept.
125 Snowman Ln.
North Pole, AK 99705**

**Detective Emily Gibson
Phone: 907-488-6902
Fax: 907-488-5299**

Memorandum

**To: Chief Dutra
Subject: UAF Tuition Reimbursement
Date: 01/03/2017**

The purpose of this memorandum is to officially request tuition reimbursement from the City of North Pole for the core coursework required for a B.B.A. Accounting degree offered at the University of Alaska Fairbanks.

I will be taking the following courses:

ECON F201X – Principles of Economics 1: Microeconomics

MATH F122X – Precalculus for Business and Economics

BA F390 – Organizational Theory and Behavior

I would like to request reimbursement for the tuition, which is \$1848.

These courses are required for the B.B.A Accounting degree. I feel like my skills as a detective come from my knowledge I have acquired throughout 5.5 years of working in this field, which includes classroom training, on the job training, past experiences and education. I plan on honing on these skills by continuing to learn and taking classes, whether they are college classes or training classes. Having a degree can help my credibility as a detective especially when testifying in court and dealing with fraud cases and white collar crimes. Having an accounting degree will further my abilities when I am investigating fraud cases, which can involve scrolling through bank records and/or tax records to find irregularities. I believe the above mentioned classes will help fulfill this goal.

I have attached information regarding the classes I am taking along with the cost.

Sincerely,

A handwritten signature in cursive script, appearing to read "Emily Gibson".

[SITE MAP](#) | [HELP](#)[LOG OUT](#) to Help Protect Your Personal Information

Spring Semester 2017

Jan 03, 2017

Detailed Class Information

Detailed Class Information

Organizational Theory and Behavior - 34768 - BA F390 - UX2

Associated Term: Spring Semester 2017**Levels:** Undergraduate - UAF

Lecture Schedule Type

Web-based

Blackboard Instructional Method

Type of Course: Distance: 0% location based (no in-person attendance).

3.000 Credits

Scheduled Meeting Times: No**Course Pacing:** Instructor-Paced**Course Delivery Methods:** Click for Course Equipment Requirements.[Online / Web Delivered](#)[View Catalog Entry](#)

Registration Availability

	Capacity	Actual	Remaining
Seats	30	32	-2
Waitlist Seats	10	0	10

Base fees (other charges may apply)

Level	Description	Amount
	SOM/eLearning Upper Tuition	696.00
	eLearning Dist. Delivery Fee	75.00
	eLearning Network Charge	27.00
	SOM/eLearning Upper Surcharge	138.00

Prerequisites:

Undergraduate - UAF level ENGL F111X Minimum Grade of C- or Undergraduate - UAF level ENGL F1X Minimum Grade of C- or Undergraduate - UAF level ENGL F211X Minimum Grade of C- or Undergraduate - UAF level ENGL F213X Minimum Grade of C- or Enhanced ACT Sum EAEN + EARE 60 or SAT Sum SATW + SATC 1340 or CORE F1 or CORE F1AA or CORE F1AS

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Detailed Class Information

Detailed Class Information

Principles of Economics I: Microeconomics - 36195 - ECON F201X - UX1

Associated Term: Spring Semester 2017
Levels: Undergraduate - UAF

Lecture Schedule Type
Web-based
Blackboard Instructional Method

Type of Course: Distance: 0% location based (no in-person attendance).

3.000 Credits
Scheduled Meeting Times: No
Course Pacing: Instructor-Paced

Course Delivery Methods: Click for Course Equipment Requirements.
Online / Web Delivered

[View Catalog Entry](#)

Registration Availability

	Capacity	Actual	Remaining
Seats	70	42	28
Waitlist Seats	0	0	0

Base fees (other charges may apply)

Level	Description	Amount
	SO M/eLearning Lower Tuition	576.00
	eLearning Dist. Delivery Fee	75.00
	eLearning Network Charge	24.00

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Spring Semester 2017

Jan 03, 2017

Detailed Class Information

Detailed Class Information

Precalculus for Business and Economics - 34920 - MATH F122X - UX1

Associated Term: Spring Semester 2017**Levels:** Undergraduate - UAF

Lecture Schedule Type

Web-based

Blackboard Instructional Method

Type of Course: Distance: 0% location based (no in-person attendance).

