



CITY OF NORTH POLE
Regular Meeting October 21, 2019
North Pole Council Chambers
125 Snowman Lane, North Pole, Alaska
www.northpolealaska.com

Monday, October 21, 2019
Committee of the Whole: 6:30 p.m.
Regular City Council Meeting – 7:00 p.m.

MAYOR

Michael Welch
488-8584

CITY CLERK

Judy Binkley
488-8583

COUNCIL MEMBERS

Doug Isaacson – Mayor Pro Tem	322-3133
Avery Thompson – Deputy Mayor Pro Tem	388-5351
Perry Walley – Alt Dep Mayor Pro Tem	347-0135
DeJohn Cromer	347-2808
Aino Welch	488-5834
David Skipps	750-5106

- 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**
 - a. October 07, 2019
- 6. Communications from the Mayor**
 - a. Certification of the October 01, 2019 Election
 - b. Oath of Office for Newly Elected Officials
- 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**
- 13. Executive Session**
 - a. Report by the City Attorney re: PFOS/PFAS and Sulfolane litigation issues including candid discussion of facts, strategies, and direction to attorney regarding litigation with related discussion on interim payment of attorney fees from Sulfolane litigation.**
- 14. Council Comments**
- 15. Adjournment**

Detailed information and copies of agenda documents may be obtained at the Office of the City Clerk, 125 Snowman Lane or on the City website www.northpolealaska.com. Notice of Council Action is available at City Hall and on the City website following the meeting. Council Meetings are aired live via audio streaming from the City's website. Inquiries concerning ADA compliance or accommodations should be directed to the City Clerk.



NORTH POLE CITY COUNCIL
REGULAR MEETING MINUTES, OCTOBER 07, 2019
NORTH POLE CITY COUNCIL CHAMBERS
125 SNOWMAN LANE, NORTH POLE, ALASKA

Mayor Michael Welch called the regular City Council meeting of Monday, October 07, 2019 to order at 7:03 p.m with the following Council Members in attendance:

Council Members Present: Avery Thompson, Deputy Mayor Pro Tem
Perry Walley, Alt Dep Mayor Pro Tem
Aino Welch
David Skipps
DeJohn Cromer

Council Members Excused: Doug Isaacson, Mayor Pro Tem

Also Present: Judy Binkley, City Clerk/HR Manager
William Butler, Director of City Services
Steve Dutra, Police Chief
Geoff Coon, Fire Chief

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Welch asked everyone to join him in the Pledge of Allegiance.

INVOCATION

The Invocation was given by City Council Member Walley.

APPROVAL OF AGENDA

Mr. Thompson *moved to* approve the agenda of October 07, 2019.

Seconded by Mr. Skipps.

Discussion

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

New Business:

- b.** Request for Approval to Award the 2020 Heating Fuel Contract to Alaska Petroleum as the Lowest Cost Responsive Bidder. Should Alaska Petroleum Not Be Able to Fulfill Its Obligations as Listed in the Invitation to Bid, Award the 2020 Heating Fuel Contract to Alaska Fuel Services, the Next Lowest Responsive Bidder. Should Alaska Fuel Services

Not Be Able to Fulfill Its Obligations as Stated in the Invitation to Bid, Award the 2020 Heating Fuel Contract to Alaska Aerofuel as the Next Lowest Responsive Bidder.

- c. Request for Approval of the SHSP 2019 DHS Grant in the Amount of \$18,344.00.
- h. Request to Approve the Re-Appointment of Mike Miller to the IGU Board for a 3 (three) Year Term Effective January 01, 2020.
- i. Request to Approve the Appointment of Rolando Miranda to the FNSB Planning Commission.

Seconded by Ms. Welch.

Discussion

None

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE AGENDA OF OCTOBER 07, 2019 AS FOLLOWS:

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

Discussion on the agenda as amended

None

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE AMENDED AGENDA OF OCTOBER 07, 2019 AS FOLLOWS:

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

APPROVAL OF MINUTES

Mr. Thompson moved to approve the Minutes of September 16, 2019.

Seconded by Ms. Welch.

Discussion

None

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MINUTES OF SEPTEMBER 16, 2019 AS FOLLOWS:

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

COMMUNICATIONS FROM THE MAYOR (Audio Part 1 – 3:22)

- Attended the Alaska Defense Forum. Key takeaway is that we're now starting to recognize what we have to do as a community.
- Proclamation: September 2019 Student of the Month.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Director of City Services, Bill Butler (Audio Part 1 – 9:45)

Building Department

- Work has begun on the IGU regasification plant – foundation work.
 - Foundation work is in preparation for vertical work to begin in spring 2020.

Public Works

- Heating fuel contract for calendar year 2020 is before Council this evening.
- Public Works is preparing for winter road and sidewalk plowing in light of change in weather and forecast.
 - Beginning to remove planters, benches and trash cans from Santa Claus Lane.
 - Re-installed sander in dump truck.
- Sold “pumpkin truck” for \$2,800 at auction. Funds will go into fleet fund.
- Public Works has been waiting for State listing of vehicles available thru the state contract to prepare request to Council for vehicle replacement.
 - State vehicle list should have opened today, October 7.
 - Looking for at least a pickup truck to replace pumpkin truck.

Utility Department

- Utility disconnected water service to two customers who we could not resolve seriously delinquent accounts.
- Sulfolane settlement.
 - Zones 1 & 2 accepted as complete.
 - Zones 3 & 4 accepted as substantially complete.
 - Service line connections continue in Zones 3 & 4.
 - Important to have service connections in Zones 3 & 4 to ensure circulation and that water stays “fresh.”
- Moose Creek Water System Expansion Project.

- Work proceeding by PDC to complete the 95% design documents due October 18.
- Plan to release later this week or early next week an invitation to bid to pre-purchase pipe.
- Project requires 27 easements. PDC has obtained 19 easements or 70 percent to date.

Planning to release a newsletter to Moose Creek residents to “introduce” them to North Pole Utility and to provide background information about the project – information like utility rates; utility easements; value of water compared to typical customer purchases; comparison of cost of actual and opportunity costs of private well water compared to City water.

Fire Department, Chief Coon (Audio Part 1 – 22:14)

- Tanya Stugart has been promoted to the rank of Engineer. She is filling the vacancy created by one of our members who left to work in the private sector.
- We have a Firefighter position open. We are taking applications until the 10th but it will take at least a month to fill with background checks, interviews, and a physical.
- I attended the State Firefighter conference and State Chiefs Board meetings in Ketchikan. At the conference, I was re-elected as 2nd Vice President and Deputy Chief Heineken was given a life membership to the state firefighters association for his years of service.
- I attended the Alaska Defense Forum morning session last Thursday and had great discussions about North Pole as a destination for our military and their families.
- Matt Deatherage was honored by the interior Fire Chiefs Association for EMS Person of the Year. Matt consistently gets high praise from the public and his peers for the care that he provides.
- I have had meetings with the Mayor on the 2020 budget and it seems to be going well. I am working on the budget narrative and presentation for the Council. Please do not hesitate to call me with any questions about the Fire Department
- Training:
 - FF-1 is ongoing.
 - At the request of the School District, the Fire Department provided emergency bleeding control training to their staff during an in-service day. We also participated in an opioid epidemic round table.
- Maintenance Report:
 - The forced air furnaces are being installed this week in the training annex/live-in quarters.
 - B-Shift is removing all of the forestry equipment from the Squad and putting in the fresh air heater.

Police Department, Chief Dutra (Audio Part 1 – 26:22)

- Trunk or Treat – October 13th at 4-6 pm. We will have a unit there all decked out and handing our goodies to the kids. This will take place at NP Worship Center.
- Chena Lakes contract is now complete. Sgt. Smith is back in the rotation.

- Stats – September.
- Applicants have seen an uptick. Other than lateral applicants 3 or 4 look ok. (39 website issues).
- FECC meeting tomorrow at 1:30 in City Hall – business plan discussions.
- Roundabout sign. DOT is aware and is going to decide what the next step is. LIONS said they are waiting to change brightness to 50% less. Out of our hands for now.
- I attended the Alaska Defense Forum with Mayor. Very interesting.
- I attended the APOA luncheon. There is a food drive going on and we ask that you help North Pole PD to win this effort. Donate your food to us or to Food Bank directly but make sure you advise them it's for NPPD food drive. This lasts until end of October so hurry.

City Clerk, Judy Binkley (Audio Part 1 – 36:30)

- The election canvass board made good progress and we are set to do the final count tomorrow at 2pm.
- We will be getting a demonstration of the new election system the state purchased later this week.

ONGOING PROJECTS (Audio Part 1 – 37:15)

- Council Member Walley stated the next finance meeting is Tuesday, October 15th at 3pm in Council Chambers.

CITIZEN'S COMMENTS – (Limited to Five (5) minutes per Citizen

None

NEW BUSINESS

REQUEST FOR APPROVAL TO ACCEPT THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS IN THE AMOUNT OF \$95,064.00. (Audio Part

1 – 38:40)

Chief Dutra introduced the request.

Public Comment

None

Mr. Thompson moved to Approve the Request to Accept the 2018 Edward Byrne Memorial Justice Assistance Grant Funds in the Amount of \$95,064.00.

Seconded by Ms. Welch.

Discussion

None

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE REQUEST TO ACCEPT THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS IN THE AMOUNT OF \$95,064.00 AS FOLLOWS:

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

NEW HIRE WAGE CONSIDERATION FOR NPPD. (Audio Part 1 – 42:50)

Chief Dutra gave the presentation.

Public Comment

- **Thomas McGhee**, 1152 North Star Drive, North Pole: Spoke about his concern regarding the longevity of lateral hires working for the City. Asked Council to consider the wages as North Pole is not Fairbanks and does not have the same workload.

Mr. Walley *moved to Discuss the New Hire Wage Consideration for NPPD.*

Seconded by Ms. Welch

Discussion

Mr. Thompson stated he has a conflict with this agenda item.

Informal discussion with questions and answers ensued for approximately the next hour.

Mr. Walley *moved to Rescind the Motion to Discuss the New Hire Wage Consideration for NPPD.*

Seconded by Ms. Welch.

Mr. Walley *moved to Allow the Police Chief to Offer Lateral Hires Sgt. Werner a Wage up to Range 17 and Sgt. Wages a Wage up to Range 18 on the Unified Pay Scale.*

Seconded by Ms. Welch.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ALLOW THE POLICE CHIEF TO OFFER LATER HIRES SGT. WERNER A WAGE UP TO RANGE 17 AND SGT. WAGES A WAGE UP TO RANGE 18 ON THE UNIFIED PAY SCALE.

YES: 5 – Skipps, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 1 – Thompson

Mayor Welch declared the MOTION CARRIED

REQUEST FOR APPROVAL TO FORWARD THE BALANCE OF THE ICE RINK FUND TO THE FAIRBANKS NORTH STAR BOROUGH TO RENOVATE THE NORTH POLE HIGH SCHOOL ICE RINK. (Audio Part 2 – 34:12)

Mayor Welch introduced the request.

Public Comment

- **Thomas McGhee**, 1152 North Star Drive, North Pole: Recommended Council approve this request.

Mr. Thompson *moved to Approve to Forward the Balance of the Ice Rink Fund to the Fairbanks North Star Borough to Renovate the North Pole High School Ice Rink.*

Seconded by Mr. Cromer

Discussion

Mr. Thompson stated he would like to see something in writing from either the Borough or the School District stating that these funds are going to be appropriated entirely to that ice rink.

Ms. Welch stated maybe an amendment should be brought forward to say that the Council agrees to this if a letter from the School District is provided saying that the money is definitely going to the ice rink and nothing else.

Mr. Skipps stated his take is that it's not the City's money. The City is the keeper of the money.

Mayor Welch confirmed that the City can get a memo stating what the funds would be used for prior to cutting the check.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE TO FORWARD THE BALANCE OF THE ICE RINK FUND TO THE FAIRBANKS NORTH STAR BOROUGH TO RENOVATE THE NORTH POLE HIGH SCHOOL ICE RINK.

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

ORDINANCE 19-18, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA AMENDING TITLE 4, CHAPTER 08.050 SALES TAX CODE TO COLLECT SALES TAX FROM ONLINE RETAILERS. (Audio Part 2 – 45:48)

Mayor Welch introduced the ordinance.

Public Comment

- **Thomas McGhee**, 1152 North Star Drive, North Pole: Spoke to how the ordinance is just changing the exemptions and putting online sales as a non-exemption now. However, technically the legal terms are not correct. Based on Supreme Court decisions, it's not considered online sales, there's a new term called remote sales.

Mr. Thompson *moved to Introduce and Advance Ordinance 19-18, An Ordinance of the City of North Pole, Alaska Amending Title 4, Chapter 08.050 Sales Tax Code to Collect Sales Tax From Online Retailers.*

Seconded by Mr. Walley.

Discussion

Mr. Thompson stated he emailed a document to the City Clerk to forward to the rest of Council, and strongly agrees that instead of just stripping away a single line, Council should offer definitions so that the City stands on firmer ground to actually tax online sales.

Mr. Thompson *moved to Postpone Ordinance 19-18, An Ordinance of the City of North Pole, Alaska Amending Title 4, Chapter 08.050 Sales Tax Code to Collect Sales Tax From Online Retailers.*

Seconded by Mr. Cromer.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE 19-18, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA AMENDING TITLE 4, CHAPTER 08.050 SALES TAX CODE TO COLLECT SALES TAX FROM ONLINE RETAILERS.

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

Mr. Thompson *moved to Suspend the Rules and Continue the Meeting No Later Than 10:15.*

Seconded by Ms. Welch

**ORDINANCE 19-19, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA
AMENDING TITLE 10, CHAPTER 10.02.100 RELEASE OF MOTOR VEHICLE –
COSTS.** (Audio Part 2 – 1:09:17)

Chief Dutra introduced the ordinance.

Public Comment

- **Thomas McGhee**, 1152 North Star Drive, North Pole: Spoke about the concern of raising prices so that the cost of retrieving the vehicle is greater than the value of the vehicle.

Mr. Thompson *moved to Introduce and Advance Ordinance 19-19, An Ordinance of the City of North Pole, Alaska Amending Title 10, Chapter 10.02.100 Release of Motor Vehicle – Costs.*

Seconded by Mr. Walley.

Discussion

Mr. Walley stated he appreciated the public comment but did not think the increase in fees was a huge jump, rather it's a deterrent and he supports it.

Ms. Welch asked if the City receives money when the vehicle is auctioned off. Chief Dutra replied that the way the RFP is written, the City does not receive the money but the next RFP will be re-written so any profits made from the auction will be returned to the City.

Mr. Thompson asked if fees would be drastically reduced since the City has its own impound lot. Chief Dutra replied that the City is moving towards that. The City has the land but has not formalized the acquisition and it has not been cleared or fenced in.

Mr. Cromer asked if the City had its own impound lot, would the City receive the profits if vehicles were auctioned off. Chief Dutra replied yes.

Mr. Thompson asked why the City doesn't model the fee schedule after the City of Fairbanks. First time offenders pay a flat rate. Repeat offenders pay much more, based on the value of the impounded vehicle so that expenses for the City are covered as well as the administration of the two program.

Mr. Thompson *moved to Postpone Ordinance 19-19, An Ordinance of the City of North Pole, Alaska Amending Title 10, Chapter 10.02.100 Release of Motor Vehicle - Costs.*

Seconded by Mr. Cromer.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE 19-19, AN ORDINANCE OF THE CITY OF NORTH POLE, ALASKA AMENDING TITLE 10, CHAPTER 10.02.100 RELEASE OF MOTOR VEHICLE - COSTS.

YES: 6 – Skipps, Thompson, Cromer, Walley, Welch, Welch

NO: 0

ABSTAIN: 0

Mayor Welch declared the MOTION CARRIED

COUNCIL COMMENTS

None

Mr. Thompson *moved to adjourn the meeting at 10:13 p.m.*

Seconded by Ms. Welch.

The regular meeting of Monday, October 07, 2019 adjourned at 10:14 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Monday, October 21, 2019.

Michael W. Welch, Mayor

ATTEST:

Judy L. Binkley, City Clerk



REPORT OF ELECTION CANVASS BOARD

October 1, 2019 Municipal Election

We, the undersigned, served as canvass board judges in the Municipal Election of October 1, 2019, do hereby certify that we have examined in detail all absentee and questioned ballots, original and questioned registers, for the 1 precinct of the City of North Pole.

Upon completion of the canvass, it is our opinion that the attached summary of election returns, as compiled by the Borough Clerk, accurately reflects the total shown on the Certificate of Election Returns by the election board of each voting precinct.

Nancy A. Ruppel-Ramona Kew

Leanna R. Nyman

Amenette Dawn Johnson

Cathy Mustie
Canvass Board Chair

Election Summary
Regular Election
October 1, 2019
UNOFFICIAL RESULTS - City of North Pole

Date:10/10/19
Time:10:17:26
Page:1 of 1

Registered Voters 74979

Num. Report Precinct 3 - Num. Reporting 3 100.00%

North Pole City Council	CNP	Total	
Number of Precincts		3	
Precincts Reporting		3	100.0 %
Times Counted	205/1737		11.8 %
Total Votes		272	
Thomas R. McGhee		95	34.93%
Santa Claus		113	41.54%
Carly Nelson		61	22.43%
Write-in Votes		3	1.10%

Election Summary Report
Regular Election
Summary For Absentee, AB, CNP
October 1, 2019
UNOFFICIAL RESULTS - City of North Pole

Date:10/10/19
Time:10:16:36
Page:1 of 1

Registered Voters 74979

Num. Report Precinct 1 - Num. Reporting 1 100.00%

North Pole City Council		CNP	Total
Number of Precincts			1
Precincts Reporting		1	100.0 %
Times Counted		20/1737	1.2 %
Total Votes		27	
Thomas R. McGhee		10	37.04%
Santa Claus		11	40.74%
Carly Nelson		6	22.22%
Write-in Votes		0	0.00%

Election Summary Report
Regular Election
Summary For Question, QB, CNP
October 1, 2019

Date:10/10/19
Time:10:16:56
Page:1 of 1

UNOFFICIAL RESULTS - City of North Pole

Registered Voters 74979

Num. Report Precinct 1 - Num. Reporting 1 100.00%

North Pole City Council	CNP	Total	
Number of Precincts		1	
Precincts Reporting		1	100.0 %
Times Counted	0/1737		0.0 %
Total Votes		0	
Thomas R. McGhee		0	N/A
Santa Claus		0	N/A
Carly Nelson		0	N/A
Write-in Votes		0	N/A