



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, FEBRUARY 9, 2015  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 7:00 p.m. on the above date, following a Work Session on the Bjerremark Neighborhood Improvements Plan, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor John Eberhart presiding and with the following Council Members in attendance:

Council Members Present:        Renee Staley, Seat A (Telephonic)  
   Perry Walley, Seat B  
   Bernard Gatewood, Seat C  
   Jim Matherly, Seat D  
   Jerry Cleworth, Seat E  
   David Pruhs, Seat F

Absent:                                None

Also Present:                        Warren Cummings, Fire Chief  
   Paul Ewers, City Attorney  
   Janey Hovenden, City Clerk  
   Jim Williams, Chief of Staff  
   Stephanie Johnson, Dispatch Center Manager  
   Carmen Randle, Controller  
   Ben Barrio, IT Director  
   Randall Aragon, Police Chief  
   Brad Johnson, Deputy Police Chief  
   Eric Jewkes, Police Admin Lieutenant

**INVOCATION**

The Invocation was given by City Clerk Janey Hovenden.

**FLAG SALUTATION**

Mayor Eberhart led the Flag Salutation.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

Mr. Matherly, seconded by Mr. Walley, moved to APPROVE the Agenda and Consent Agenda.

Mr. Cleworth pulled Resolution No. 4658 and the Appointment to the Finance Committee from the Consent Agenda.

Mayor Eberhart called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda, as Amended, into the record.

### CITIZEN'S COMMENTS

Frank Berardi, 801 Pelican Way, Fairbanks – Mr. Berardi spoke in support of Ordinance No. 5964 on behalf of the Coalition for Responsible Cannabis Legislation. He asked whether the intent is to mirror alcohol regulations and, if so, requested that Section 46-44(a)(2) be amended to reflect the laws concerning the consumption of alcohol.

Jennifer Jolis, PO Box 155, Ester – Ms. Jolis stated that she is the Executive Director of Breadline Stone Soup Café. She reported that since the City forgave the debt her organization owed, they have hired a chef trainer and a vista volunteer to help with outreach for their Stone's Throw program. She stated that they have also received a \$50,000 grant from the Alaska Mental Health Trust. Ms. Jolis stated that the Stone's Throw program plans to start classes on March 30, 2015. She expressed gratitude to the Council and to the community for supporting the program.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he regrets serving on the nomination committee for the new Chief of Police. He stated that Chief Aragon admitted on KFAR radio that he would suspend the Second Amendment if he were ordered to do so. He questioned whether the Chief is putting police officers and citizens in danger by making those comments. Mr. Turney spoke to community policing and asked what would happen if a homeowner did not want to participate. He stated that he would not let the police into his home without a warrant. He spoke to his principles and to the Council's duty to uphold the U.S. Constitution and their Oaths of Office. He stated that the answer to crime prevention in Fairbanks is more community involvement and activities and more drug treatment programs for youth and adults. Mr. Turney stated that the word "marijuana" is a racist word and provided a brief history of the term. He spoke to the recreational, medicinal and industrial uses for cannabis. He thanked Lloyd Hilling and the City Council for passing a resolution supporting the use of industrial hemp.

Donna Gilbert, 2223 South Cushman Street, Fairbanks – Ms. Gilbert stated that she had intended to comment on Mr. Walleri's letter to City Attorney Ewers but that she feels another issue is more important. She spoke to the recent article in *The Washington Post* titled, "Yes, Alaska survives on oil. But Obama's plan to protect the Arctic wilderness is the right move." She stated that she was appalled when she read the article written by Mr. David van den Berg, the Executive Director of the Fairbanks Downtown Association. Ms. Gilbert stated that Mr. van den Berg lives off the public's dollar and is in that position to represent the Fairbanks community, bring in tourism, build the local economy and make Fairbanks a better place to live. She stated that he should never have represented himself with the article in *The Washington Post* as the Executive Director of the Downtown Association. She commented that local businesses depend

on the oil industry and that all Alaska has is its natural resources and the military. Ms. Gilbert spoke against locking up the Arctic National Wildlife Refuge (ANWR) and added that Mr. van den Berg should be removed from his position.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger stated that he listened to part of the radio interview with Chief Aragon. He stated that he does not want his friends or family dropping by his home without notice and indicated that he certainly does not want the police to show up to his home uninvited. He suggested that the City do some advertising about the Community Policing program. Mr. Buberger stated that the new street between Cowles and Lathrop needs to have better signage to warn drivers of the speed bumps.

Hearing no more requests for public comment, **Mayor Eberhart** declared Public Testimony closed.

**APPROVAL OF PREVIOUS MINUTES**

- a) Regular Meeting Minutes of November 3, 2014.

APPROVED on the CONSENT AGENDA.

**SPECIAL ORDERS**

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Applications for renewal:

Lic #	Establishment Name	License Type	Premise Location	Owner Name
145	Boatel Bar	Beverage Dispensary	Mile 2 Airport Road	Abie Neubauer Inc.
270	The Comet Club	Beverage Dispensary	208 Gaffney Road	John H. Moneymaker
328	Drop In Lounge	Beverage Dispensary	1420 S Cushman St	N & P Enterprises LLC
556	International Hotel & Bar	Beverage Dispensary	122 N Turner	Dakota Ventures Inc.
576	Club Manchu	Beverage Dispensary	2712 Jessie St	Randall G. Kelsch
725	Midnite Mine	Beverage Dispensary	308 Wendell Ave	Borealis Investments Inc.
2258	Regency Hotel	Beverage Dispensary Tourism	95 10th Ave	Pacific Rim Associates, Inc.
2982	Carlson Community Center	Recreational Site	2010 Second Ave	SMG of Alaska Inc.
3020	American Legion Post #57	Club	1634 Cushman St	American Legion Post #57
3282	Sam's Club #6603	Package Store	48 College Road	Sam's West Inc.
3467	Lin's Asian Bistro	Restaurant/Eating Place	1900 Airport Way	Lin's Panda Garden Inc.
3483	Fairbanks Curling Club	Beverage Dispensary	1962 Second Ave	Fairbanks Curling Club Inc.
3687	Thai House Restaurant	Restaurant/Eating Place	412 5th Ave	Boonchoo Inc.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
4076	Brown Jug – Fairbanks	Package Store	559 Harold Bentley Ave	Liquor Stores USA North Inc.
4458	Iris Café and Saloon	Beverage Dispensary Tourism	900 Noble St	J & Y Enterprises Inc.
4464	Fred Meyer #224	Package Store	930 Old Steese Hwy	Fred Meyer Stores Inc.
4488	R.J.'s Lounge & Grill	Beverage Dispensary	3450 Airport Rd	Roy J Stoltz
4507	Miguel's Restaurant	Beverage Dispensary	1235 Airport Way Ste #1	Miguel's LLC
4678	Fairbanks Junior Ice Dogs	Recreational Site	1920 Lathrop St	Fairbanks Junior Ice Dogs Inc.
4862	Southern Wine & Spirits of Alaska	Wholesale – General	3101 Peger Rd – Bay 2	Soon Teack Park

**Mayor Eberhart** called for Public Testimony and, hearing none, declared Public Testimony closed.

**Mr. Gatewood**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the Liquor License Applications for renewal.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATIONS FOR RENEWAL AS FOLLOWS:

YEAS: Gatewood, Walley, Pruhs, Matherly, Staley, Cleworth  
 NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

**MAYOR’S COMMENTS AND REPORT**

**Mayor Eberhart** explained that in an effort to improve employee recognition, the City has begun an “Employee of the Year” award program for 2014. He indicated that the administration may do something a little different in the future, but that this is a good place to start. He stated that a committee was created to review nominees in the areas of professional achievement, customer service, safety and off-duty community service. **Mayor Eberhart** presented the following 2014 awards to City employees: Community Service Award, given to Sgt. Scott McCumby of the Fairbanks Police Department (FPD); Safety Award, given to Davina McMilon of the Public Works Department; Customer Service Award, given to Jessica Jensen of the Fairbanks Dispatch Center; Professional Achievement Award, given to Danyielle Snider of the City Clerk’s Office.

**Mayor Eberhart** stated that the final award goes to City Clerk Janey Hovenden. He stated that Ms. Hovenden has taken a position with the State of Alaska and will be leaving the City of Fairbanks. He provided a brief biography of Ms. Hovenden’s work at the City, dating back to 1983. **Mayor Eberhart** commended Ms. Hovenden for the excellence in her work and for practicing what it means to be a true public servant. He stated that she will be remembered at the

City of Fairbanks for her innovative ideas, strong work ethic, mentoring and leadership skills, and dedication to the citizens of Fairbanks.

Clerk Hovenden stated that it has been an honor to work at the City of Fairbanks and that Fairbanks will always be the place she calls home. She thanked everyone for their support.

a) Alaska Permanent Capital Management (APCM) Report

Brandy Niclai and Jason Roth distributed reports to the Council. Ms. Niclai stated that she and Mr. Roth are both portfolio managers and members of the APCM Investment Committee responsible for the City's account. She thanked the Council for entrusting City assets with their firm and stated that the firm has had a relationship with the City of Fairbanks since 1998. She commended members of the City's Permanent Fund Review Board for their knowledge and keen monitoring of the City's Permanent Fund. She spoke to the account performance and to the broad financial market returns referenced in the handout. Ms. Niclai spoke to certain types of investments and to how those investments performed in 2014.