3.000 Credits

Scheduled Meeting Times: No**Course Pacing:** Instructor-Paced**Course Delivery Methods:** Click for Course Equipment Requirements.[Online / Web Delivered](#)[View Catalog Entry](#)

Registration Availability

	Capacity	Actual	Remaining
Seats	35	31	4
Waitlist Seats	15	0	15

Base fees (other charges may apply)

Level	Description	Amount
	eLearning Dist. Delivery Fee	75.00
	eLearning Network Charge	24.00
	CNSM/eLearning Lower Tuition	576.00
	Math/Stat One Time/Semester	35.00

Prerequisites:

ALEKS Overall Test 1 055 or ALEKS Overall Test 2 055 or ALEKS Overall Test 3 055 or ALEKS Overall Test 4 055 or ALEKS Overall Test 5 055 or Undergraduate - UAF level DEVM F105 Minimum Grade of C- or Undergraduate - UAF level DEVM F106 Minimum Grade of C- or Undergraduate - UAF level DEVM F105N Minimum Grade of C- or Undergraduate - UAF level DEVM F105J Minimum Grade of C- or Undergraduate - UAF level MATH F1MX Minimum Grade of C-

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125 Snowman Ln
North Pole, Alaska
99705
907-888-4444
907-488-8584

City of North Pole
Office of the Mayor

Memo

To: North Pole City Council
From: Mayor Ward
cc:
Date: January 9, 2017
Re: Fiscal Policy (NEW)

Council,

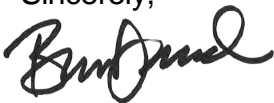
Please see the attached ordinance to add a section in code that will give guidance to the development, implementation and management of the budget for all Funds. The North Pole City Code is currently very brief in its explanation of how budgets are to be developed and managed.

This ordinance has been over a year in the making and does comply with the language as amended in our charter. The intent of this ordinance is to give guidance for future City Councils and Mayors on how the budget is to be developed and managed.

If there are questions regarding the ordinance I would be happy to discuss them with the council before or during the next meeting. If the council so decides we may also want to have a workshop on the proposed changes.

Please carefully consider these proposed changes.

Sincerely,



Mayor Bryce J. Ward

CITY OF NORTH POLE

ORDINANCE 17-01

**AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO AMEND
TITLE 4, REVENUE AND FINANCE, BY CREATING 4.03 BUDGET
PROCEDURES**

WHEREAS, changes to the practices, regulations and policies is a continually changing requirement; and

WHEREAS, the City of North Pole desires to establish procedures to guide the budget development process; and

WHEREAS, the City of North Pole desires to establish procedures to guide the management of the City budget; and

WHEREAS, establishing a minimum unassigned general fund balance of at least 10% ensures that the City will have adequate cash allocations for the daily operations of the city; and

WHEREAS, annual appropriations should not use unassigned fund balances to balance the budget unless necessary, as so approved by council; and

WHEREAS, departments need the flexibility to manage budgets so long as they are held to a Program level of spending authorized by the council; and

WHEREAS, any Fund or Department that has expenditures in the Salaries and Benefits Program must include for approval Full Time Equivalent employees counts, (FTE'S); and

WHEREAS, restricted revenues from grant, asset forfeiture programs and donations that place no financial obligation on the City may be accepted by the City Accountant; and

WHEREAS, the proceeds of restricted grants shall be held in trust accounts (funds) as specified by the particular funding agency; and

WHEREAS, the City Accountant shall report to the council monthly and annually with financial statements of all activity year to date; and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the requirements of the City; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Title 4 Revenue and Finance, Chapter 4.03 Budget Procedures is added to the North Pole Code of Ordinances as by inserting the text italicized, underlined:

4.03.010 General Fiscal Policy

- A. All general government current operating expenditures are to be paid for from current and from excess revenues. The City will avoid budgetary and accounting procedures that balance the current budget at the expense of meeting future year's obligations. The use of one-time revenues for on-going operations will not be encouraged.
- B. After initial presentation of the mayor's proposed budget estimate, the city council may by amendment elect to adopt or amend the budget to expend general funds accumulated in prior years; however, it is unwise and NOT encouraged to allow unassigned general fund balances to be less than either 10 percent of budgeted operational expenditures or \$550,000 at any given time during the year, whichever is greater.
- C. If it becomes apparent that revenue shortfalls or extraordinary expenses will create a deficit, efforts will be made first to reduce the deficiency by managing expenditures. On an exception basis and not depleting the fund balance to an inappropriate level, the use of existing reserve funds may be recommended to cover the revenue shortfall.
- D. The City's annual operating budget is to reflect known salary and benefit adjustments
- E. All budgetary procedures will conform to existing state law and City Code.
- F. The budget will endeavor to improve productivity, lower cost, enhance service, and further communication with the public

4.03.020 City Accounting Organization

- A. The Annual City Budget is organized to reflect the organizational accounting structure of the City which is: Fund, Department, Category, Item, as designated by the city Chart of accounts with the exception of Grant Funds:
- B. The Budget will be presented at the Program level for approval by the City Council and will be managed by the administration at the Category level. All Funds or Departments showing expenditures in the Salaries and benefits Program shall list the number of FTE'S allocated.
- C. The City Financial Statements and annual audit should reflect the organizational structure of the City and comply with Governmental Accounting Standards Board (GASB)

4.03.030 Budget Procedures

- A. Pursuant to the Charter, the mayor shall prepare and submit to the city council a balanced annual budget estimate and budget message for all Funds.

- 67 a. The General Fund annual budget shall be balanced in a manner wherein current
68 costs will be funded by revenues expected to be received by the city in the
69 calendar budget year. Revenues expected to be received cannot include taxes, fees
70 or other sources that do not already exist in the Code.
- 71 b. Each fund or department that has expenditures in the Salaries and Benefits
72 category is required to list the Full Time Equivalents (FTE'S) as part of the
73 budget presentation. Council shall appropriate the number of FTE'S for each
74 fund or department.
- 75 B. The City Accountant under the direction of the mayor shall compile the budget estimate
76 for all Funds, based upon detailed departmental estimates and work programs
- 77 a. The budget estimate shall cover and appropriate for all expenditures of money,
78 including contracts, bond construction, debt service funds, special assessment
79 construction funds and restricted funds.
- 80 b. When the city council is considering the budget estimate, department heads and
81 such other officials as may be interested shall appear and be free to criticize the
82 budget or any of its items.

83 **4.03.040 City Council approval of excess expenditures and liabilities**

- 84 A. The City Accountant shall not permit without city council approval, during any budget
85 year, an expenditure or contract or incurring of any liability in excess of the amount
86 appropriated for each department, with the following exceptions
- 87 a. The payment of accrued leave when an employee resigns or is terminated
88 b. The payment of a voter approved bond or assessment payment
89 c. The City Accountant is authorized to accept grants of restricted funds from asset
90 forfeiture programs without city council preapproval so long as there is no
91 financial obligation placed upon the city. Examples of such grants are asset
92 forfeiture proceeds under state, federal or local law.
93 d. The proceeds of such restrictive grants shall be held in a trust account separate
94 from the general treasury and not be included in the general fund.

95 **4.03.050 Budget Amendments**

- 96 A. The Council may approve amendments to the budget at any time through a Budget
97 Amendment Ordinance (BAO). Amendments include intradepartmental and
98 interdepartmental transfers
- 99 B. The Council may approve individual amendments to the budget through an ordinance
100 with an accompanying Fiscal Note.

