



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JUNE 6, 2016
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, 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: Joy Huntington, Seat A
June Rogers, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F (Telephonic)

Absent: None

Also Present: Clem Clooten, Building Official
Ernie Misewicz, Assistant Fire Chief
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Stephanie Johnson, Dispatch Center Manager
Randall Aragon, Police Chief
Tammy Misrasi, Communication Director
Jim Styers, Fire Chief
Jeff Jacobson, Chief of Staff
Jackson Fox, City Engineer
Stephen Anderson, Plans Examiner
Eric Jewkes, Deputy Police Chief
Brad Johnson, Deputy Police Chief
Carrie Peterson, Controller

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation.

OATH OF OFFICE

a) Ms. June Rogers, Appointed to City Council Seat B on May 23, 2016

City Clerk Danyielle Snider administered the Oath of Office for Ms. Rogers, Council Seat B.

Mayor Eberhart recognized Pearl Watson, the City Hostess, for her 90th birthday and requested a short recess for refreshments. Ms. Watson thanked Mayor Eberhart for the honor and congratulated Ms. Rogers on being appointed to the City Council.

CITIZEN'S COMMENTS

Samantha Kirstein, 1170 Sunny Slope Road, Fairbanks – Ms. Kirstein spoke to community policing and to the Bjerremark Subdivision improvement project. She stated that she has lived in the Interior for 60 years and stated that the police have always been professional and responsive. She stated that she is grateful for all the officers' training and for their service. She stated that she served on the Steering Committee for the Bjerremark Subdivision project; she stated that while she did not agree with all of the decisions of the Committee, she believes the work will improve the overall area. Ms. Kirstein stated that she is in the 2016 Citizen's Police Academy and that she is impressed with the character of all of the Fairbanks police officers. She stated that the officers are daily examples of respect, courtesy and character to the youth in the community. She encouraged Council Members to participate in the Citizen's Police Academy so they can see the issues that officers have to deal with on a daily basis.

Lee DeSpain, 325 Driveway Street, Fairbanks – Mr. DeSpain stated that he has waited since October 2015 for a copy of the dismissed Alaska Public Offices Commission (APOC) appeal and that he finally received it. He asked Mayor Eberhart if he has paid his court-ordered fines relating to the case. He stated that the City Administration has not made a public announcement about the dismissed case which was closed in February of 2016. He asked Mayor Eberhart if he was going to reimburse City tax payers for the legal fees relating to the appeal. He accused Mayor Eberhart of lacking integrity.

Jerald Harrison, 723 27th Avenue – Mr. Harrison stated that when society places someone in prison, everything good inside that person is lost and they end up going to the dark side. He stated that while living in prison culture, a person is forced to manipulate everyone around them in order to survive. He stated that once the person is let out of prison manipulation is all they know, and they eventually end up back in jail. Mr. Harrison stated that when a criminal is released from jail, they should be appointed to become the Mayor of Fairbanks so they may do whatever they wish without consequence. He asked what would happen if a citizen complained about a criminal Mayor that rips off anything that is not nailed down. He stated that his proposed program would be perfect for the City of Fairbanks.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger shared his disappointment in the lawn maintenance at the Clay Street Cemetery; he stated that no one from Public Works has mowed the lawn. He stated that someone from the City gave Mr. Turney's bid amount out and speculated that it was a Council Member.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney thanked Mayor Eberhart for introducing him to the Pedroni family at the cemetery on Memorial Day. He stated he did not want a drone flying around the City spying on people and that he was not in favor of the resolution to fund the drone program. He spoke to the morale of City employees and read aloud a letter from former City Risk Manager Shannon Kumpula. Mr. Turney stated that contrary to Mr. Buberger's

statement, Public Works has been taking care of the lawn at the cemetery. He stated that citizens should call for a Charter change to go back to a City Manager form of government.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated she did not want drones in the City of Fairbanks and recommended treatment centers instead. She stated that she knows a girl who stole a bicycle and was put in the halfway house; she stated that the girl escaped and will now serve six months in jail. She stated that the police punish young people too harshly and again spoke against the drone program. Ms. Herbert requested the police report in regard to the death of Tristan Vent. She stated he was a young Native boy who was killed by police for no reason; she stated she wants some answers. She stated she has a friend who witnessed the incident and that Tristan did nothing to deserve being shot.

Mr. Matherly asked Ms. Herbert if she had spoken to the police about the witness to the incident. Ms. Herbert replied that she had not.

