



CITY OF NORTH POLE
Regular Meeting
February 6, 2023
City Hall Chambers
125 Snowman Lane, North Pole, Alaska
www.northpolealaska.com

Monday, February 6, 2023
Committee of the Whole: 6:30 PM
Regular City Council Meeting: 7:00 PM

MAYOR

Michael Welch
907-488-8584

CITY CLERK

Melissa Dionne
907-488-8583

COUNCIL MEMBERS

Jeffrey Jacobson – Mayor Pro Tem	907-460-7733
DeJohn Cromer – Deputy Mayor Pro Tem	907-347-2808
Anton Keller – Alt. Deputy Mayor Pro Tem	907-987-2548
Chandra Clack	907-460-3767
Aino Welch	907-488-5834
David Skipps	907-750-5106

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Invocation
4. Approval of Agenda (Pgs. 1-2)
5. Approval of the Minutes from 1/17/2023 (Pgs. 3-9)
6. Communications from the Mayor
 - a. Staff Service Awards
 1. Melanie Swanson – Utility Account Specialist – 5 Years
 2. Allison Schack – Executive Assistant Police Department – 5 years
7. Council Members Questions of the Mayor
8. Citizens Comments (Limited to five (5) minutes per Citizen)
9. Communications from Department Heads, HR, City Clerk and the Borough Representative
10. Ongoing Projects Report
 - a. Gary Wilken - Manh Choh Mine Project

- b. 2023 Committee Sign Ups (Pgs. 10-14)

11. Unfinished Business

None

12. New Business:

- a. Ordinance 23-04, An Ordinance of the City of North Pole Amending the Harassment Policy for City Employees (Pgs. 15-23)
- b. Resolution 23-02, A Resolution of the City Council of North Pole, Alaska in Support of Grant Applications (Pgs. 24-25)
- c. Resolution 23-03, A Resolution from the North Pole City Council Expressing Opposition to the Sole Ore Trucking Proposal for the Manh Choh Mine Project (Pgs. 26-27)
- d. Request to purchase Public Works vehicle (Pg. 28)

13. Council Comments

14. Adjournment



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 17, 2023, in the North Pole City Hall Chambers.

CALL TO ORDER/ROLL CALL

Mayor Welch called the regular City Council meeting of Tuesday, January 17, 2023, to order at 7:00 p.m.

Present:

Jeffrey Jacobson – Mayor Pro Tem
Chandra Clack
Aino Welch
David Skipps

Absent/Excused:

DeJohn Cromer – Deputy Mayor Pro Tem
Anton Keller -Alt. Deputy Mayor Pro Tem

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Led by Melissa Dionne

INVOCATION

Given by Ms. Welch

APPROVAL OF AGENDA

Mr. Jacobson *moved to* approve the agenda of January 17, 2023

Seconded *by* Mr. Skipps

Mr. Jacobson *moved to* amend the agenda of January 17, 2023, to consent the following items:

Unfinished Business:

- a. Ordinance 23-01, An Ordinance of the City of North Pole Amending the User Fee Schedule
- b. Ordinance 22-02, An Ordinance of the City of North Pole Amending the Professional Development Step Salary Increases for City of North Pole Employees
- c. Ordinance 23-03, An Ordinance of the City of North Pole Amending Title 13, Public Services Utility Rates for 2023

Seconded *by* Ms. Welch

On the amendments

DISCUSSION

None

PASSED

Yes: 5 – A. Welch, Clack, Skipps, Jacobson, Welch

No: 0

Absent: 2 – Cromer, Keller

On the agenda as amended

DISCUSSION

None

PASSED

Yes: 5 – A. Welch, Clack, Skipps, Jacobson, Welch

No: 0

Absent: 2 – Cromer, Keller

APPROVAL OF MINUTES

Mr. Jacobson *moved* to approve the minutes from the 1/4/2023 meeting

Seconded *by* Ms. Clack

DISCUSSION

None

PASSED

Yes: 5 – A. Welch, Clack, Skipps, Jacobson, Welch

No: 0

Absent: 2 – Cromer, Keller

COMMUNICATIONS FROM THE MAYOR

- The Mayor read the proclamation for the student of the month, Mervyn Pangilinan.
- Howard Rixie was with us to talk about the North Pole Community Chamber of Commerce. He gave an update on things coming up with the Chamber and the new welcome center.
- The Mayor has been working on additional funds to go towards the building of the south end of the city (Brookside Park) and he said that he will be trying to get the ear of Senator Murkowski tomorrow when she is in town. He is hoping to talk about Congressional Delegated Spending
- He will be traveling to Juneau for the legislative week. He plans on traveling the 20/21 and staying the week. He has asked Mayor Pro Tem Jacobson to go with him as well as Ms. Welch. He will be talking to the delegation about our legislative priorities and trying to get money for the city's projects.

Mr. Jacobson said that he will be attending the AML Juneau conference and is looking forward to that. He asked the Mayor to be sure to mention to Senator Murkowski the city water line need and the new fire station.

COUNCIL MEMBER QUESTIONS OF THE MAYOR

- None

COMMUNICATIONS FROM DEPARTMENT HEADS, BOROUGH REPRESENTATIVE AND THE CITY CLERK

Police Department, Chief Dutra

- No presentation this meeting. Working to have that for next meeting.
- Detective applicant pulled out of the process we are back to advertising the position. We will leave it open until filled.
- Guys Read this next week. I am reading to 4th grade kids at T. Brown and Midnight Sun. Always an amazing program. Encourage you to sign up if you can.
- Lt. Smith is working on some grant funding for ballistic shields for patrol. Very important for active shooter response.
- Det. Lockwood is in Alabama working on closing up a case and meeting with investigators on the case involving our baby homicide.
- Lt. Smith and I met with local Emergency Responders for discussions on updated procedures for active killer and mass casualty events. Working group established.
- Stats for 2022. Uptick in cases and calls but fairly average on most data points.

Fire Department, Chief Heineken

- North Pole Fire Department is once again working with UAF/CTC and NSVFD to put on another firefighter 1 academy. We traditionally do one fall academy each year. After conferring with our partners we have decided there is a need for another academy. AC Chambers has quickly prepared to administer another course that starts tonight and runs through March.
- The fire departments newest full time employee started yesterday. Lt Robert Dobson comes to us from Central Emergency Services FD on the Kenai Peninsula. Lt Dobson is formerly from the Fairbanks area, he previously volunteered with our neighboring fire dept NSVFD and worked full time for University Fire Dept. and Fairbanks Airport Fire/Police before taking employment in southern Alaska.
- The fire department may not have a representative at the next council meeting on February 6th. I will be out of State from February 3rd thru 10th on a vacation to Puerto Rico with my wife's family. The same week the Alaska Fire Chiefs association scheduled the annual leadership conference in Juneau. I will be sending Assistant Chief Chambers to Juneau to attend the conference and meet with our legislators. Attached you will find a summary report of our 2022 emergency responses.

Finance, Tricia Fogarty

- I will send out financials after Michelle has finished the bank reconciliation. We had an error with a credit card batch that was fixed at the end of last week. That will affect the imported payments from Caselle to Tyler. As soon as we can complete the import and Michelle finishes the bank rec I will send out the financials and an updated revenue & interest earned sheet.
- Last week we issued W2's for 2022 and uploaded the 2023 budget.
- We received a contract for consulting services from Altman and Rogers the Mayor is currently reviewing the contract.
- I will be on vacation for the first meeting in February, Michelle will be sitting in for me. She isn't a fan of public speaking and it does take some getting used to so please tread lightly.

- I received an email from Councilman Keller asking questions about the sales tax in relating to purchasing gift cards at Safeway. I can personally report that I recently purchased a gift card and there was no sales tax charged.

Director of City Services, Danny Wallace

Building Department

- We now have signed contracts with both of our Building Inspectors (Charlie Jeannet and Vince Meurlott). There has been work at the Thai Restaurant, and they have the correct permits in place. Vince will inspect once they are ready.

Public Works Department

- Snowpack removal was finished yesterday. Both Public Works and our contractor worked much of the weekend to complete. We received a few complaints about snow plowing, but they were resolved quickly. We've been able to provide a higher level of customer service based because of the mild weather and the additional Public Work part-time employee.
- Crowley Fuels have assumed our heating oil contract. Deliveries have begun and there have been no issues.

Utility Department

- No significant utilities issues over the holiday weekend
- Utility Rate increase notices will go out with this month and next month's bills. Each household will get a one-page information sheet providing background and other information regarding this change.
- We're still working on options for water meter replacements for the City. More to follow next month.
- Last week, we had the first working group discussion on ways to mitigate the chronic funding for sewer utilities. The group included the Mayor, Paul Trissel, Melanie Swanson, Tricia Fogarty, and me. We identified six potential options for the City and will flesh those out in our next meeting. Hopefully, these will result in workable options for the way ahead.

Moose Creek

- The next major task for this effort is the installation of updated water meter antennas. These were initially on the AT&T network and had communications issues. The new ones will be on the Verizon network, allowing for more accurate water metering and billing.
- Melanie Swanson, in her role as the Utility Account Specialist, has assumed lead on our Moose Creek accounts.

Other items

- Paul Trissel is on leave this week.

Human Resources, Ellen Glab

- Ms. Glab has been working with the fiscal department for the insurance notifications that went out with the W-2's.
- She is working on the last few job descriptions. She thanked the department heads for getting her that information.
- She is almost done with the evaluations. She will be sending them to the Mayor soon for feedback.

- She will be reimplementing the staff awards for years of service soon, there are 2 coming up at the next meeting.

Borough Representative

Borough meeting 1-12-23

- 18.g. *ORDINANCE NO. 2023-04. An Ordinance Abolishing The Pleasant Valley Two Rivers Fire Service Area And Providing For A Service Area Election. (Sponsor: Assemblymember Cash) (Refer to the Committee of the Whole on February 2, 2023; Advance to February 9, 2023 for Public Hearing)
- 12.c. Report from the School Board Representative
- In a search for new Superintendent
- 13.a. ORDINANCE NO. 2022-65. Trail Easements. (Sponsors: Assemblymembers Cash and Wilson) To Add A Fee Waiver. **FAIL** 13.b. ORDINANCE NO. 2022-66 Regarding Delay Or Decline Of Addressing Changes. (Sponsor: Assemblymember Wilson) **Postpone to 1/26**
- Fire marshal Green spoke about importance of easily identifiable addresses for emergencies.
- 9.c. Wide Body Paratransit Vehicles with Wheelchair Lift Approval \$710,535.00 **PASS**
- 13.d. ORDINANCE NO. 2022-68. An Ordinance Reauthorizing the Economic Development Commission. (Sponsor: Mayor Ward) **PASS**
- 13.e. ORDINANCE NO. 2022-69. An Ordinance Amending Chapter 21.28 FNSBC To Allow Combined Reimbursement And Payment For Solid Fuel Burning Appliance And Heating Oil To Gas Conversion Programs. (Sponsor: Mayor Ward) **PASS**
- 13.f. ORDINANCE NO. 2022-20-10. An Ordinance Amending The FY 2022-23 Budget By Appropriating \$4,414,270 In Federal Pass-Through Grant Funding To The Transit Enterprise Projects Funds For the Voluntary Removal, Replacement, Repair, And Bounty (Wood Stove Change-Out) Program, Voluntary Heating Oil To Natural Gas Or Propane Conversion Program And The Voluntary No Other Adequate Source Of Heat (NOASH) Reduction Program, And By Authorizing Two (2) Full-Time Equivalent (FTE) Employee Positions. (Sponsor: Mayor Ward) **PASS**
- 13.g. ORDINANCE NO. 2022-20-1T. An Ordinance Amending The FY 2022-23 Budget By Updating The Multi-Year Program Public Works – Repair And Maintenance To Add Demolition Of Small Structures To The Description. (Sponsor: Mayor Ward) **PASS**
- 13.i. ORDINANCE NO. 2022-20-1Q Appropriating \$1,000,000 From The General Fund Fund Balance To The Capital Projects Fund For The Hutchison High School Heating System Replacement Project. (Sponsor: Mayor Ward) **POSTPONE**
- University has issues with steam pipe system

- 13.j. ORDINANCE NO. 2022-20-1R. An Ordinance Amending The FY 2022-23 Budget By Appropriating \$2,375,000 From The General Fund Fund Balance And Page 3 of 501 Fairbanks North Star Borough January 12, 2023 Regular Assembly Meeting \$3,563,101 From The Library Special Revenue Fund To The Capital Projects Fund For The Noel Wien Library (NWL) Upgrades And Repairs Project; And By Reappropriating \$503,666 From The NWL Skylight Replacement Project And \$300,000 From The NWL Emergency Exit Project To The NWL Upgrades And Repairs Project; And By Amending The FY 2023 Capital Improvement Program. (Sponsor: Mayor Ward) **PASS**
- 13.k. ORDINANCE NO. 2022-20-1S. An Ordinance Amending The FY 2022-23 Budget By Appropriating \$10,233 From The General Fund Fund Balance To The Capital Projects Fund For The Required Match For The 2ND Avenue Dog Park FFY2023 FAST Area Surface Upgrades Project; Authorizing The Mayor To Enter Into A Memorandum Of Agreement With The Alaska Department Of Transportation And Public Facilities And Accepting Maintenance Responsibilities; And, Waiving FNSBC 20.16.050 Regarding Temporary Use Licenses. (Sponsor: Mayor Ward) **PASS**

City Clerk's Office, Melissa Dionne

- Ms. Dionne gave an update on the new city website, it is entering the final stages, it is going to the compliance page this week. After that quality assurance and then migration. It should be done in the next month.
- She said that she has been working with Representative Prax's office on getting access to the CAPSIS system and getting the city's legislative priorities uploaded.
- She sent the council a reminder that for the AML Juneau legislature meeting in February, if anyone would like to attend to please let her know by Friday.

ON GOING PROJECTS

- 2023 Committee sign ups.

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

- None

Unfinished Business

- NFPD Request to proceed with predesign of new fire station by Johansson Wing Architects, PC

Mr. Jacobson *moved* to approve the request.

Seconded *by* Ms. Clack

On the Ordinance

DISCUSSION

None

PASSED

Yes: 5 – A. Welch, Clack, Skipps, Jacobson, Welch

No: 0

Absent: 2 – Cromer, Keller

- NPPD Request to purchase new patrol vehicles.

Mr. Jacobson *moved* to approve the request.

Seconded *by* Ms. Welch

On the Ordinance

DISCUSSION

None

PASSED

Yes: 5 – A. Welch, Clack, Skipps, Jacobson, Welch

No: 0

Absent: 2 – Cromer, Keller

COUNCIL COMMENTS

- Ms. Clack wished everyone a nice evening and a good week.
- Mr. Jacobson thanked the employees for the great job and for the time it takes to put their comments to the Council together. He asked if anyone has the NBC or UpTv show that was done on North Pole he would love to see it. He shared that he was interviewed this week by KTVF regarding 3 Bears, he said that he will send the link when he has so that everyone can see it. Mr. Jacobson said that he will be going to the event at the train depot in Fairbanks on January 30th and encouraged the council to attend if they could.
- The Mayor said that there are a lot of irons in the fire right now and that it is very difficult to satisfy everyone. He said that he simply does not have enough time during the Mayor Comments section of the meeting to share everything he has been working on. He invited the Mayor Pro Tem to start joining us for the staff meetings, he asked the clerk to send out calendar invites.

ADJOURNMENT

Ms. Welch *moved* to adjourn

The regular meeting of Tuesday, January 17, 2023, adjourned at 8:54 p.m.

These minutes passed and approved by a duly constituted quorum of the North Pole City Council on Tuesday, January 17, 2023.

ATTEST:

Melissa Dionne, City Clerk



City of North Pole 2023 Committees

Festival

This committee is designated to plan and execute special events, such as the City's birthday, 4th of July and WinterFest. Works with staff, vendors, and other community organizations (NPCCC), fundraising and securing donations (if necessary), works within the confines of a budget and ensures acknowledgment of donors.

Mayor Welch	125 Snowman Lane, North Pole	mwelch@northpolealaska.org	907-488-8584	
Larnetia Skipps	2729 Permimeter Dr., North Pole	larnetiaskipps@gmail.com	907-378-6635	
Howard Rixie		hsrixie@gmail.com		
Aino Welch	934 Les Rogers Turnaround, North Pole	awelch@northpolealaska.org	907-488-5834	*will not be Council
Benjamin Williams	1028 Hertha Turnaround, North Pole	bbc1williams@gmail.com	907-388-5911	

Bed Tax

Meets in November each year to review bed tax grant applications. Each entity seeking the grant will have time to present to the committee on their organization and what the funds would be used for. Committee members individually decide on amounts to give each after hearing the presentations. The amounts are then averaged and the committee, as a whole, makes those recommendations to the Council on the results.

Mayor Welch	125 Snowman Lane, North Pole	mwelch@northpolealaska.org	907-488-8584	
Chandra Clack	820 Refinery Loop	cclack@northpolealaska.org	907-460-3767	
Anton Keller	508 W. 4th Ave, North Pole	akeller@northpolealaska.org	907-987-2548	
Aino Welch	934 Les Rogers Turnaround, North Pole	awelch@northpolealaska.org	907-488-5834	*will not be Council
Benny Williams	1028 Hertha Turnaround, North Pole	bbc1williams@gmail.com	907-388-5911	
Wanda Adelesperger		waldesperger@hotelnorthpole.com	907-488-4800	
Larnetia Skipps	2729 Permimeter Dr., North Pole	larnetiaskipps@gmail.com	907-378-6635	

Ethics

The committee reviews and considers all ethical complaints and takes actions that it deems appropriate. This committee consists of 3-5 public members and 1 alternate.

Doug Issacson			907-322-3133	1/1/21-12/31/24
Denise Taylor	1124 Lake Drive, North Pole		907-488-2422	1/1/20-12/31/23

Memorial Park

Plans and executes the Fallen Heroes Memorial Celebration annual event at the Trooper Gabe Rich and Trooper Scoot Johnson Memorial Park. This committee consists of the Mayor, Police Chief and the Fire Chief.

Mayor Welch	934 Les Rogers Turnaround, North Pole	mwelch@northpolealaska.org	907-488-8584	
Chief Dutra	125 Snowman Lane, North Pole	sdutra@northpolepolice.org	907-488-8456	
Chief Heineken	110 Lewis St, North Pole	cheineken@northpolefire.org	907-488-0444	

Code Violations

This committee reviews and enforces City code violations and recommends remedies and penalties. Consists of the Mayor and 1-2 Council members.

Mayor Welch	125 Snowman Lane, North Pole	mwelch@northpolealaska.org	907-488-8584	
Jeffrey Jacobson	391 Finell Dr., North Pole	jjacobson@northpolealaska.org	907-460-7733	
DeJohn Cromer	815 Marquette Loop, North Pole	dcromer@northpolealaska.org	907-347-2808	*Until 10/23

* Committee terms are 1/1/23 to 12/31/23 unless otherwise noted

2023 Committee's Master List

Economic Development

Committee comprised of Council and community members with the purpose of developing new ideas and evaluating current issues. Leads projects to enhance economic development in the city and provide support to existing businesses. Recommends deducements to the Council as an incentives to businesses. Consits of the Mayor, 1-2 Council or community members.

Mayor Welch	934 Les Rogers Turnaround, North Pole	mwelch@northpolealaska.org	907-488-8584	
Anton Keller	508 W. 4th Ave, North Pole	akeller@northpolealaska.org	907-387-2548	
Howard Rixie				

Borough Rep. *See schedule

Aino Welch	934 Les Rogers Turnaround, North Pole	awelch@northpolealaska.org	907-488-5834	*Until 10/23
David Skipps	2729 Perimeter Dr, North Pole	dskipps@northpolealaska.org	907-750-5106	
Anton Keller	508 W. 4th Ave, North Pole	akeller@northpolealaska.org	907-987-2548	
Chandra Clack	820 Refinery Loop	cclack@northpolealaska.org	907-460-3767	
Jeffrey Jacobson	391 Finell Dr., North Pole	jjacobson@northpolealaska.org	907-460-7733	
DeJohn Cromer	815 Marquette Loop, North Pole	dcromer@northpolealaska.org	907-347-2808	*Until 10/23

Total Comensation Committee (ad hoc)

Consists of the Mayor and 1 to 2 Council members as well as the city department heads. Meets every 3 years in the summer and fall (approx. 4 meetings) to review the compensation of city employees, including regular pay, merit pay and benefits.

Mayor Welch	934 Les Rogers Turnaround, North Pole	mwelch@northpolealaska.org	907-488-8584	
Jeffrey Jacobson	391 Finell Dr., North Pole	jjacobson@northpolealaska.org	907-460-7733	

Housing Development Committee (ad hoc)

Committee consists of the Mayor and 2 Council members. Reviews and recommends housing remedies for the city and the Military Facility Zone. Hears plans from builders/agencies and makes recommendations to the Council fee/tax relief, if appropriate.

Mayor Welch	934 Les Rogers Turnaround, North Pole	mwelch@northpolealaska.org	907-488-8584	
Jeffrey Jacobson	391 Finell Dr., North Pole	jjacobson@northpolealaska.org	907-460-7733	

FNSB Representative for 2023

Date of Meeting	NPCC Rep
2/9/2023	Welch
2/23/2023	Clack
3/9/2023	Cromer
3/23/2023	Jacobson
4/13/2023	Welch
4/27/2023	Keller
5/4/2023	Welch
5/11/2023	Skipps
5/25/2023	Welch
6/8/2023	Clack
6/22/2023	Welch
7/12/2023	Cromer
7/27/2023	Welch
8/10/2023	Jacobson
8/24/2023	Welch
9/14/2023	Keller
9/28/2023	Welch
10/12/2023	Skipps
10/26/2023	Clack
11/9/2023	Jacobson
12/14/2023	Clack

*If you cannot make it to your assigned meeting, please let the Clerk know asap so that we can find someone else to attend.

*Borough meeting are held both in person and via Zoom and start at 6pm. Agendas can be found of the Borough website www.fnsb.gov

ORDINANCE NO. 2023-04

**AN ORDINANCE OF THE CITY OF NORTH POLE AMENDING THE
HARASSMENT POLICY FOR CITY OF NORTH POLE EMPLOYEES**

WHEREAS, changes to the North Pole Municipal Code are a continually
changing requirement; and

WHEREAS, the City of North Pole wishes to remain up to date with its
protections for its employees; 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 2 Chapter 36 section 291: Sexual Harassment, are hereby
amended in the North Pole Code of Ordinances as follows: [new text in red,
deleted text in ~~strikethrough~~] see attached.

~~2.36.291-Sexual harassment.~~

~~A.—The City will maintain a work environment free of sexual harassment. In
accordance with that philosophy, unwelcome sexual advances; requests for
sexual favors; sexual demands; or other verbal, physical or visual conduct of a
sexual nature will constitute sexual harassment when:~~

~~1.—Submission to the conduct is either an explicit or implicit term or
condition of employment;~~

~~2.—Submission to or rejection of the conduct is used as a basis for an
employment decision affecting the person rejecting or submitting to the
conduct;~~

34 ~~3.—The conduct has the purpose or effect of unreasonably interfering~~
35 ~~with an affected person's work performance, or creating an intimidating,~~
36 ~~hostile or offensive work environment;~~

37 ~~4.—Third Party Situations. One individual is offended by the sexual~~
38 ~~interaction, conduct or communications between others.~~

39 ~~B.—The City bases its determinations relative to employment, training,~~
40 ~~compensation and promotions on job-related qualifications in compliance with~~
41 ~~equal employment opportunity laws and regulations, which prohibit~~
42 ~~discrimination based on sex. Federal and State laws make sexual harassment~~
43 ~~unlawful. Just as we do not tolerate violations of other laws in our workplace,~~
44 ~~we do not tolerate violations of the laws prohibiting sexual harassment.~~

45 ~~C.—The City believes that all employees are entitled to a workplace free of~~
46 ~~harassment, and expects that all employees will treat each other and our~~
47 ~~customers with courtesy, dignity and respect. We take our obligation to~~
48 ~~maintain a workplace free of harassment very seriously. Sexual harassment is~~
49 ~~a form of misconduct which constitutes a serious offense and subjects~~
50 ~~offenders to disciplinary action, up to and including discharge.~~

51 ~~D.—Employees who experience or witness sexual harassment in the workplace~~
52 ~~must report it immediately to the Human Resources Administrator. If that is~~
53 ~~the person who is harassing the employee, the employee may approach any~~
54 ~~other member of the City Council. All allegations of sexual harassment will be~~
55 ~~investigated. To the extent possible, the employee's confidentiality and that of~~
56 ~~any witness and the alleged harasser will be protected against unnecessary~~
57 ~~disclosure. When the investigation is completed, the employee will be informed~~
58 ~~of the outcome of that investigation.~~

59 ~~E.—The City will permit no employment-based retaliation against anyone who~~
60 ~~brings a complaint of sexual harassment or who speaks as a witness in the~~
61 ~~investigation of a complaint of sexual harassment. (Ord. 22-09 § 2, 2022; Ord.~~
62 ~~98-12 § 2, 1998)~~

63
64 **Section 3. Effective Date.** This ordinance shall become effective upon signing.
65

66 ADOPTED THE ____ DAY OF February 2023.

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71

ATTEST:

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Melissa Dionne, City Clerk

Mayor Michael W Welch

PASSED/FAILED

Yes:

No:

Absent:

2.36.291 Bullying and Harassment

- A. All City of North of North Pole employees and members of the City Council shall complete Sexual Harassment Training and Anti Bullying training in their first 120 days of employment/election.
- B. Workplace Bullying
Definition of Bullying-The repeated, health-harming mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:
 - 1. Threatening, humiliating or intimidating behaviors.
 - 2. Work interference/sabotage that prevents work from getting done.
 - 3. Verbal abuse.
- C. *Examples* - The following types of behavior are examples of bullying:
 - 1. Verbal bullying. Slandering, ridiculing, or maligning a person or his or her family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
 - 2. Physical bullying. Intentionally or recklessly pushing, shoving, kicking, poking, tripping, assaulting or threatening of physical assault, causing damage to a person's work area or property.
 - 3. Gesture bullying. Nonverbal gestures that convey threatening messages.
 - 4. Exclusion. Intentionally and repeatedly socially or physically excluding or disregarding a person in work-related activities.

In addition, although every allegation shall be evaluated within the full context within which it takes place the following examples may constitute evidence of bullying in the workplace:

- 1. Persistent singling out of one person without just cause.
- 2. Shouting at an individual in public or in private.
- 3. Using obscene or intimidating gestures.
- 4. Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- 5. Personal insults and use of offensive nicknames.
- 6. Public humiliation in any form.
- 7. Constant criticism on matters unrelated to the person's job performance or description.
- 8. Repeatedly and falsely accusing someone of errors..
- 9. Deliberately interfering with mail and other communications.
- 10. Spreading rumors and gossip regarding individuals.
- 11. Encouraging others to disregard a supervisor's instructions.
- 12. Manipulating the ability of someone to do his or her work (e.g., overloading, underloading, withholding information, setting deadlines that cannot reasonably be met, giving deliberately ambiguous instructions).
- 13. Taking credit for another person's ideas.
- 14. Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- 15. Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.

16. Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property).

Individuals who feel they have experienced bullying shall promptly report this to their supervisor or Human Resources before it becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow the City of North Pole to take appropriate action.

D. Sexual Harassment

1. The giving or withholding of tangible job benefits based on granting sexual favors (*quid pro quo*) and any behavior or conduct of a sexual/gender-based nature that is demeaning, ridiculing, or derisive and results in a hostile abusive, or unwelcome work environment constitutes sexual harassment.
2. Unlawful discrimination/harassment of employees of any type, on or off duty, based on sex/gender, subtle or otherwise, shall not be tolerated and violators will be subject to disciplinary action up to and including termination.
3. Retaliation or reprisals are prohibited against any employee who opposes a forbidden practice, has filed a charge, testified, assisted, or participated in any manner in an investigative proceeding or hearing under this policy.
4. Employees accused of sexual harassment and facing disciplinary action shall be entitled to receive notice of charges, the evidence against them, and an opportunity to respond before any disciplinary action may be taken.
5. Records and proceedings of sexual harassment claims, investigations, or resolutions are confidential and shall be maintained separate and apart from the employee's personnel file.
6. All employees, supervisors, and management personnel shall receive training on the sexual/gender harassment policy and grievance procedures during orientation and in-service training.
7. Intra-office dating. The very nature of the work environment fosters the potential for the development of interpersonal relationships or romances. Such romances often result in successful, long-term relationships however, workplace romances also raise various potential workplace issues, ranging from jealousy and retribution to poor morale, poor job performance, and sexual harassment claims.
8. Employees are not prohibited from dating or entering into consensual relationships except dating/consensual relationships are prohibited between employees when one employee has supervisory authority over the other employee .

Because the City may face workplace disruptions and exposure to legal liability when workplace relationships go awry, all personnel are required to disclose the relationship to Human resources and the City Attorney. The City Attorney shall not be required to further disclose the relationship but may require the individuals to sign a *statement of consensual relationship* to limit employer liability and help prevent the potential for sexual harassment lawsuits.

E. PROHIBITED CONDUCT (Types of Sexual Harassment). The following acts are prohibited:

1. Any unwelcome advances made by an employee who unsuccessfully attempts reconciliation with an employee with whom a romantic relationship has occurred.

2. Any deliberate, unwanted, or unwelcome behavior of a sex/gender-based nature, whether verbal, non-verbal, or physical.
3. Any transmission of derogatory or offensive material or remarks via electronic communications by employees, supervisors or management personnel.
4. Sexual Harassment: The two major categories of sexual/gender harassment are:
 - a. *Quid Pro Quo*, or the granting or conditioning of tangible job benefits or the granting of sexual favors.
 - b. Creating a hostile or unwelcome work environment, can occur through any or all of the following general means.
 1. Level One: Sex role stereotyping.
 - i. Assignments made or denied solely on the traditional historic perceptions regarding the types of jobs that a specific gender may / should perform.
 - ii. Comments or written material reinforcing traditional historic perceptions regarding gender.
 2. Level Two: Gender harassment/discrimination.
 - i. Intentional or unintentional behavior/conduct of a visual or verbal nature directed at a specific gender that is demeaning, ridiculing, or derisive.
 - ii. Creating an environment that demonstrates a demeaning, ridiculing or derisive attitude toward a specific gender.
 3. Level Three: Targeted or individual harassment.
 - i. Intentional behavior predicated on gender or expressing sexuality which is directed at a specific group or individual.
 - ii. Offensive conduct may be verbal, visual, or physical, including unwanted touching of a non-criminal nature.
 4. Level Four: Criminal touching.
 - i. The intentional unwanted touching of the breasts, buttocks, or genitals of another.
 - ii. Forcible sexual abuse.

F. REPORTING AND INVESTIGATION. (See Grievance Procedures)

G. TYPES OF CORRECTIVE ACTION. Any employee who is being sexually harassed or who has personal knowledge of clearly offensive conduct may address the issue either through the formal or informal processes described below:

1. Informal Action.
 - a. Employees who are experiencing an unwelcome or hostile work environment at Level One, Level Two, or Level Three as described above may, if they so desire, choose to address that unwelcome behavior/conduct informally by notifying the individual responsible for the behavior of the behavior that is objectionable, that the

conduct/behavior is unwelcome, and that future similar behavior will result in a formal complaint. Employees experiencing sexual harassment at Levels 1-3 are not required to use the informal process and may file a formal complaint if they so desire (see Grievance Process).

b. This notification may be:

1. Verbally, in person.
2. In writing, signed or unsigned.
3. Through a supervisor, verbally or in writing. The victim may:
 - i. Ask the supervisor for assistance in determining what to say and how to approach the offending employee.
 - ii. Request the supervisor to accompany the victim when the victim gives the offending employee notice.
 - iii. Ask the supervisor to give notice to the offending employee, accompanied by the victim.
 - iv. Ask the supervisor alone to provide notice to the offending employee.

2. Formal Action.

- a. Employees who are experiencing an unwelcome or hostile work environment at Level Four as described above, or who have been subjected to *quid pro quo* type sexual harassment, shall address that unwelcome behavior/conduct through the formal remedial process.
- b. Formal complaints shall be in writing and specify:
 - a. The identity of the victim.
 - b. The identity of the offending employee.
 - c. The offensive behavior that the employee engaged in.
 - d. The frequency of the offensive behavior.
 - e. Damage the victim suffered as a result of the offensive behavior.
 - f. How the victim would like the matter resolved.
- c. The victim will be allowed a reasonable amount of time during work to prepare a formal complaint.
- d. The victim should submit formal written complaints to their immediate supervisor who shall forward the complaint to Human Resources and the Mayor. If the immediate supervisor is the employee engaging in offensive behavior, the formal complaint should be submitted to the next highest supervisor, the department head, the Mayor, or designee.
- e. An immediate investigation will be conducted by individuals not involved in the complaint as designated by the Mayor. This investigation may include a supervisor, a member of

the Public Safety Department, and another Department / Administrative level employee of the City, but may require the assistance of trained staff from another municipality or public agency.

- H. **DISCIPLINARY ACTION.** Employees found guilty of sexual harassment or workplace bullying will face disciplinary action up to, and including, termination based on all the circumstances of the case, as well as the offending employee's work history. Any disciplinary action shall be subject to review as set forth in 2.36.320

I. **CONFIDENTIALITY. (*Grievance Procedures / Confidentiality*)**

J. **VICTIM PROTECTION.**

3. Individual complaints, either verbal or written, are confidential except as needed to address the complaint.
4. Victims of alleged sexual harassment or bullying shall not be required to confront the accused outside of a formal proceeding.
5. The accused shall not contact the victim regarding the alleged harassment.
6. Retaliation or reprisals are prohibited against any employee who opposed a practice forbidden under this policy, or who has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.
 - a. Any employee engaging in prohibited retaliatory activities shall be subject to disciplinary action up to and including termination.
 - b. Retaliation is an additional and separate disciplinary offense.
 - c. Retaliation may consist of, but is not limited to, any of the following:
 1. Overt hostility.
 2. Exclusion or ostracism.
 3. Special or more closely monitored attention to work performance.
 3. Assignment to demeaning duties not otherwise performed during the regular course of the employee's duties.

- K. **FALSE or BAD FAITH CLAIMS.** False or bad faith claims regarding sexual, or gender harassment shall result in disciplinary action, up to and including termination, against the accuser, and may be referred for potential violations of civil or criminal law.

L. **EDUCATION AND TRAINING.**

1. Prevention is the best tool for the elimination of sexual harassment.
2. The Human Resource Administrator, or designee, shall provide or acquire for members of boards, commissions, councils, and employees of departments, a training program designed to educate and thereby prevent sexual harassment. This program can be virtual, digital, or in-person.

3. All members of boards, and committees. Councils and employees of departments shall receive a copy of this section as part of a mandatory Education and Training session to be conducted with all members of board committees, councils, and employees of departments.
4. The Human Resources Administrator, or designee, shall notify all members of boards, commissions, councils, and employees of departments, in advance, of each training session, and shall maintain records of all participants.
5. No member of boards, commissions, councils or employees are exempt from this provision.

M. MAINTAINING COMPLAINT FILES.

1. Information related to any sexual harassment complaint, proceeding, or resolution shall be maintained in a separate and confidential sexual harassment complaint file. This information shall not be placed or maintained in an employee's personnel file. This file shall be maintained by the Human resources Administrator, or designee and a copy shall be maintained by the City Attorney.
2. Information contained in the sexual harassment complaint files shall be released only with the written authorization of the victim and the Chief Executive, or designee.
3. Participants in any sexual/gender harassment proceeding/investigation shall treat all information related to that proceeding/investigation as confidential.

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City of North Pole
Director of City Services

Memo

To: City Council
From: Danny Wallace

Date: January 31, 2023
Subject: Resolution of Support for Grant Submissions

City Council -

The City of North Pole is applying for grants through Fairbanks Area Surface Transportation (FAST). These federally-funded grants are part of the Congestion Mitigation & Air Quality (CMAQ) and Carbon Reduction Program (CRP) funding available to State and local governments for transportation projects and programs that help reduce congestion and improve air quality in the Fairbanks and North Pole area.

We are seeking support for the following:

1. Electric Vehicle Charging Station (at City Hall)
2. Winter Block Heater Outlets (additional) at City Hall
3. LED Light Conversion for the "Candy Cane" Light Poles
4. Dump Truck / Sand Spreader Replacement Tires and Rims
5. Bus Shelter additions along the MACS Green Line route

I can provide detailed information on each of these projects and the advantages they can provide to the City and our local community. Recommend a Resolution of Support from the Council to support these project submissions.

Respectfully ,



Robert (Danny) Wallace
Director of City Services
North Pole, Alaska

**CITY OF NORTH POLE
RESOLUTION NO. 23-02**

**A RESOLUTION OF THE CITY COUNCIL OF NORTH POLE,
ALASKA IN SUPPORT OF GRANT APPLICATIONS**

WHEREAS, the City of North wishes to have North Pole continue to be a desirable place to live for its current residents and to attract new ones; and

WHEREAS, the air quality in the interior of Alaska is a continuing problem, especially in the winter months; and

WHEREAS, making improvements to the city and the local community is an expensive endeavor; and

WHEREAS, there is federally funded money available as part of the Congestion Mitigation & Air Quality (CMAQ) and Carbon Reduction Program (CRP) available to state and local governments for transportation projects and programs that help reduce congestion and improve the air quality in the area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of North Pole supports the grant applications through Fairbanks Area Surface Transportation (FAST) to fund 1. Electric vehicle charging stations (at City Hall) 2. Winter block heater outlets (at City Hall) 3. LED Light conversion for the 'candy cane' light poles throughout the city 4. Dump truck/sand spreader replacement tires and rims 5. Bus shelter additions along the MACS green line route.

Section 1. Effective date.

This resolution shall become effective immediately upon City Council approval.

PASSED by a duly constituted quorum of the North Pole City Council this 6th day of February 2023.

Michael W. Welch, Mayor

ATTEST:

Melissa A. Dionne, North Pole City Clerk

PASSED/FAILED Yes: No: Absent:

RESOLUTION 23-03

**A RESOLUTION FROM THE NORTH POLE CITY COUNCIL EXPRESSING
OPPOSITION TO THE SOLE ORE TRUCKING PROPOSAL FOR THE MANH CHOH
MINE PROJECT**

WHEREAS, the City of North Pole supports the plans to develop Kinross Gold/Contango ORE from the Manh Choh Mine Project near Tetlin, Alaska, which will continue the long tradition of gold mining in Interior Alaska to the processing plant at Fort Knox mine near Cleary Summit, a distance of almost 240 miles; and

WHEREAS, the ore trucking proposal, up to 192 times every day, double-trailer ore hauling trucks, 95 foot long and weighing up to 80 tons, would make the trip from Tetlin to Cleary Summit and then make the return trip; and

WHEREAS, many Interior Alaska residents use that part Richardson Highway daily to commute to and from work, for shopping, medical appointments, transporting students to from schools in private vehicles and school buses, including law enforcement, emergency vehicles such as ambulances and fire equipment; and

WHEREAS, military personnel living off-base must be able to report to work within a specific time period limiting the location of where they can live or rent housing and this increased traffic by so many daily ore hauling trucks may impact where and if they can live off base with their families; and

WHEREAS, the addition of these double trailers, driven in all Alaskan weather conditions, will accelerate wear and tear on Alaska highways, especially the Richardson Highway and will create unsafe driving conditions; and

WHEREAS, it is the desire of the North Pole City Council to see this project successfully move forward; and

WHEREAS, the current transportation plan has created much research and concern in our community about impacts upon roads, traffic, safety, and other issues other considerations require thorough examination, such as the 110+ school bus stops along the proposed route; and

WHEREAS, the North Pole City Council recognizes that it does not have legal jurisdiction in this matter and can only act in an advisory capacity and what it considers to be in the best interests of its residents; and

WHEREAS, recently the EPA Region 10 in the Federal Docket Register ID No. EPA-R10-OAR-2022-0115 gave the Fairbanks PM2.5 Serious Non-attainment Area State implementation Plan partial approval and partial disapproval 2006 24-Hour PM2.5 Serious Area and 189(d) Plan Fairbanks North Star Borough; and

WHEREAS, the traffic generated by this project may impact the air quality and possible mitigation measures in the FNSB PM2.5 non-attainment area.

NOW, THEREFORE, BE IT RESOLVED by the North Pole City Council that the City opposes the sole proposal to truck ore from the Manh Choh mine through the City of North Pole and to the processing plant at Fort Knox mine project but hopes that legitimate alternatives can be found to the problematic current ore hauling plan that might include the following:

1. Working with the Alaska Railroad Corporation, the U.S. Department of Defense and the State of Alaska to work on a long-range plan to extend the rail line to at least Delta Junction, if not further.
2. Revisiting the investment in a mill that could be used by not only this project but also by other organizations with holdings in eastern Alaska, making it more fiscally feasible. The State of Alaska alone has 170,000 acres of very promising lands adjacent to the 675,000 acres of Tetlin lease lands. Having this infrastructure in place could greatly aid in developing the economy in the Interior.
3. Adjusting the ore hauling to schedule to avoid peak commute periods of time.
4. Work with AIDEA to construct a road connecting from Eagle to the Steese Highway similar to other mining road projects such as Red Dog and Ambler.
5. Any other methodologies that may prove feasible.

ATTEST:

Michael W. Welch, Mayor

Melissa A. Dionne, North Pole City Clerk

PASSED/FAILED Yes: No: Absent:

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rwallace@northpolealaska.edu

City of North Pole
Director of City Services

Memo

To: City Council
From: Danny Wallace
Date: January 28, 2023
Subject: Vehicle Purchase for Public Works

City Council -

Request approval of our request to purchase a 2022 Ford F550 truck for \$69,455 from Kendall Ford (Anchorage) to support Public Works Department operations. We budgeted for this purchase and the dealer sheet is attached. This vehicle would augment our current fleet and would support gravel/sanding operations, refuse hauling, and a variety of other essential tasks.

These vehicles are currently difficult to obtain, and we were unable to purchase via the State Fleet Fund (we applied but did not make the list). In fact, no similar F550s are currently available in the state of Alaska, although they are available in Seattle priced between \$80,000-\$86,000.

Given the current market for new vehicles, this is an important opportunity for the City of North Pole to maintain consistent, safe, and effective Public Works operations.

Respectfully ,



Robert (Danny) Wallace
Director of City Services
North Pole, Alaska