4.03.060 City use of Debt and Financing

- A. Under Alaska law, the City may issue general obligation bonds, revenue bonds, and assessment bonds. General obligation bonds may be issued without limitation upon approval by a majority of City voters. There are no constitutional or statutory debt limitations under Alaska law, but the voters must approve all debt to exceed 5 years in duration.
- B. Debt financing will not be considered appropriate for current operation or maintenance expenses or for any recurring purposes.
- C. When the City does obtain debt financing on behalf of or benefiting a third party (such as a special assessment district) such debt will be issued in conformance with existing City priorities and policies and with all cost of issuance and administration fully reimbursed.

Section 3. Effective date. This ordinance shall be effective at 5:00 p.m. on the first City 30 business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 6th day of February, 2017.

Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

PASSED/FAILED Yes: No: Absent:

125 Snowman Ln
North Pole, Alaska
99705
907-888-4444
907-488-8584

**City of North Pole
Office of the Mayor**

Memo

To: North Pole City Council
From: Mayor Ward
cc:
Date: January 6, 2017
Re: Sales Tax Code amendments to delete reference to marijuana

Council,

Please see the attached ordinance to remove the reference of marijuana tax from the City Code. The voter initiative passed in fall of 2016 prohibits the operation of marijuana establishments within the corporate boundaries of the City. This ordinance would remove the references to marijuana tax as we do not permit or license marijuana establishments and therefore will not collect any tax.

The city code has been reviewed to ensure that there are no more references to the licensing, permitting and taxing of marijuana establishments per the voter initiative. Please consider this ordinance to ensure our code is correct and accurate.

Sincerely,

Mayor Bryce J. Ward

CITY OF NORTH POLE

ORDINANCE 17-02

**AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA TO
AMEND TITLE 4, REVENUE AND FINANCE, CHAPTER 08, SALES
TAX, BY DELETING MARIJUANA TAXATION**

WHEREAS, changes to the practices, regulations and policies is a continually changing requirement; and

WHEREAS, the City of North Pole Municipal Code should be amended to conform to the requirements of the City; and

WHEREAS, the citizens' initiative voted on in fall of 2016 prohibits any marijuana establishment from opening in the City; and

WHEREAS, the North Pole Municipal Code should be amended to reflect the change in law as voted on by the citizens; and

WHEREAS, no legal marijuana business are operating within the City of North Pole; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Pole:

Section 1. This ordinance is of a general and permanent nature and shall be codified.

Section 2. Title 4 Revenue and Finance, Chapter 8 Sales Tax is amended in the North Pole Code of Ordinances as by inserting the text underlined and removing the text that is ~~stricken~~.

4.08.005 Purpose and intent.

The purpose and intent of the tax imposed under this chapter is to raise revenues. The scope of the tax levied shall be broadly interpreted and exemptions shall be allowed only when the transaction clearly falls within an exemption defined in this chapter.

4.08.010 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectfully ascribed to them by this section:

“Buyer, consumer or person” means, without limiting the scope thereof, every individual, assignee, association, business trust, club, company, corporation, estate trust, firm, joint venture, partnership, co-partnership, receiver, society, trustee in bankruptcy, or any group or combination acting as a unit whether mutual, cooperative, fraternal, nonprofit, or otherwise who is a purchaser or renter of tangible or intangible goods or services.

36 ~~“Marijuana” means the seeds, leaves, buds and flowers of the plant (genus) Cannabis, whether~~
37 ~~growing or not.~~

38 ~~“Marijuana product” means any item made from, or that is combined with, the plant (genus)~~
39 ~~Cannabis or any resin or oil extracted from any part of the cannabis plant and contains THC.~~

40 “Mayor” means chief administrative official of the City or the Mayor’s designee.

41 “Property” means any tangible personal or real possession.

42 “Rent” means the conditional use of personal or real property by a consumer for consideration.

43 “Retail sale” means the transfer of any kind of goods or services to consumers, for consideration,
44 regardless of quantity or price.

45 “Sale” means the exchange of any real or personal property, or of any goods or services for
46 consideration including barter, installment credit, conditional sales, and rental transactions for
47 any purpose other than resale in the regular course of business.

48 “Sale for resale (wholesale)” means the act of selling tangible personal or real property to a
49 buyer for reselling in its original form for consideration.

50 “Sales price” means the amount of consideration paid by the buyer in terms of monetary value.
51 The exchange or sale price of real estate is based on the current fair market value.

52 “Sales Tax Administrator” is designated by the Mayor or Administrator.

53 “Seller” means all work done or duties performed, provided, or furnished for others for
54 compensation whether in conjunction with the sale of goods or not, but does not include services
55 rendered by an employee to an employer.

56 “Services” means all work done or duties performed, provided or furnished for others for
57 compensation whether in conjunction with the sale of goods or not, but does not include services
58 rendered by an employee to an employer.

59 “Transaction made within the City” means the buyer takes possession of the purchased, rented,
60 or leased property or service provided within the corporate limits of the City.

61 **4.08.015 Business licenses required.**

62 All sellers shall secure a City business license as required in NPMC [5.02.020](#) and a State of
63 Alaska business license.

- A. The City business license must be prominently displayed at the place of business of every seller. Any seller who has no regular place of business shall display such license on request.
- B. Before issuing a business license to a seller, the City may require the applicant to post a bond, furnish a statement of net worth, or furnish additional security to insure the full and prompt payment of taxes to be collected under this chapter.
- C. The business license of any seller is subject to revocation when such seller fails to pay delinquent taxes, fees and interest within the timeframe established in North Pole Municipal Code. It is unlawful for a seller to engage in sales without a current City business license or to engage in sales when such license is revoked.
- D. Each seller who obtains or should obtain a City business license in accordance with NPMC [5.02.020](#) consents to the inspection of their Federal or State business tax returns in order to facilitate the accomplishment of the provisions and objectives of this chapter.

4.08.020 Imposition of rate.

There is levied a tax equal to four percent of the selling price upon buyers of all retail sales, and rentals made, and all services performed within the corporate limits of the City, unless specifically exempted in this chapter or a different tax rate is specifically set forth in this chapter.

- A. There is hereby levied an alcoholic beverage tax on the retail sale of alcoholic beverages equal to six percent times the selling price of all sales made within the City of North Pole.
- B. There is hereby levied an excise tax on the distribution of tobacco products brought into the City limits measured at the rate of ten percent times the wholesale price of such tobacco products.
 - a. A person brings, or causes to be brought, tobacco products into the City limits from outside the City limits for sale; or
 - b. a person ships or transports cigarettes or tobacco products to a retailer in the City limits for sale by a retailer.
 - c. retail tobacco sales are subject to the general sales tax rates as outlined in subsection E of this section.

~~E. There is hereby levied an excise tax on the distribution of marijuana products brought into the City limits measured at the rate of six percent times the wholesale price of such tobacco products.~~

- ~~a. A person brings, or causes to be brought, marijuana products into the City limits from outside the City limits for sale; or~~
- ~~b. A person ships or transports marijuana or marijuana products to a retailer in the City limits for sale by a retailer.~~
- ~~c. Retail marijuana sales are subject to the marijuana sales tax rates as outlined in subsection D of this section.~~

~~F. There is hereby levied a marijuana use tax on the retail sale of marijuana and marijuana products equal to 6% percent times the selling price of all sales made within the City of North Pole.~~

~~G. E.~~ The maximum tax on any single transaction shall be 10\$ ten dollars except on the retail sale of alcoholic beverages, wholesale tobacco products, ~~marijuana~~, and the hotel-motel room tax, all of which shall not have any maximum tax.

~~H. F.~~ Vendors shall compute the tax on each sale by multiplying the price by the aggregate rate of taxes for the type of transaction listed in this section. The computation shall be carried out to three decimal places. If the result is a fractional amount of a cent, the calculated tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

~~I. G.~~ Coin-operated machines shall remit five percent of the gross receipts derived from sales using the following formula:

$$\begin{aligned} &\text{Receipts divided by 1.05} = \text{Sales} \\ &\text{Receipts minus Sales} = \text{Sales tax due} \end{aligned}$$

4.08.030 Obligations of seller.

It is the obligation of the seller making taxable sales to collect all taxes imposed by this chapter. All taxes shall be due and payable from the buyer to the seller at the time the transaction takes place. The seller shall hold collected taxes in trust for the benefit of the City.