Cole Hollister, 3264 Riverview Drive, Fairbanks – Mr. Hollister spoke to Ordinance No. 6002 and requested that it be amended to fall in line with the Borough's ordinance language. He stated that local governments should recognize any marijuana facility authorized by the State.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Matherly, seconded by **Ms. Huntington**, moved to APPROVE the Agenda and Consent Agenda.

Mr. Pruhs pulled Ordinance No. 6002, Resolution No. 4743 and Resolution No. 4744 from the Consent Agenda.

Mr. Cleworth pulled Resolution No. 4741, Resolution No.4742, Ordinance No. 6022, and Ordinance No. 6023 from the Consent Agenda.

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

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

SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Application for a New Marijuana License:

Type:	Marijuana Cultivation Facility, License #10230
DBA:	Pakalolo Supply Company, Inc.
Applicant:	Pakalolo Supply Company, Inc.
Location:	1851 Fox Avenue, Fairbanks, Alaska

Mr. Cleworth, seconded by **Mr. Matherly**, moved to PROTEST the Application for a New Marijuana Cultivation Facility License until a Certificate of Occupancy is issued.

Cole Hollister, 3264 Riverview Drive, Fairbanks – Mr. Hollister stated that he is the owner of Pakalolo Supply Company and gave a brief history of his 50 years as a Fairbanks resident. He stated that he has a reputation for being an honest businessman and that his family decided to start Pakalolo together. Mr. Hollister stated that the business will employ nearly 20 people on a year-round basis and that most of the renovations are complete. He stated that he has obtained all the Borough zoning permits and that he will be going before the Alcohol and Marijuana Control Board later in the week.

Mr. Gatewood asked Mr. Hollister what Pakalolo means and if the facility will be all indoors. Mr. Hollister stated that Pakalolo is a Hawaiian word for marijuana or “crazy smoke.” He stated that the cultivation area is an indoor greenhouse lit with LEDs. He invited Council Members to come by the facility for a guided tour.

Mr. Cleworth asked Mr. Hollister what he would do if the citizen’s initiative to ban marijuana in the Borough passes. Mr. Hollister replied that he would end up working as a greeter at Walmart because he has invested so much in the business. He shared his belief that the residents of Fairbanks spoke loudly when they voted to legalize marijuana. **Mr. Cleworth** asked if the land under the facility is owned by the Alaska Railroad and if Gary Wilken owns the building. Mr. Hollister replied affirmatively to both.

Ms. Huntington asked Mr. Hollister what he would do if the State did not grant his application. Mr. Hollister stated that he has fulfilled all of the State requirements and that he believes he will be approved. **Ms. Huntington** asked Mr. Hollister if he has done any community outreach in the neighborhood where the facility will operate. Mr. Hollister shared that he has talked with the neighbors and that they are welcoming for the most part; he indicated that there are not many people in the area because it is an industrial zone. He stated that Pakalolo is on the same street as the HooDoo Brewery and that he hopes restaurants and coffee shops will move into the area.

Keenan Hollister, 1138 Coppett Street, Fairbanks – Mr. Keenan Hollister stated that Pakalolo has been welcomed in to the area and has held an open house to offer tours of the facility.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that the Council has not had an issue collecting revenue from alcohol over the years and they should allow the cannabis industry to operate. He stated that he did not know how much cannabis would cost, but cautioned that if it is taxed at too high a rate, people will continue to support the black market. Mr. Turney spoke against City taxation of cannabis due to the State’s taxation on the product. He spoke to the medicinal use of cannabis and requested that the Council approve Mr. Hollister’s application.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that he has been around all types of drugs since the 1950’s. He stated that his parents used to get into terrible fights when they drank alcohol but that they never fought when they were smoking marijuana. He encouraged Council Members to try marijuana.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated that the people of Alaska voted for marijuana to be legal and that there should be no issue with businesses who want to sell it. She stated that the City should collect more than a 5% tax because marijuana business owners would be making a lot of money.