Mr. Roth referenced the back page of the handout and spoke to where the portfolio was positioned at the close of 2014. He spoke also to the history of equity markets as illustrated by the graph on page three of the handout and pointed out the dramatic shift up since the financial crisis in 2008. He spoke briefly to the historical norms of market volatility and to the strength of the U.S. dollar in 2014.

**Mayor Eberhart** acknowledged February as Black History Month. In response to Mr. Turney's inquiry at a prior meeting, **Mayor Eberhart** stated that the full cost for Deputy Police Chief Johnson's travel to the cannabis symposium in Denver, Colorado was funded by the Alaska Association of Chiefs of Police. He stated that Lieutenant Jewkes' travel to the event was paid in full by the Alaska Police Standards Council. **Mayor Eberhart** stated that the City Clerk position is being advertised internally at the direction given from those Council Members in attendance at the last Finance Committee meeting. He invited input from the Council if they wish to handle the matter differently. **Mayor Eberhart** provided a summary of events, meetings and activities he and his staff have been involved in since the last City Council Meeting. He stated that Ms. Jill King has accepted a job offer from the City and will begin as the Human Resources (HR) Administrative Assistant on the March 2, 2015. He stated that the HR Director position will become vacant in one week and that the City has begun interviewing for that position.

**Mayor Eberhart** requested to be excused from the Regular City Council Meeting of February 23, 2015 due to a work-related travel conflict.

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to EXCUSE Mayor Eberhart from the Regular City Council Meeting of February 23, 2015.

**Mayor Eberhart** called for objection and, hearing none, so ORDERED.

## **NEW BUSINESS**

- a) Resolution No. 4657 – A Resolution Supporting the Reinstatement of a Full \$60 Million into the Revenue Sharing Fund on a Yearly Basis with a One-Year Appropriation of \$8 Million to the Fund with an Effective Date Prior to June 30, 2015. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4658 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for the FFY2014 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. Introduced by Mayor Eberhart.

**Mr. Gatewood**, seconded by **Mr. Walley**, moved to APPROVE Resolution No. 4658.

**Mr. Cleworth** stated that he enjoys reading history and commented that people should learn from mistakes made. He spoke to the study that was performed in the 1980's to look at declining revenues and see how best to use on-hand capital resources. He stated that the study showed that whenever there is a shortfall or a standstill in funding, an organization should not use one-time funds for manpower but should put the funds towards infrastructure. **Mr. Cleworth** commended Fire Chief Cummings for his diligence in pursuing grant opportunities for the City of Fairbanks but added that SAFER grants have always been problematic due to sustainability issues. He stated that it is difficult to lay people off at the end of the grant funding period. He added that the grant terms do not allow positions to be left vacant due to attrition during the grant funding period, making it impossible to plan ahead for the end of the funding period. He spoke strongly against pursuing the SAFER grant.

**Mayor Eberhart** pointed out that the last paragraph of the resolution states that the positions will terminate at the close of the grant funding period. He stated that it is his understanding that there are a lot of young people coming out of fire training programs who are seeking short-term positions.

**Mr. Gatewood** asked why the City of Fairbanks is requesting nine positions.

Chief Cummings stated that the reason the City is requesting nine positions is to bring the department up to the national standard of four people per staff vehicle. He confirmed that the department is currently below the national standard and stated that there should be 16 – 17 firefighters on duty per shift based on national standards.

**Mr. Gatewood** asked how the City would be able to terminate positions at the close of the grant funding if they City is below the national average in staffing.

Chief Cummings stated that if individuals are hired under the acknowledgement that they will be terminated in two years, the City will terminate them in two years.

**Mr. Pruhs** asked Chief Cummings if he has a system to determine who will be kept on staff at the end of the grant period if positions are available at that time.

Chief Cummings stated that retention of grant-funded employees would be determined by seniority or would be based on examination results taken at the time of hire per the union contract.

**Mr. Cleworth** stated that national averages can be determined a number of ways. He stated that Chief Cummings is basing his numbers on manpower per apparatus. He stated that the national average for the U.S. Fire Department profile through 2011—the most current information he has—is 1.53 firefighters per 1,000 in population. He stated that according to those numbers, the City of Fairbanks should have 36 firefighters. He argued that the City is above the national average with a current firefighter staff between 39 and 42 individuals.

Chief Cummings argued that his department is below the standard. He stated that he is trying to relate to the Council what his department needs, not what they currently have. He spoke to averages in recent years based on population and pointed out that the City of Fairbanks has an extremely high volume of ambulance calls compared to other cities who strictly respond to fire calls.

**Mr. Cleworth** spoke to the significance of mutual aid in the Fairbanks area. He spoke to his frustration that the City cannot employ volunteers due to the terms of the union contract. He stated that he feels comfortable with the City's mutual aid system and the current staffing levels at the Fire Department.

**Mr. Walley** commented that he has a problem with the grant not allowing the City to perform any layoffs during the life of the grant. He spoke to former Council Member Hilling's belief that if the City needs to hire personnel, it should do so on its own dime and not with grant funding.

Chief Cummings spoke to regular turnover in his department and stated that the nine grant funded positions may come back to the department as vacancies occur.

**Mr. Matherly** spoke to Mr. Cleworth's comments regarding the "human factor" and to how it becomes difficult to perform layoffs when the grant period ends. He asked Chief Cummings to speak to his thoughts on the issue.

Chief Cummings stated that these types of situations happen regularly in the construction industry. He commented that the individuals would know upon hire that their position would end with the close of the grant term.

**Mr. Walley** expressed appreciation to Chief Cummings for seeking grant funding on behalf of the City. He asked the Chief if he foresees the temporary nature of the grant positions creating a significant increase in turnover for the Fire Department.

Chief Cummings stated that the Fire Department hires and trains individuals every year and indicated that it is ideal to have more than two individuals being trained at one time. He commented that equipment can be somewhat interchangeable between individuals and that with nine new sets of equipment and what the department already has on-hand, equipment should not be too much of an issue.

**Mr. Pruhs** asked Chief Cummings how many individuals came on board permanently with the last SAFER grant and why he is requesting nine new positions.

Chief Cummings stated that the last SAFER grant had a five-year term. He explained that the City hired three initially and indicated that the turnover rate was high. He stated that he would have to do some research to come up with more solid information. He commented that in order to increase chances for obtaining the grant, he is proposing additional staff that would meet the national standard.

**Mr. Gatewood** asked if it is possible to train with other fire departments in the area.

Chief Cummings stated that it may be possible to combine training efforts with other departments.

**Mayor Eberhart** asked how the national average is calculated when it is based on population.

Chief Cummings explained that the population of Fort Wainwright is excluded in the calculation of the average because the City does not service that area. He stated that the average is based on a population of 23,000.

**Mayor Eberhart** asked if the 23,000 figure accounts for the daily surge of people in Fairbanks.

Chief Cummings replied that it does not include the daily surge. He stated that the City transports patients from medical care facilities to areas outside the City limits and Fort Wainwright on a regular basis. He stated that the influx of people within the City during the daytime hours could easily equate to twice as much as the normal population.

**Mayor Eberhart** asked Chief Cummings to speak to the discussion at a recent Public Safety Commission where the issue of volunteer firefighters was addressed.

Chief Cummings stated that many of the local volunteer fire departments are not true volunteer departments because they employ paid staff, live-in students and very few volunteers. He spoke to the incredible amount of training and certification that goes into firefighting and commented that the younger generation does not seem to be interested in volunteer firefighting.

**Mr. Cleworth** stated that every municipality has an influx in population during the daytime hours. He stated that the City hired grant-funded positions at the close of the last SAFER grant. He spoke in opposition to Resolution No. 4658.



A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4658 AS FOLLOWS:

YEAS: Gatewood  
NAYS: Walley, Matherly, Pruhs, Cleworth, Staley  
**Mayor Eberhart** declared the MOTION FAILED.

- c) Ordinance No. 5964 – An Ordinance Amending Fairbanks General Code Chapter 46 Offenses by Adding a New Section to Prohibit the Consumption of Marijuana in a Public Place. Introduced by Council Member Pruhs.

ADVANCED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

- a) Committee Reports

FMATS Policy Committee – **Mr. Walley** stated that the Committee approved the Air Quality Conformity Analysis on the Metropolitan Transportation Plan (MTP), the MTP itself and Amendment No. 8 to the Transportation Improvement Program (TIP). He shared that the CAPSIS request was reviewed and submitted by the deadline and thanked the Council for their support of that resolution. **Mr. Walley** reported that the Committee approved the project evaluation criteria for the 2015 – 2018 TIP and a schedule was presented on the development of the TIP. He added that an Air Quality Conformity Analysis is also required for the TIP. **Mr. Walley** stated that FMATS wrote a letter to the Department of Transportation (DOT) headquarters in Juneau regarding the lack of information that has been shared on the Alaska State Rail Plan.

Explore Fairbanks Board of Directors – **Mr. Matherly** reported that the last Board meeting was primarily informational. He stated that Deb Hickok, President of Explore Fairbanks, announced that Frontier Airlines and United Airlines will not be returning to Fairbanks from their Denver hub during the summertime. **Mr. Matherly** reported that some new Board members and directors were also added to Explore Fairbanks.

Permanent Fund Review Board – **Mr. Gatewood** stated that it is important that the value of the Permanent Fund continues to grow. He stated that as of February 6, 2015, the Fund was valued at \$122.9 million. He stated that the City typically takes two draws a year from the Permanent Fund, totaling approximated \$4 - 4.5 million. He stated that the first draw is planned for June. He commended the City's Finance Department.

Fairbanks Diversity Council – **Mayor Eberhart** stated that the Fairbanks Diversity Council recently met to continue with strategic planning. He commented that there is currently nothing concrete to report.

**Mayor Eberhart** called for a five minute recess.

b) Chief of Police: Traffic Enforcement Report by Police Chief Aragon, Deputy Chief Johnson and Lt. Jewkes

Chief Aragon stated that there has been a decline in traffic enforcement operations. He referenced the one-page handout provided to the Council and stated that he and his team will review the listed items then answer any questions the Council may have.

Deputy Johnson addressed some of the factors that have influenced the statistics since 2011. He stated that the decline in DUI and "Click it or Ticket" enforcement is directly related to the reduction in funding from the Alaska Highway Safety Office (AHSO). He spoke to the spike in citation issuance in 2012 and explained that the increase was a result of the work standard instituted by former Chief Zager. Deputy Johnson stated that the nationwide perception of law enforcement has changed significantly over the past year and is felt across the local law enforcement community. He commented that the growing scrutiny from the general public is causing officers to become more reluctant to cite during traffic stops.

Lt. Jewkes stated that since two of the City's traffic officer positions are funded by AHSO grant dollars, they are restricted to impaired driving enforcement. He stated that the Alaska Court System made some changes to traffic court calendaring in 2013 which no longer accommodated officers' schedules, but required officers to appear at whatever date and time was scheduled. He stated that the change has created a significant burden to officers and has been disruptive to shift schedules. Lt. Jewkes spoke to the 2013 report standards mandated by the State of Alaska and explained that the new requirements have significantly increased the time it takes to write an accident report. He stated that in April of 2013, FPD also changed citation formats by moving to the standard Alaska Uniform Citation (AUC) form which contains a lot more information. He stated that for some time there was a shortage of forms available to officers. Lt. Jewkes expressed his opinion that the Alaska Court System made the transition very difficult and in the course of all the changes made, effectively eliminated FPD's ability to issue parking citations. Lt. Jewkes stated that there were also some changes made to the routing and collection of City-issued minor consuming citations. He spoke to the lengthy and time-consuming transition to electronic citations after the AUC form was introduced and indicated that there are still some ongoing issues with the electronic ticketing system.

Chief Aragon suggested that a solution to the traffic enforcement issue might be to hire two additional traffic enforcement officers. He briefed the Council on the current number of traffic and DUI enforcement officers per shift and spoke to the duties of his officers and staff. He stated that he plans to reinforce to his staff the importance of working traffic and spoke to the three "E's" to the realm of traffic safety: engineering, education and enforcement. Chief Aragon stated that there is a standard requiring a police agency to determine how many staff they should employ, specifically relating to patrol. He commented that the analysis cannot be calculated based simply on population and stated that the accreditation authority provided him with a workload and staffing analysis formula to calculate the variables that should be taken into account. Chief Aragon continued to tell how even that analysis is outdated and spoke to a

workload analysis from the International Association of Chiefs of Police (IACP). He stated that he and Deputy Johnson researched the method and came up with a report to share.

Deputy Johnson stated that the study was based on methods and recommendations that are endorsed and practiced by the IACP. He shared that the study shows that a patrol officer should obligate their time on duty as follows: 30% in response to calls for service, 30% in administrative tasks, 30% in proactive policing, and 10% flex time depending on department goals. He stated that using the IACP model with 2013 internal data, FPD is understaffed and would need six additional officers to meet the recommended staffing level of 33 patrol officers.

**Mr. Gatewood** stated that he likes the report that was handed out but spoke out against verbal “storytelling” about the needs of the department.

Deputy Johnson stated that he does not believe there is a request for additional staffing associated with the report being provided. He indicated that the intent was for informational purposes only.

**Mr. Matherly** thanked everyone for the staff report. He asked Deputy Johnson to speak to what happened with former Chief Zager’s traffic enforcement standard that was implemented in 2012.

Deputy Johnson commented that Chief Zager’s standard was not well-received and was begrudgingly followed. He stated that since 2012, other priorities within the department have taken over and the monitoring for that program has dwindled. He clarified that Chief Zager’s work standard was applied to all patrol officers, not just traffic.

**Mr. Cleworth** stated that when revenues fall in a certain area, it comes to the Council’s attention as something that should be addressed. He asked Lt. Jewkes to speak more to the complications with the State of Alaska in regard to parking citations and to whether the problems have been solved.

Lt. Jewkes replied that the serving method for parking violations has been corrected.

**Mr. Cleworth** briefly spoke to the traffic enforcement standard implemented by former Chief Zager. He stated that even with the standard in place, an officer has to have probable cause to make traffic stops and pointed out that every traffic stop does not result in a citation. **Mr. Cleworth** expressed concern with the significant decline, particularly in issued citations DUI’s. He commented that the City may have to address the issue in the annual budget. He stated that it is also concerning that the Police Department is claiming to be under-staffed when just a few months ago they were lobbying for a 10% reduction in officer staffing.

Deputy Johnson stated that one of the primary purposes of the staffing analysis was to show that FPD officers have a high workload.

Lt. Jewkes pointed out that the problems and difficulties with the State of Alaska's new regulations and changes to court processes came about in 2013, the year after the implementation of Chief Zager's work standard.

**Mr. Cleworth** asked what happened to the idea of using one grant-funded position to begin performing commercial traffic enforcement.

Lt. Jewkes stated most of the commercial vehicle enforcement training occurred in the prior year. He stated that work was done to incorporate commercial enforcement regulations into the City Code and that the City could now begin enforcing them. He reminded the Council that FPD's focus in traffic enforcement is on safety, not revenue. Lt. Jewkes spoke briefly to some discrepancies in vehicle forfeiture revenues he obtained from the Finance Department for 2013 and 2014 which showed that revenues were not as low as what was reported. He stated that a big part of enforcement for commercial vehicles is education.

Deputy Johnson indicated that the sergeant trained commercial vehicle inspections has moved on from that assignment and that there is a new sergeant in charge of the unit. He stated that with the limited number of traffic unit officers on duty at a given time, it may be difficult—but not impossible—to begin commercial vehicle enforcement.

**Mr. Cleworth** commented on the large increase in the number of traffic stops from 2012 to 2013 and the significant drop in citation issuance during the same time period. He stated that the numbers support the claim that FPD's focus is on safety versus revenue.

**Mr. Matherly** expressed his hope that the public perception of law enforcement would improve. He asked Chief Aragon to speak to Mr. Turney's earlier comments regarding his recent radio interview on KFAR

Chief Aragon stated that the purpose of the radio interview was to showcase some of the programs that FPD is implementing and to talk about crime prevention and tips for the community. He stated that he was asked what he would do as the Fairbanks Chief of Police if the U.S. President declared martial law in the City of Fairbanks and eliminated local citizens' Second Amendment right to bear arms. He stated that his reply was that he would have to enforce the President's declaration because he believes there would have to be a good reason behind it. Chief Aragon spoke to FPD's Community Policing program and stated that he is receiving positive feedback from the community. He stated that citizens are inviting officers into their homes to talk about their concerns and neighborhood issues.

**Mr. Pruhs** commended Chief Aragon for representing himself very well in a recent interview with a republican party group. He stated that the Chief was very straightforward and open with his answers. He stated that comments made during radio interviews should be taken in context. He commented that Alaska residents take their Second Amendment rights very seriously.

## COMMUNICATIONS TO COUNCIL

- a) City Clerk Resignation Letter

ACCEPTED on the CONSENT AGENDA

- b) Permanent Fund Review Board Meeting Minutes of October 22, 2014

ACCEPTED on the CONSENT AGENDA

- c) Public Safety Commission Meeting Minutes of July 8, 2014

ACCEPTED on the CONSENT AGENDA

- d) Public Safety Commission Meeting Minutes of August 12, 2014

ACCEPTED on the CONSENT AGENDA

- e) Public Safety Commission Meeting Minutes of October 14, 2014

ACCEPTED on the CONSENT AGENDA

- f) Public Safety Commission Meeting Minutes of November 17, 2014

ACCEPTED on the CONSENT AGENDA

- g) Clay Street Cemetery Commission Meeting Minutes of January 7, 2015

ACCEPTED on the CONSENT AGENDA

- h) Appointment to the Fact Finding Commission

APPROVED on the CONSENT AGENDA

- i) Appointment to the Finance Committee

**Mr. Matherly**, seconded by **Mr. Gatewood**, moved to APPROVE the Appointment to the Finance Committee.

**Mr. Cleworth** spoke to the importance of appointments to the Finance Committee. He spoke to Mr. Jeff Johnson's history in serving on the Committee and to the value and knowledge he has brought to the table over the years. He asked Mayor Eberhart if he has spoken with Mr. Johnson or invited him to continue service on the Finance Committee.

**Mayor Eberhart** stated that he has not spoken with Mr. Johnson. He stated that Mr. Johnson has expressed interest in serving on the City's Permanent Fund Review Board and/or on the Finance Committee. He stated that Mr. Johnson has been appointed to the Permanent Fund Review Board.

**Mr. Cleworth** asked if the City has received any other applications for service on the Finance Committee.

**Mayor Eberhart** stated that he has spoken with other individuals about the position but that the proposed applicant is the only one who submitted an application at that time.

**Mr. Cleworth** commented that since then, Mr. Ron Woolf submitted an application to serve on the Finance Committee. He stated that it is imperative that the Council appoint someone to the Committee who understands City finances. He added that he is uncomfortable appointing an individual he knows nothing about and who may not know anything about City finances. **Mr. Cleworth** stated that there are at least two individuals he can think of that would be great assets to the Committee.

**Mr. Gatewood** asked Mr. Cleworth if he means to say that the Council knows what Mr. Woolf and Mr. Johnson will bring to the table, but not what Ms. Sisto has to offer.

**Mr. Cleworth** replied that he does not think that the proposed applicant knows the City's finances inside and out like the other two individuals. He stated that there would be a significant learning curve for someone new.

**Mr. Matherly** inquired as to why the Council could not bring one of the more experienced individuals on board and add the new applicant. He stated that he knows Ms. Sisto well and that adding an extra position might be a good compromise to the present situation.

**Mr. Cleworth** stated that the City Code stipulates that only one member of the public may serve on the Finance Committee at one time but commented that the Code can be easily changed. He stated that he wants to encourage new interest while not losing valuable institutional knowledge.

**Mayor Eberhart** stated that, currently, the Code will only allow for one member to be appointed. He commented that Mr. Johnson has a good knowledge of City finances and has given good service to the City. He stated that everyone has to start somewhere and provided a little background information on Ms. Sisto. He explained that he does not believe the City should appoint the same individuals to serve simultaneously on the Finance Committee and the Permanent Fund Review Board. **Mayor Eberhart** stated that he believes the City's financial future looks very positive and that he feels it is an appropriate time to bring someone new with a fresh perspective on board.

**Mr. Cleworth** stated that he does not have quite the same optimistic outlook of the City's future as Mayor Eberhart. He expressed support for Mr. Matherly's idea.

**Mr. Pruhs** spoke to the dilemma of appointing someone new or someone with experience. He stated that Mr. Matherly's is a good solution to the problem.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT TO THE FINANCE COMMITTEE AS FOLLOWS:

YEAS: Staley, Matherly, Gatewood, Pruhs, Cleworth, Walley

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Staley** offered congratulations to City Clerk Hovenden and stated that she will be missed at the City. She thanked Ms. Hovenden for her service to the City of Fairbanks.

**Mr. Gatewood** congratulated all the employees who were presented with awards. He echoed Ms. Staley's comments and stated that her resignation is bittersweet. He congratulated Ms. Hovenden on her new position with the state and commended her for keeping her staff trained. **Mr. Gatewood** spoke to the level of professionalism in the City Clerk's Office and stated that the office is in good shape. He commended Mr. Matherly for proposing the compromise on the appointment to the Finance Committee and expressed appreciation to fellow Council Members for their good discussion on issues.

**Mr. Walley** expressed condolences in the recent death of Louis "Frank" DeLong and spoke to the great accomplishments of the longtime Fairbanks resident. He commented that it was good to hear a positive report from the Breadline Stone Soup Café. He spoke to Ms. Gilbert's comments regarding Mr. van den Berg's article in *The Washington Post*. **Mr. Walley** stated that he too found the article disturbing in many ways. He stated that State Senator Pete Kelly said it well when he said that there are billions of gallons of oil sitting in Alaska soil all tied up in court. He expressed his belief that Alaskans should be taking every opportunity to develop Alaska's resources in an environmentally-friendly way. **Mr. Walley** referenced page three of the summary distributed by APCM's Brandy Niclai and Jason Roth and pointed out that the S & P 500 seems to plunge about every six years. He stated that it has been about six years since its last dip below the 800 level. **Mr. Walley** thanked Ms. Hovenden for helping him as a new Council Member and commented on the value of her knowledge of the City of Fairbanks. He wished her luck in Juneau.

**Mr. Matherly** shared an update he received from Mr. Marlow, owner of the Polaris Building. He stated that Mr. Marlow still intends to move forward with renovation pending financial resources. He commented that although he does not always see eye-to-eye with Ms. Gilbert on issues, he will never question her passion for and commitment to the Fairbanks community. He stated that he too did not like the article written by Mr. van den Berg. **Mr. Matherly** expressed concern for Mr. Turney as he left the meeting early appearing to having difficulty breathing. He spoke to the use of marijuana and stated that he is not fond of the idea of one of his neighbors smoking the drug in their back yard. **Mr. Matherly** stated that he calls City staff quite often and

that Ms. Hovenden has always taken the time to talk with him. He stated that Ms. Hovenden is a stellar person and that Juneau will be lucky to have her. He wished Ms. Hovenden the best in her future endeavors.

**Mr. Cleworth** stated that he has known Ms. Hovenden for many years and that it was an honor to serve on the Council when she was appointed to the City Clerk position. He commended Ms. Hovenden for her diligence in reviewing the City Code to see how it could be simplified to better serve the citizens of Fairbanks. He expressed hope that the work that has been done with records management will continue after Ms. Hovenden is gone. **Mr. Cleworth** spoke to Ms. Hovenden's dedication and stated that working for seven bosses is no easy task. He stated that Ms. Hovenden was good at remaining apolitical and did a splendid job as the City Clerk. He wished her the best with the opportunity in Juneau. **Mr. Cleworth** stated that the late Frank DeLong served on the Municipal Utilities System (MUS) Board at the City and expressed gratitude and admiration for the man. He stated that he would like to co-sponsor the ordinance to add another public position to the Finance Committee and thanked Mr. Matherly for suggesting the compromise. He distributed a grievance report prepared by the City Attorney showing the total number of grievances at the City from 2012 – 2014. He commented that of the 58 total grievances, Police and Dispatch had about 21% and the Fire Department had 79%.

**Mr. Pruhs** joked that if he had pulled Ms. Hovenden's resignation letter from the Consent Agenda, he doubts that any Council Members would have voted for it. He stated that Ms. Hovenden has been an incredible asset to the City of Fairbanks and commented that the mark of an exceptional manager is someone who has employees capable of running a department when they leave. He thanked Ms. Hovenden for her service and wished her the best. **Mr. Pruhs** stated that the City of Fairbanks is often in an enviable position and spoke to the good fiscal responsibility of the City. He commented that the City may start seeing an increase in applicants seeking employment as other entities are not doing so well financially. He stated that the Council may need to start looking at employee benefit packages to see how it can be made more attractive to potential applicants. **Mr. Pruhs** commented that the APCM representatives did not answer one of Mr. Cleworth's questions about when to pull out of equities. He stated that he would like to be more proactive as a Council with the issue of the Polaris Building and expressed his belief that one day the structure may cost the City a great deal of money. He spoke to the ordinance he introduced on marijuana consumption and stated that he hopes everyone will keep an open mind on the issue.

**Mr. Cleworth** spoke to the man that was arrested a few months back at Justa-Store and quoted the man as saying, "If that had happened in any other community, I'd probably be dead." He stated that the man's words are a testimony to FPD's great policing and asked Mayor Eberhart to share his sentiments with the department.

## **CITY CLERK'S REPORT**

City Clerk Hovenden thanked the City Council for all they have done for her and the Clerk's Office. She stated that she will miss everyone and will even miss attending the City Council Meetings.



**CITY ATTORNEY'S REPORT**

City Attorney Ewers stated that he and the City Clerk tend to gravitate when there are problems and concerns because they both work for the City Council. He thanked Ms. Hovenden for her work at the City and wished her the best in Juneau. He expressed hope that she would someday return to Fairbanks and stated that she will be missed.

**Mr. Matherly**, seconded by **Mr. Gatewood**, moved to go into Executive Session for the purpose of discussing AFL-CIO Laborer's Union Negotiations on Pension Funding Improvement Plan Options and IBEW Labor Contract Negotiations.

**Mayor Eberhart** called for objection and, hearing none, so ORDERED.

**Mayor Eberhart** called for a five minute recess.

**EXECUTIVE SESSION**

- a) AFL-CIO – Laborers Union, Negotiation on Pension Funding Improvement Plan Options
- b) International Brotherhood of Electrical Workers (IBEW) Labor Contract Negotiations

The City Council met in Executive Session to discuss the above labor issues. Direction was given to staff and no action was taken.

**ADJOURNMENT**

**Mr. Matherly**, seconded by **Ms. Staley**, moved to ADJOURN the meeting.

**Mayor Eberhart** called for objection and, hearing none, so ORDERED.

**Mayor Eberhart** declared the meeting adjourned at 11:40 P.M.

*John O. Williams for Mayor Eberhart*  
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 JOHN EBERHART, MAYOR

ATTEST:

*D. Danyelle Snider*  
 \_\_\_\_\_  
 D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: DS