A. If any person, firm, co-partnership, corporation, director or agent collects taxes listed under this section on behalf of the City of North Pole and the transaction is not taxable under this section, they shall refund all improperly paid taxes immediately or remit all unlawfully collected taxes to the City of North Pole immediately. Failure to comply with this section is punishable as a violation.

4.08.040 Taxed transactions.

Taxed transactions include all sales, retail sales, sales for resale, rentals, and services performed within the corporate limits of the City, unless specifically exempted by this chapter, the laws of Alaska, or by the Constitution of the United States.

4.08.045 Sales of bingo, lotteries and pull-tabs.

Notwithstanding any other provisions in this chapter, the sales of bingo, lotteries, and pull-tabs and like games of chance by any operator or any permittee are subject to sales tax on the total adjusted gross income as defined by AS [05.15](#). Each operator and permittee must along with their sales return and remittance file a report on their activity in the City during that filing period including the value of prizes awarded and other information as may be required by the City.

134 **4.08.050 Exemptions.**

135 A. The following classes of sales, rentals, and services are exempt from the tax imposed by this
136 chapter:

137 1. Casual and isolated sales not exceeding \$1,000 (one thousand dollars) per calendar year and
138 not requiring the seller to hold a current City or State business license;

139 2. Sales, services, rentals, and transactions which the municipality is prohibited from taxing
140 under the Constitution of the United States or the State of Alaska, including but not limited to:

141 a. Sales of insurance bonds of guaranty, fidelity, and the commissions thereon,

142 b. Sales to Federally chartered credit unions,

143 c. Sales of goods made with food coupons, food stamps, or other type of certificate issued
144 under [7 USC 2011](#) through [2025](#) (Food Stamp Act), or made with food coupons, food vouchers,
145 or other type of certificate issued under [42 USC 1786](#) (Special Supplemental Food Program for
146 Women, Infants, and Children);

147 3. Sales, rentals, or services provided to the United States, to the State of Alaska, and any
148 public corporation or political subdivision thereof;

149 4. Sales, rentals, or services provided to any volunteer ambulance, fire, or law enforcement
150 organization providing service to the public and to public international organizations designated
151 by the President of the United States;

152 5. Sales of professional medical services performed by a person, clinic, or hospital licensed and
153 certified under the State of Alaska:

154 a. The preparation of controlled substances prescribed and supplied by a State licensed and
155 certified medical professional,

156 b. Counseling services provided by State licensed and certified psychologists or psychological
157 associates, clinical social workers, alcohol and drug counselors, or marital and family therapists,

158 c. Assisted living services provided in accordance with State regulations, and licensed by such,

159 d. Sales and rentals of hearing aids, crutches, wheelchairs, and other personal property
160 specifically manufactured for a patient;

161 6. Sales of newspapers or other periodicals by carrier made directly to consumers where the
162 carrier is responsible for the collection of sales revenue;

163 7. Goods and services purchased through mail order catalogs or the Internet;

8. Membership dues, fees, or assessments paid to clubs, labor unions, fraternal organizations, and other nonprofit organizations that have obtained Exemption Certificate 501(c) from the Internal Revenue Service;

9. Sales, services, and rentals to a buyer, or made by a seller, for functions organized and administered solely by an organization holding a current 501(c)(3) or 501(c)(4) exemption ruling or equivalent from the Internal Revenue Service which has a physical or mailing address within City limits and a resolution or letter from the board, naming up to a maximum of six individuals, authorized to make purchases on behalf of the organization. This exemption does not apply to the sale of pull-tab games;

10. Sales of school admission tickets, goods, services, and rentals for school entertainment, athletic activities, and all other activities conducted by school sanctioned groups;

11. Sales of food and beverages in public or private school and college cafeterias or lunchrooms which are not operated for profit;

12. Rentals of real property where the term of tenancy is monthly or longer;

13. Sales, rentals, or leases/purchase agreements of automobiles by a dealer made outside City limits;

14. Sales for resale (wholesale) of tangible personal or real property, other than tobacco, to a buyer for reselling in its original form;

15. The commission earned on real estate sales;

16. Air, train, bus and boat fares, lodging, adventure and similar and related services and the commission earned by licensed agents in the sale thereof;

17. Sales of food and merchandise in the farmer's market. City business licenses are required by vendors;

18. Sales of services to include but not limited to architectural, carpentry, electrical, engineering, financial, general contractor, landscaping, legal, plumbing, snow removal, etc. City business licenses are required; the sale of goods and products associated with the service is not exempt unless previously described in this chapter.

4.08.060 Promulgation of forms.

When necessary or appropriate and upon approval by the Mayor, the Sales Tax Administrator shall revise or implement the use of forms for the purpose of efficiency within administration.

195 **4.08.070 Confidentiality of sales tax returns.**

196 Except as otherwise provided in this chapter, all documentation required to be filed shall be kept
197 confidential and is not subject to public inspection. Persons supplying the information may be
198 granted access to their records if requested in writing and approved by the Sales Tax
199 Administrator.

200 A. The following information may be made available to the public: the name and business
201 address of current business license holders;

202 B. The Sales Tax Administrator will provide monthly to the City Council the names of sellers
203 delinquent in remitting sales taxes and the amount thereof. Information may also be made
204 available to the public in the form of statistical reports if the identity of particular sellers is not
205 revealed or made evident by the reports.

206 **4.08.080 Recordkeeping.**

207 It shall be the duty of every seller engaged in business in the City to keep and preserve, for three
208 years, suitable records of all sales, services, and rentals transacted by liability hereunder.

209 A. For the purpose of ascertaining the correctness of a return, or for the purpose of determining
210 the amount of tax collected or which should have been collected by any person, the Mayor or his
211 designee may conduct random audits by examining any relevant documentation including
212 correspondence, invoices, and receipts; hold investigations and hearings concerning any matter
213 covered by this chapter; and may require the attendance of such person, officer, or employee of
214 such person.

215 B. The Mayor and the Mayor's duly authorized agent shall have the power to administer oaths
216 to such persons. The Mayor, with the approval of the City Council, shall issue all formal
217 subpoenas to compel attendance or to require production of relevant books, papers, records or
218 memoranda.

219 C. Any competent person may serve all subpoenas or other court orders issued under the terms
220 of this chapter. Witness fees for attendance and trial shall be the same as the fees of witnesses
221 before the Superior Court; such fees shall be paid when the witness is excused from further
222 attendance. When a witness is subpoenaed at the instance of any party to any such proceedings,
223 the Mayor may require the cost of service of the subpoena and the fee of the witness be borne by
224 the party at whose instance the witness is summoned. In such case, the Mayor at his discretion
225 may require a deposit to cover the cost of such service and witness fee. A subpoena issued as
226 aforesaid shall be served in the same manner as a subpoena issued out of a court of record.

227 D. The Superior Court, upon application of the Mayor, is empowered to compel obedience to
228 such subpoena; the attendance of witnesses; the production of relevant books, papers, records or
229 memoranda; and the giving of testimony before the Mayor, or any of the Mayor's duly

authorized agents, in the manner and extent as witnesses may be compelled to obey the subpoenas and orders of the court.

E. The Mayor, or any party in an investigation or hearing before the Mayor, may cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in courts of this State. (Ord. 14-26 § 2, 2014; Ord. 99-29 § 2, 1999)

4.08.090 Submittal of forms and remittance.

The City shall provide sales tax return forms for sellers. Sellers making a taxable sale in any month shall transmit the tax collected no later than the last day of the following month in which tax was collected along with a completed return. Returns and taxes remitted must be received by the City administrative offices no later than 5:00 p.m. on the due date.