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

Ms. Huntington and **Ms. Rogers** commented on how thorough Mr. Hollister's application was.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE APPLICATION FOR A NEW MARIJUANA CULTIVATION FACILITY LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

YEAS: Pruhs, Gatewood, Huntington, Cleworth, Matherly, Rogers

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Eberhart congratulated Ms. Rogers for her appointment to City Council Seat B. He spoke to the Borough's proposed ordinance to take away the City Council's power to serve as the Board of Adjustment on zoning appeals. **Mayor Eberhart** recommended that a City Council representative be at the Assembly meeting when the ordinance is discussed. He stated that while a Council Member cannot vote on a Borough ordinance, they can suggest amendments or seek to introduce legislation. **Mayor Eberhart** spoke about the City taking back the Community Service Patrol (CSP) on June 1, 2016. He stated that the City and the Fairbanks Downtown Association continue to partner in raising funds for the CSP. **Mayor Eberhart** stated that the maintenance at the Clay Street Cemetery should not cost much more by having Public Works perform the labor. He stated that there are many projects Public Works will be working on at the cemetery that are outside the scope of the maintenance contract. **Mayor Eberhart** stated the project will go out for bid for the summer of 2017. He spoke of the activities the Mayor's Office since the last Regular Council Meeting.

UNFINISHED BUSINESS

- a) Ordinance No. 6002 – An Ordinance Amending Fairbanks General Code Chapter 46 Offenses by Adding a New Section to Prohibit Marijuana Clubs. Introduced by Council Member Pruhs. First Reading was POSTPONED from the Regular Meeting of January 11, 2016.

Ms. Huntington, seconded by **Mr. Matherly**, moved to ADVANCE Ordinance No. 6002.

Mr. Pruhs asked City Attorney Paul Ewers if the City would fall under what the Borough passed relating to marijuana clubs. Mr. Ewers stated that he would like to do some further research on the issue. **Mr. Pruhs** stated that if the Borough already has legislation that covers

marijuana clubs, there would be no reason to double regulate. He asked Mr. Ewers to review the issue and give a report at the next Council Meeting.

Mr. Cleworth asked Mr. Pruhs if he would prefer to table the ordinance so that it does not go on the agenda for the next Council Meeting.

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to LAY ON THE TABLE Ordinance No. 6002.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO LAY ON THE TABLE ORDINANCE NO. 6002 AS FOLLOWS:

YEAS: Matherly, Cleworth, Rogers, Huntington, Gatewood, Pruhs

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

- b) Ordinance No. 6011 – An Ordinance to Amend FGC Chapter 10, Article III International Building Code, by Adopting the 2015 International Building Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 6011.

Mayor Eberhart asked the Council if they would object to combining the public hearings for Ordinances 6011 through 6016.

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

Mayor Eberhart called for Public Testimony on Ordinances 6011, 6012, 6013, 6014, 6015 and 6016 and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6011 AS FOLLOWS:

YEAS: Rogers, Matherly, Gatewood, Pruhs, Cleworth, Huntington

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6011 ADOPTED.

- c) Ordinance No. 6012 – An Ordinance to Amend FGC Chapter 10, Article XIII International Residential Code, by Adopting the 2015 International Residential Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6012.

Public Testimony on Ordinance No. 6012 was held prior to the adoption of Ordinance No. 6011.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6012 AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth, Rogers
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6012 ADOPTED.

- d) Ordinance No. 6013 – An Ordinance to Amend FGC Chapter 10, Article IX National Electrical Code, by Adopting the 2014 National Electrical Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6013.

Public Testimony on Ordinance No. 6013 was held prior to the adoption of Ordinance No. 6011.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6013 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Matherly, Gatewood
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6013 ADOPTED.

- e) Ordinance No. 6014 – An Ordinance to Amend FGC Chapter 10, Article IV International Mechanical Code, by Adopting the 2015 International Mechanical Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6014.

Public Testimony on Ordinance No. 6014 was held prior to the adoption of Ordinance No. 6011.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6014 AS FOLLOWS:

YEAS: Pruhs, Gatewood, Huntington, Cleworth, Matherly, Rogers
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6014 ADOPTED.

- f) Ordinance No. 6015 – An Ordinance to Amend FGC Chapter 10, Article V Uniform Plumbing Code, by Adopting the 2015 Uniform Plumbing Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 6015.

Public Testimony on Ordinance No. 6015 was held prior to the adoption of Ordinance No. 6011.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6015 AS FOLLOWS:

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington, Cleworth

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6015 ADOPTED.

- g) Ordinance No. 6016 – An Ordinance to Amend FGC Chapter 10, Article XIV International Fuel Gas Code, by Adopting the 2015 International Fuel Gas Code with Local Amendments. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6016.

Public Testimony on Ordinance No. 6016 was held prior to the adoption of Ordinance No. 6011.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6016 AS FOLLOWS:

YEAS: Matherly, Cleworth, Rogers, Huntington, Gatewood, Pruhs

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6016 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4741 – A Resolution Fixing the Rate of Tax Levy for Municipal Purposes for the 2016 Real Property Tax. Introduced by Mayor Eberhart.

Mr. Matherly, seconded by **Mr. Gatewood**, moved to APPROVE Resolution No. 4741.

Mr. Cleworth spoke to City revenues and to his concern for the budget. He stated that it is alarming how little money the City has to work with and spoke to the loss of revenue sharing.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4741 AS FOLLOWS:

YEAS: Rogers, Matherly, Gatewood, Pruhs, Cleworth Huntington

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4741 APPROVED.

- b) Resolution No. 4742 – A Resolution to Extend the Date for the December 31, 2015 Audit. Introduced by Mayor Eberhart.

Mr. Cleworth, seconded by **Mr. Gatewood**, moved to APPROVE Resolution No. 4742.

Mr. Cleworth asked if the City will be out of compliance with the City Charter for the annual audit deadline of 180 days.

Ms. Randle stated that the State has not provided the numbers needed in regard to the Public Employees Retirement System (PERS) pension program; she stated that the City has everything else ready to go.

Mr. Ewers stated that it seems like every year new requirements are place on municipalities. He stated that the City cannot comply with the Charter without the State's numbers regarding PERS.

Mr. Cleworth suggested that a Charter amendment be proposed for the 2016 ballot.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4742 AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth, Rogers

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4742 APPROVED.

- c) Resolution No. 4743 – A Resolution to Accept Funding from the Bureau of Justice Assistance (BJA) for the FFY2016 Edward Byrne Memorial Justice Assistance Grant (JAG). Introduced by Mayor Eberhart.

Mr. Matherly, seconded by **Mr. Huntington**, moved to APPROVE Resolution No. 4743.

Mr. Pruhs referred to the fiscal note of Resolution No. 4743 and asked if the \$7,000.00 line item for the unmanned aerial system (UAS) would have to be approved with the resolution.

Controller Carrie Peterson gave a breakdown of how the Fairbanks Police Department (FPD) would like to allocate the grant funds. She stated that the funds could be reallocated to a different program, subject to the grant guidelines.

Mr. Pruhs requested that the Council postpone the decision to accept the funds because he is hesitant for the City of Fairbanks to have a drone.

Deputy Chief Eric Jewkes stated that FPD expected push back when they requested funds for the drone. **Mr. Pruhs** asked if FPD has an officer trained on how to operate the drone. Mr. Jewkes replied that they need the drone in order to train an officer. **Mr. Pruhs** asked how the City would benefit from having a drone. Mr. Jewkes stated it would help with crime scene mapping, search and rescue, and hotspot fire searching. He stated that there will be policies in place to protect the privacy of citizens. Police Chief Randall Aragon stated that drones have become a national endeavor with law enforcement because they improve public safety. Deputy Chief Brad Johnson added that FPD has received these grant funds for many years and asked the Council to

not fail the resolution because of the UAS line item. Mr. Johnson stated they could make changes to the grant application but that the grant application submittal is time-sensitive.

Ms. Huntington asked how many Alaskan communities have drone systems. Mr. Jewkes replied that he did not have statistics for the State, but that nationwide it is becoming a common tool for law enforcement.

Ms. Rogers thanked Mr. Pruhs for pulling the resolution and stated that there is a lot of misinformation relating to drones. She stated that a drone would be helpful for river rescues.

Mayor Eberhart stated that if there is an active shooter hiding behind something the drone could be used so officers can see what is going on without being sent into harm's way.

Mr. Matherly asked what the weather restrictions were on the use of the drones. Mr. Jewkes stated that high wind would affect them but that they are battery powered and should work well in the cold weather.

Mr. Gatewood stated that he agreed with Mr. Johnson that the City should still apply for the grant and that he can see the importance of a drone in rescue operations. He stated that he understands the public distrust and thanked the officers for explaining the need for drones.

Mr. Cleworth shared his two concerns: ongoing costs and public resistance. He stated that he would not support the resolution.

Mr. Jewkes acknowledged the public resistance and stated that FPD would use the drone properly.

Mr. Matherly stated people are often resistant to something new but commented that once it is used with success people may change their minds. He expressed support for the resolution.

Mr. Gatewood agreed with Mr. Matherly but added that distrust may increase if power is abused.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4743 AS FOLLOWS:

YEAS: Pruhs, Rogers, Huntington, Matherly, Gatewood

NAYS: Cleworth

Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4743 APPROVED.

- d) Resolution No. 4744 – A Resolution to Apply for Funds from the Alaska Division of Homeland Security and Emergency Management for SFY2017 Local Emergency Planning Committee Grant. Introduced by Mayor Eberhart.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4744.

Mr. Pruhs shared his concerns with increasing staffing levels at the Fire Department.

Ms. Randle stated that the resolution will not increase staff. She stated that the City applies for the grant every year to help pay for the administrative work on the Local Emergency Planning Committee (LEPC).

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4744 AS FOLLOWS:

YEAS: Pruhs, Gatewood, Huntington, Cleworth, Matherly, Rogers

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4744 APPROVED.

- e) Resolution No. 4745 – A Resolution to Apply for Funds from the Alaska Division of Homeland Security and Emergency Management for FFY2016 Emergency Management Performance Grant. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- f) Resolution No. 4746 – A Resolution to Accept Funding from the United States Attorney for FFY2016 Organized Crime Drug Enforcement Task Forces (OCDETF). Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- g) Ordinance No. 6017 – An Ordinance to Amend FGC Chapter 30, Article II International Fire Code, by Adopting the 2015 International Fire Code with Local Amendments. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- h) Ordinance No. 6018 – An Ordinance to Amend FGC Chapter 10, Article XVI International Energy Conservation Code, by Adopting the 2015 International Energy Conservation Code with Local Amendments. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- i) Ordinance No. 6019 – An Ordinance Adopting the 2015 International Existing Building Code with Local Amendments. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA

- j) Ordinance No. 6020 – An Ordinance to Amend FGC Chapter 10, Article VII, by Adopting the 2015 City of Fairbanks Code for the Abatement of Dangerous Buildings. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- k) Ordinance No. 6021 – An Ordinance to Amend FGC Chapter 10, Article II, by Adopting the 2015 City of Fairbanks Administrative Code. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- l) Ordinance No. 6022 – An Ordinance Amending Fairbanks General Code Section 14-178 to Clarify the City’s Requirements for Downtown Liquor License Approvals. Introduced by Council Member Cleworth.

Mr. Matherly, seconded by **Mr. Gatewood**, moved to ADVANCE Ordinance No. 6022.

Mr. Cleworth stated that there is an issue needing correction before the ordinance advances.

Mr. Cleworth, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 6022 to change “west on Gaffney” to “east on Gaffney” on page two.

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

Mr. Pruhs stated that he has an issue with the language stating that the City Council “will” protest the renewal of liquor licenses. He stated that the ordinance is written in a way that will put owners out of business.

Mr. Cleworth explained his reasons behind the changes. **Mr. Pruhs** challenged **Mr. Cleworth** to identify when the existing ordinance has failed.

Mr. Cleworth stated it failed when the Council allowed one liquor establishment to open without food service and then the following month, approved another liquor license with the condition that the establishment must provide food service.

Mayor Eberhart stated that the language to require food service is not clear; he used his parents’ sandwich shop as an example.

Mr. Pruhs stated that under the proposed ordinance, the Mecca Bar would be forced to go out of business if they do not provide food service when they renew their liquor license. He stated that the language in the ordinance is too severe and the Council should not accept it.

Mr. Cleworth stated he brought the ordinance up at the last Finance Committee meeting and commented that no one had an issue with it at that time. He offered to take the ordinance back to the Finance Committee.

Mr. Pruhs stated that the Council needs to understand the ramifications before passing the ordinance. **Ms. Huntington** concurred with **Mr. Pruhs’** request.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to POSTPONE Ordinance No. 6022 to the July 11, 2016 Regular City Council Meeting.

Mr. Gatewood stated that he will be absent for the July 11 meeting. He stated that he understands both Mr. Cleworth's and Mr. Pruhs' points of view.

Mr. Cleworth, with the concurrence of the second, moved to AMEND the motion to POSTPONE by changing the date of postponement to July 25, 2016.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6022 TO THE REGULAR MEETING OF JULY 25, 2016 AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth, Rogers

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

m) Ordinance No. 6023 – An Ordinance to Approve Funding for a Job Sharing Agreement with the UAF Fire Department. Introduced by Mayor Eberhart.

Mr. Gatewood, seconded by **Ms. Huntington**, moved to ADVANCE Ordinance No. 6023.

Mr. Gatewood, seconded by **Ms. Huntington**, moved to SUBSTITUTE Ordinance No. 6023, as Amended for Ordinance No. 6023.

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

Mr. Cleworth stated that Fire Chief Jim Styers came to him and informed him that the University of Alaska Fairbanks (UAF) is at risk of losing their code compliance officer, so he proposed the job share program as a work around. **Mr. Cleworth** stated that four permanent positions have been added to the Fire Department since Mayor Strle, and all of them were intended to be temporary positions. He spoke of his concern for grant-funded employee becoming permanent employees when grant funding dries up. He stated that he is not interested in hiring another part-time employee.

Ms. Huntington asked Deputy Fire Chief Ernie Misewicz to speak to code compliance within the City. Mr. Misewicz stated code compliance is mandated by the State; he listed all of the types of inspections performed by the Fire Department. He spoke to the history of code compliance personnel within the City.

Mayor Eberhart asked whether the individual would be a UAF employee or a City employee if the City approved funding for the job sharing position. Mr. Misewicz replied that the person would remain a UAF employee.

Mr. Matherly asked what the City charges for a fire inspection.

Mr. Misewicz replied that the City charges \$85.00 per hour for fire inspections and that he thinks the fee should be waived. He explained that a fire inspection is an educational tool which helps businesses become safer; he added that it often costs business owners a lot of money to comply.

Mr. Cleworth stated the Council needs to prioritize expenditures; he recommended that any extra funding go to Public Works for pot holes repair.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6023 AS FOLLOWS:

YEAS: Huntington, Gatewood
NAYS: Cleworth, Pruhs, Rogers, Matherly
Mayor Eberhart declared the MOTION FAILED.

DISCUSSION ITEMS

Permanent Fund Review Board (PFRB) – **Mr. Gatewood** stated that the PFRB met and discussed the RFP for investment management services. He invited everyone to attend the pre-proposal meeting that will be held Friday, June 10, 2016.

COMMUNICATIONS TO COUNCIL

a) Appointment to the Board of Plumber Examiners

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Pruhs stated that he had no comments.

Mr. Cleworth requested that an ordinance be prepared similar to the language the Borough adopted in regard to the sales tax rate on marijuana. He thanked Assembly Member Lance Roberts for giving the Council a heads up on the Borough ordinance regarding Board of Adjustment hearings. He spoke to the eroded relationship between the City and the Borough. **Mr. Cleworth** spoke to the use of City resources and the items the Mayor passed out at the last Regular Council Meeting. He asked Chief of Staff Jeff Jacobson to look into and follow-up on a pedestrian hazard in front of the Arctic Traveler's Gift Shop. He asked Deputy Chief Brad Johnson to address the possible witness Ms. Herbert spoke of during Public Testimony.

Mr. Johnson replied that the case Ms. Herbert referred to was an Alaska State Trooper case and that he could not comment.

Mr. Matherly spoke to the Clay Street Cemetery lawn maintenance contract issues and stated that the whole process turned into a mess. He spoke to the Council's decision to keep Terminal Street's name and stated that he did not speak to a single person who wanted the street name changed. **Mr. Matherly** spoke to Shannon Kumpula's letter and commented that it is distressing that so many people are leaving the City. He spoke to the importance of a leader empowering their employees. He stated it is an honor to serve with everyone on the Council.

Ms. Huntington welcomed Ms. Rogers to the Council and thanked Mr. Pruhs for calling in to the meeting. She spoke to the decisions of the Board of Adjustment and to the Borough's push to try to take the City's authority away.

Ms. Rogers thanked the Council for all of their support. She stated that she received a letter from William Biederman requesting the establishment of a drum group for incarcerated Native people. She spoke to the importance of having uplifting activities for incarcerated individuals.

Mr. Gatewood stated that he agrees that the Council needs to address the proposed Borough ordinance regarding Board of Adjustment appeals. He congratulated Joe Fields for being awarded the Alaska Distinguished Service Award and shared that Mr. Fields has done a lot of work on the Veterans Advisory Council.

CITY CLERK'S REPORT

City Clerk Snider asked Council Members to look at the marijuana license packet and consider what information the Council would like to see in future application packets.

CITY ATTORNEY'S REPORT

City Attorney Ewers congratulated the Building Code Review and Appeals Commission for all the work they did in proposing recommendations for City Building Code updates.

ADJOURNMENT

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

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

Mayor Eberhart declared the meeting ADJOURNED at 10:19 p.m.



JOHN EBERHART, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB