



**CITY OF NORTH POLE
OCTOBER 4, 2016
NOTICE OF ELECTION**

NOTICE IS HEREBY GIVEN that on Tuesday, October 4, 2016, a Municipal Election of the City of North Pole will be held for the purpose of electing the following officials:

(All offices serve at-large)

(2) City Council Members 3-year term
(1) City Council Member 2-year term

**CITY OF NORTH POLE
PROPOSITION 1**

***UNDERLINED AND BOLD WORDS ARE ADDITIONS TO THE CHARTER**

***STRIKETHROUGHS ARE DELETIONS FROM THE CHARTER**

**CHAPTER 1
GENERAL PROVISIONS**

Shall the City of North Pole, Alaska, Home Rule Charter be amended to read as follows:

DEFINITIONS AND CONSTRUCTION

Section 1.6

(o) "public Improvement" means those improvements to or in connection with streets, sidewalks, parks, playgrounds, building, sewer systems, water systems, and any other real property or appurtenances thereof ~~of~~ **within** the City used by the public.

PENALTIES FOR VIOLATIONS:

Section 1.10

(a) Violations of this Charter, the Code, or any Ordinance of the City is a misdemeanor and is punishable by a fine which shall not exceed one thousand ~~five hundred~~ dollars (~~\$1,500.00~~ **\$1,000.00**) or imprisonment for not more than ~~ninety days (90) days, or by both.~~

(b) The City may institute a civil action against a person who violates a provision of this Charter, the Code or any ordinance of the City. In addition to injunctive and compensatory relief, the City may obtain a civil penalty not to exceed one thousand ~~five hundred~~ dollars (~~\$1,500.00~~ **\$1,000.00**) for each violation. The City may bring an action to enjoin a violation or to recover a civil penalty notwithstanding the availability of any other remedy.

POWERS OF THE CITY:

Section 1.4.

In this Charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City may have all powers, functions, rights, privileges, franchises and immunities of every name and nature whatever, which a home rule city may have under the constitution and laws of the State of Alaska.

A YES VOTE IS FOR THE PROPOSED CHARTER AMENDMENT, CHAPTER 1

A NO VOTE IS AGAINST THE PROPOSED CHARTER AMENDMENT, CHAPTER 1

YES

NO

**CITY OF NORTH POLE
PROPOSITION 2**

***UNDERLINED AND BOLD WORDS ARE ADDITIONS TO THE CHARTER**

***STRIKETHROUGHS ARE DELETIONS FROM THE CHARTER**

**CHAPTER 5
THE ADMINISTRATIVE SERVICE**

Shall the City of North Pole, Alaska, Home Rule Charter be amended to read as follows:

ADMINISTRATIVE OFFICERS AND EMPLOYEES - APPOINTMENT, TERMS AND COMPENSATION:

Section 5.3.

(b) The ~~Public Works Director~~ **of City Services**, Police Chief, Fire Chief, Accountant, Accounts Receivable/~~Receptionist~~ **Utility Billing Clerk**, and ~~Special Assistant to the Chief Executive~~ **Accounts Payable/Receptionist** shall be appointed by the Mayor. Termination of the ~~Public Works Director~~ **of City Services**, Police Chief, Fire Chief and Accountant shall be subject to ratification by a majority vote of the City Council.

CITY ATTORNEY:

Section 5.6

(a) Shall act as the legal advisor of and be responsible to the Council. Shall advise the Mayor and the City Clerk concerning legal ~~problems~~ **matters** affecting the City administration.

CITY FISCAL AGENT:

Section 5.7.

The Council shall provide in the Code for the collection, receipt, and custody of taxes, monies and ~~things~~ **personal property** of value belonging to the City and for an administrative officer who shall be responsible therefor.

A YES VOTE IS FOR THE PROPOSED CHARTER AMENDMENT, CHAPTER 5

A NO VOTE IS AGAINST THE PROPOSED CHARTER AMENDMENT, CHAPTER 5

YES

NO

**CITY OF NORTH POLE
PROPOSITION 3**

***UNDERLINED AND BOLD WORDS ARE ADDITIONS TO THE CHARTER**

***STRIKETHROUGHS ARE DELETIONS FROM THE CHARTER**

**CHAPTER 6
BUDGET PROCEDURE AND GENERAL FINANCE PROVISIONS**

Shall the City of North Pole, Alaska, Home Rule Charter be amended to read as follows:

FISCAL YEAR:

Section 6.1. The fiscal year of the City shall be as established by the Council, unless otherwise provided by law.

BUDGET STATEMENT OF CITY:

Section 6.2. During or prior to the eighth (8th) week preceding the first day of the fiscal year, a budget proposal for the next fiscal year of the City shall be submitted to the Council by the Mayor. Such budget proposal shall set forth the recommendations for and an analysis of the anticipated income and expenditures of the City during the next fiscal year, together with comparative figures showing the estimated corresponding amounts for the current year and comparisons with the previous year. The proposed expenditures set forth in the budget proposals shall not exceed the expected revenues of the City. Unencumbered funds remaining at the end of the current fiscal year may be reallocated for the purposes set forth in the budget proposal.

BUDGET CONTROL:

Section 6.4.

- (a) Unencumbered appropriation balances may be transferred within a department by the Council at any time on its own initiative. The Council may by ordinance transfer unencumbered balances from one office, department or agency to another.
- (b) There shall be submitted periodically to the Council information comparing estimated and actual revenues and expenditures to the end of the preceding month.

WITHDRAWAL OF FUNDS:

Section 6.5.

- (a) All funds drawn from the treasury shall be drawn pursuant to the ~~authority and appropriation of the Council~~ **approved budget and approved amendments thereto.**

A YES VOTE IS FOR THE PROPOSED CHARTER AMENDMENT, CHAPTER 6

A NO VOTE IS AGAINST THE PROPOSED CHARTER AMENDMENT, CHAPTER 6

- YES NO

**CITY OF NORTH POLE
PROPOSITION 4**

***UNDERLINED AND BOLD WORDS ARE ADDITIONS TO THE CHARTER
*STRIKETHROUGHS ARE DELETIONS FROM THE CHARTER
CHAPTER XIII
PUBLIC UTILITY SERVICES**

Shall the City of North Pole, Alaska, Home Rule Charter be amended to read as follows:

PLANS OF FACILITIES IN STREETS AND PUBLIC PLACES:

Section 13.5

The Council shall require in the Code that, as a condition to the placing or installment thereof, each public utility conducting a business in the City shall file with the ~~City Clerk~~ **Director of City Services** a duplicate copy of layout plans of pipes, conduits, wires, and other facilities and appurtenances which are to be placed on, under, or above the surface of the City's streets, alleys, bridges, easements, and public places.

A YES VOTE IS FOR THE PROPOSED CHARTER AMENDMENT, CHAPTER XIII

A NO VOTE IS AGAINST THE PROPOSED CHARTER AMENDMENT, CHAPTER XIII

- YES NO

**CITY OF NORTH POLE
PROPOSITION 5**

***UNDERLINED AND BOLD WORDS ARE ADDITIONS TO THE CHARTER
*STRIKETHROUGHS ARE DELETIONS FROM THE CHARTER
TRANSITION**

~~PURPOSE AND STATUS OF TRANSITION CHAPTER:~~

~~Section 1. This transition chapter is to provide an orderly transition from a City organized and possessing powers delegated to it by statutory law, to a constitutional home rule charter city. It shall constitute a part of this Charter only to the extent and for the time required to accomplish that end.~~

~~PRIOR LEGISLATION PRESERVED:~~

~~Section 2. The Code of Ordinances of the City of North Pole and all resolutions and rules of the Council, to the extent that they are consistent with this Charter, shall continue in full force, until repealed or amended. When this Charter requires the Council to adopt or provide any Code provision, any existing provision which meets such requirement shall suffice.~~

~~ELECTION TO ADOPT CHARTER:~~

~~Section 3.
(a) This Charter shall be submitted to a vote of the qualified electors of the City of North Pole at the City election to be held on the 3rd day of November, 1970, between the hours of 8:00 o'clock a.m. and 8:00 o'clock p.m. All provisions for the submission of the question of adopting this Charter at such election shall be made as provided by law and the Code.~~

~~(b) If a majority of the qualified voters voting on the question are in favor of the adoption of this Charter, the City Clerk shall perform all acts required to make this Charter effective.~~

~~(c) If so adopted, this Charter shall take effect and become law at 12:01 o'clock a.m. on the 1st day of January, 1971.~~

~~CITY OFFICERS:~~

~~Section 4. Each person who is holding a City office on the effective date of this Charter shall continue to perform the duties of this office in a manner consistent with this Charter, until superseded as in this Chapter provided, without the requirement of any additional oath or bond. Until otherwise provided under authority of this Charter, the compensation of each office shall continue under and be subject to this Charter.~~

~~COUNCIL TO ORGANIZE FOLLOWING ADOPTION OF CHARTER:~~

~~Section 5.
If this Charter is adopted, the Council shall convene in the Council Chambers on January 2, 1971, at 8:00 o'clock p.m., and shall organize as in this Charter provided.~~

~~TRANSITION OF GOVERNMENT:~~

~~Section 6.
The Council shall resolve and provide for all matters necessary for the inauguration of the City government under this Charter and the transition from the former government of the City.~~

~~Section 7.~~

~~No right or liability of the City existing on the effective date of this Charter shall be affected in any manner by the adoption of this Charter.~~

A YES VOTE IS FOR THE PROPOSED CHARTER AMENDMENT, TO DELETE THE TRANSITION SECTION FROM THE CHARTER

A NO VOTE IS AGAINST THE PROPOSED CHARTER AMENDMENT

- YES NO

**CITY OF NORTH POLE
PROPOSITION 6**

AUTHORIZING A \$2 MILLION LOAN FOR CONSTRUCTING AN EXTENSION TO THE WASTEWATER TREATMENT PLANT DISCHARGE SEWER MAIN

The North Pole Utility is requesting authority to accept a \$2 million loan from the Alaska Department of Environmental Conservation (ADEC) to build and extension to the wastewater treatment plant discharge sewer main. The location of the current sewer main discharges to a channel of the Tanana River that has periodically run dry starting in 2012. ADEC issued the Utility a Notice of Violation due to the lack of river flow at the discharge main. The loan will be for 20 years at an annual interest rate of 1.5%. The Utility will repay the loan from the existing capital construction utility charges collected from all utility rate payers. This project will not use property taxes nor sales tax for either construction costs or to repay the loan. The Utility's annual loan payment will be approximately \$116,491. The total construction cost to build the sewer main in 2020 is estimated to be \$4 million and will include a mixture of loan, grant and utility funding:



**CITY OF NORTH POLE
OCTOBER 4, 2016
NOTICE OF ELECTION**

Shall the City of North Pole accept a \$2,000,000 loan offer from the Alaska Department of Environmental Conservation (ADEC) at an interest rate of 1.5% for a period of 20 years to be repaid from the existing capital construction utility charges collected from all utility rate payers for the purpose of extending the wastewater treatment plant sewer discharge main to an active channel of the Tanana River to help comply with an ADEC Notice of Violation?

YES NO

**CITY OF NORTH POLE
PROPOSITION 7**

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF NORTH POLE AMENDING TITLE 5, BY AMENDING CHAPTER 5.09 MARIJUANA ESTABLISHMENT REGULATIONS, PROHIBITING MARIJUANA BUSINESSES

Whereas, the residents of Alaska passed Ballot Measure No. 2-13PSUM An act to Tax and Regulate the Production, Sale and Use of Marijuana, codified as Alaska Statute Chapter 17.38; and

Whereas, the ballot Measure creates classes of registrations, licenses, or permits to enable the lawful conduct of certain types of marijuana commerce and business; and

Whereas, the conduct of these commercial activities is unlawful without the appropriate registration, license or permit; and

Whereas, AS 17.38.110 Local Control, enacted by Ballot Measure No. 2, empowers municipalities to prohibit the operation of these businesses by enactment of an ordinance or voter initiative.

THEREFORE, BY VOTER INITIATIVE, BE IT ENACTED

Section 1. This ordinance is of a general and permanent nature and shall become a part of the City of North Pole code.

Section 2. Adoption of chapter City of North Pole 5.09 is hereby adopted as follows:

5.09 Marijuana Establishment Regulations

5.09.010 Definitions

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

"Marijuana business" means any and all business, acts, or commerce subject to registration or licensure pursuant to Alaska Statute Chapter 17.38.

5.09.020 Marijuana businesses prohibited

5.09.020 Marijuana businesses are prohibited in the City of North Pole.

Section 3. Effective date. If a majority vote favors this ordinance, it shall become effective upon certification of the election.

Shall North Pole Municipal Code 5.09 Marijuana Establishment Regulations, Section 5.09.010 Definitions, a. For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section: "Marijuana business" means any and all business, acts, or commerce subject to registration or licensure pursuant to Alaska Statute Chapter 17.38 and 5.09.020 Marijuana businesses prohibited, 5.09.020 Marijuana businesses are prohibited in the City of North Pole enacted.

A YES VOTE IS FOR THE PROPOSED PROPOSITION

A NO VOTE IS AGAINST THE PROPOSED PROPOSITION

YES NO

The precinct and polling place within the City of North Pole are established pursuant to the law as follows:

North Pole Precinct - City Hall, Council Chambers, 125 Snowman Lane, North Pole

The polls will be open from 7:00 a.m. until 8:00 p.m. on Election Day.

INSTRUCTION FOR APPLICATION FOR ABSENTEE VOTING

Sec. 3.08.020 Application for ballot

A. By Mail. A qualified voter may apply for an absentee ballot by mail if postmarked not more than twenty days nor less than five days before any election. The application shall include the address to which the absentee ballot shall be returned, the applicant's full North Pole resident address, and the applicant's signature.

B. In Person. A qualified voter may apply in person for an absentee ballot on any day after the ballots are prepared and available, but not on Election Day.

VOTER QUALIFICATION:

"Qualified voter" is any voter who:

1. Is a citizen of the United States;
2. Has passed his/her eighteenth (18th) birthday;
3. Has been a resident of the state and of the city for at least thirty (30) days immediately preceding the election;
4. Has registered at least thirty (30) days before the election as required by AS 15.07 and is not registered to vote in another jurisdiction; and
5. Is not disqualified under Article V of the State Constitution.

INSTRUCTIONS FOR REGISTRATION: You may update your voter registration at www.elections.state.ak.us or in person at the State Division office at 675 7th Avenue, Station H3, or at one of the Municipal Clerks offices listed below during normal business hours.

Nanci Ashford-Bingham, MMC
Borough Municipal Clerk
Borough Administrative Bld.
809 Pioneer Road
459-1401
www.co.fairbanks.ak.us

Danyielle Snider
Municipal Clerk
City of Fairbanks
800 Cushman St
459-6702
www.fairbanksalaska.us

Kathryn Weber, MMC
Municipal Clerk
City of North Pole
125 Snowman Lane
488-8583
www.northpolealaska.com

Dated at North Pole, Alaska this 25th day of August, 2016.

**KATHRYN WEBER, MMC
NORTH POLE MUNICIPAL CLERK
488-8583
Website: www.northpolealaska.com**