A. The sales tax forms furnished by the City shall have spaces setting forth the amount received from the following:

1. All sales, services, or rentals made within City limits;
2. The amount received from nontaxable sales, services, and rentals;
3. The amount of credit card service fees paid on credit card sales within the City;
4. The amount of taxable sales, services, and rentals;
5. The amount of sales tax owed;
6. The amount of penalties owed;
7. The total amount of sales tax and penalties owed to the City;
8. Such other information and supporting documentation as may be required.

B. Quarterly Filing

1. A seller who, for one year, has transmitted taxes and filed returns as required by this chapter may file with the Sales Tax Administrator a written request to transmit taxes and file returns quarterly.
2. The Sales Tax Administrator shall evaluate the seller's compliance with this chapter, and make a recommendation to the City Council to approve or deny the seller's petition.

3. If the City Council approves the petition, the seller shall file returns and transmit the taxes imposed by this chapter no later than the last day of the month following the quarter the taxes were collected.
4. Upon approval of the Council, quarterly filing will revert to monthly filing if reports are not transmitted on time.

C. Annual Filing

1. A seller who, for one year, has transmitted taxes and filed returns as required by this chapter may file with the Sales Tax Administrator a written request to transmit taxes and file returns Annually so long as the annual amount of tax collected is estimated to be less than \$500 (Five Hundred Dollars).
2. The Sales Tax Administrator shall evaluate the seller's compliance with this chapter, and make a recommendation to the City Council to approve or deny the seller's petition.
3. If the City Council approves the petition, the seller shall file returns and transmit the taxes imposed by this chapter no later than the last day of the month following the year the taxes were collected.
4. Upon approval of the Council, ~~quarterly~~ annual filing will revert to monthly filing if reports are not transmitted on time.

4.08.100 Delinquency, fees, penalties, interest and application of payment.

Taxes due but not paid will be considered delinquent and will be subject to all fees, interest, and penalties under this chapter, and may be recovered by the City with an action at law against the buyer and/or seller. The sales tax return shall be prima facie proof of taxes collected but not transmitted.

A. Application of Fees and Interest.

1. Complete sales tax returns and full remittance delinquent less than thirty days shall be charged a late fee of \$25 (twenty-five dollars) or up to the maximum interest rate allowed to by law, whichever is greater, in addition to the total amount due. Sellers filing incomplete sales tax returns will incur an additional fee of \$15 (fifteen dollars).
2. Complete sales tax returns and full remittance thirty to sixty days past due will incur a late fee of \$50 (fifty dollars) or up to the maximum interest rate allowed to by law, whichever is greater, in addition to the total amount due. Sellers filing incomplete sales tax returns will incur an additional fee of \$15 (fifteen dollars).
3. Sales tax returns and full remittance sixty-one days past due will incur a reoccurring monthly fee of \$50 (fifty dollars) in addition to all previous fees, and interest. Sellers failing to file complete returns and full remittance will be subject to a lien against the seller's property.

B. Application of Interest. Interest at the rate of ten and a half percent per year, and applied monthly, shall accrue on all delinquent taxes, and fees starting from the due date until paid in full.

C. Application of Payments. All tax-related payments made to the City shall first apply to the payment of fees, and interest, then to the payment of the principal of the tax which is delinquent, and then to the payment of current taxes. All other payments received over the amount owed for taxes, fees, and interest, will then apply to any other fees incurred by the seller.

D. Business licenses will be automatically revoked, and businesses will be served with a cease and desist order by a law enforcement officer empowered by the City of North Pole when sales tax returns are ninety days delinquent.

E. Businesses that have habitually late sales tax returns, defined as sales tax returns that are sixty days delinquent three times in a calendar year, will have their business license revoked and will be served with a cease and desist order by a law enforcement officer empowered by the City of North Pole.

Section 3. Effective date. This ordinance shall be effective at 5:00 p.m. on the first City 30 business day following its adoption.

PASSED AND APPROVED by a duly constituted quorum of the North Pole City Council this 6th day of February, 2017.

Bryce J. Ward, Mayor

ATTEST:

Kathryn M. Weber, MMC
North Pole City Clerk

PASSED/FAILED

Yes:

No:

Absent: