



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JULY 6, 2015
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 6:00 p.m. Work Session on City Road Maintenance Project Plans, 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: Ernie Misewicz, Assistant Fire Chief
 Paul Ewers, City Attorney
 D. Danyielle Snider, City Clerk
 Ben Barrio, IT Director
 Jim Soileau, Chief Financial Officer
 Randall Aragon, Police Chief
 Shannon Kumpula, Purchasing/Risk Manager
 Verg Scott, Interim Director of Public Works
 Amber Courtney, Public Information Officer
 Robert Pristash, City Engineer

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation.

CITIZEN'S COMMENTS

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated Mr. Buberger should be recognized by the Council for his attention to the City's potholes. Mr. Turney spoke to the unsolved murder of Durga Owens in Chatanika in July of 1999 and expressed his sadness for the family of the victim. Mr. Turney stated his dissatisfaction with the way Ordinance No. 5986 is being presented. Mr. Turney stated the proposed 5% sales tax within City limits is putting the cart before the horse. Mr. Turney stated that there are too many taxes involved in the sale of cannabis and questioned how much money the City will bring in. Mr. Turney stated the City

Clerk will need an armed guard if a large amount of money is brought in to pay taxes because all money paid for cannabis-related products must be paid in cash.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger confirmed that Interim Public Works Director Verg Scott is the person he is to call for reporting potholes. Mr. Buberger stated he has noticed many potholes are being filled this summer but he questioned why City employees do not fill all potholes at the same time when they were working on a particular street. Mr. Buberger commended Chief of Police Randall Aragon for his effort to repair the relationship between City residents and the Fairbanks Police Department (FPD). Mr. Buberger stated he has not heard any negative comments about Chief Aragon and that he appreciates how professional he presents himself to the public. Mr. Buberger expressed his appreciation for Chief Aragon always wearing a police uniform rather than business suits like the prior Chief of Police wore. Mr. Buberger thanked the City and the City Council for selecting Chief Aragon for the position. Mr. Buberger echoed Mr. Turney's thoughts on the unsolved murder of Durga Owens and expressed hope that Chief Aragon could help solve some of the local unsolved murders.

Mike Galante, 2027 Lakeview Terrace, Fairbanks – Mr. Galante stated he has reported a complaint to FPD but nothing has been done to correct his issue. Mr. Galante stated that a local company, Fairbanks Radiator, is dumping hazardous waste into the sewer and on the side of the road. Mr. Galante stated the sidewalk on South Cushman is buckled up six to eight inches and that it needs to be repaired.

Mr. Pruhs asked Mr. Galante the location of the property where he witnessed hazardous waste being disposed of. Mr. Galante stated it is at Cushman Street and 26th Avenue.

Mr. Matherly thanked Mr. Galante and asked if he had spoken with the owner of Fairbanks Radiator. Mr. Galante stated the owner of the company has threatened him and had him removed from his property for trespassing.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Pruhs pulled Ordinance No. 5986 from the Consent Agenda.

Mr. Cleworth pulled the Memo Regarding Fairbanks Fire Department (FFD) Driver Deployment Replacement under Communications to Council, Item 12(b).

Mayor Eberhart pulled the Regular Meeting Minutes of March 23, 2015 under Approval of Previous Minutes, Item 6(b). **Mayor Eberhart** stated the Fairbanks Firefighters Union (FFU) has not responded to the offer from the Council so he recommended that the Executive Session following the Council Meeting be canceled.

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

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

APPROVAL OF PREVIOUS MINUTES

- a) Regular Meeting Minutes of March 9, 2015.

APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of March 23, 2015

Mayor Eberhart stated there was a technical correction to the minutes and that no motion was required to make the change. He stated that the word “parody” on page five should be changed to “parity.”

No members objected to the technical correction or to the APPROVAL of the Meeting Minutes, as Corrected.

MAYOR’S COMMENTS AND REPORT

Mayor Eberhart spoke to the unsolved murders in Fairbanks and stated that he has asked Chief Aragon to compile a list that can be posted on the City website. **Mayor Eberhart** stated that unsolved homicides within the City are never closed and that new attention is being refocused on the open cases. **Mayor Eberhart** stated the Draft Environmental Impact Statement will be coming out soon for the F-35’s at Eielson and that it would be a huge boost to the community. **Mayor Eberhart** stated the F-35’s coming to the Interior would be a wonderful, once in a lifetime opportunity for the Fairbanks community. **Mayor Eberhart** stated the Mayor’s Office had been very busy and listed many meetings and events he has attended since the last Council Meeting.

UNFINISHED BUSINESS

- a) Ordinance No. 5984, as Amended – An Ordinance Amending the 2015 Operating Budgets for the Fifth Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 5984, as AMENDED.

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

Mr. Cleworth requested Chief Financial Officer Jim Soileau come forward to give a staff report. **Mr. Cleworth** stated the summary of budget changes does not match the summary of budget

changes from a few weeks ago. Mr. Soileau explained the changes were related to an International Brotherhood of Electrical Workers (IBEW) one-time payout to employees. Mr. Soileau stated he had to find a compromise between reporting transfers and federal regulations for reporting. Mr. Soileau stated that reporting all transfers is the best way to be transparent. **Mr. Cleworth** stated transfers do not affect the budget and that he would like to revisit the way they are reported.

Mr. Cleworth stated the previous year the Dispatch budget was changed to budget for overtime and asked Mayor Eberhart if he had an update of future changes. **Mayor Eberhart** stated that Dispatch is going to ask for additional money for overtime. **Mayor Eberhart** stated that there were many people in training and that trainees are not considered staff to meet the minimum staff requirements so a lot of overtime was accrued. **Mr. Cleworth** shared his concern for the large amount of overtime that is being billed for.

Mr. Walley asked Mr. Soileau if he could share information on Development Manager Patrick Smith's request for additional funds for the storage tank project at Public Works. Mr. Soileau stated he could not recall the dollar amount Mr. Smith requested at the Finance Committee Meeting in order to complete the project. **Mr. Cleworth** asked if Mr. Smith handed anything out at the Finance Committee Meeting. **Mr. Walley** replied he did not give any kind of handout at the meeting. **Mr. Pruhs** stated that if the Council fully funds the fuel tank storage project this year it will save 10-15% compared to if it is budgeted out in stages.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5984, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Cleworth, Walley, Staley, Gatewood, Pruhs
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5984, as Amended, ADOPTED.

NEW BUSINESS

- a) Ordinance No. 5985 – An Ordinance Amending Fairbanks General Code Section 2-149 to Add an Additional Requirement for Fiscal Notes. Introduced by Council Member Cleworth.

ADVANCED on the CONSENT AGENDA.

- b) Ordinance No. 5986 – An Ordinance Enacting a Retail Sales Tax on Marijuana and Referring the Ordinance for Ratification at the Next General Election. Introduced by Council Member Pruhs.

Mr. Walley, seconded by **Mr. Gatewood**, moved to ADVANCE Ordinance No. 5986.

Mr. Pruhs stated he pulled the Ordinance from the Consent Agenda because the language needs to change. **Mr. Pruhs** stated the amended version he will introduce at the next meeting will

explain the regulations of the retail sale of marijuana and it will further define the ballot verbiage.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 5986 AS FOLLOWS;

YEAS: Walley, Matherly, Gatewood, Pruhs, Cleworth, Staley
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5984 ADVANCED.

COMMUNICATIONS TO COUNCIL

- a) Memo Regarding One-time Waiver of Advertising for ITB 15-22.

ADVANCED on the CONSENT AGENDA

- b) Memo Regarding FFD Driver Deployment Replacement.

Mr. Matherly, seconded by **Mr. Gatewood**, moved to APPROVE the Memo Regarding FFD Driver Deployment Replacement.

Mr. Cleworth requested that Assistant Fire Chief Ernie Misewicz come forward for a staff report. **Mr. Cleworth** asked Chief Misewicz if it is standard operating procedure when a firefighter deploys for a year to hire a temporary replacement. Chief Misewicz stated that under normal circumstances a replacement is not hired but that in this situation the staff could train the replacement while the position was being held. Chief Misewicz stated that in the near future there are will be a few firefighter retirements and then the new recruit would already be trained. **Mr. Cleworth** asked if there would be an increase in overtime if a new driver was not hired. Chief Misewicz stated there will be increased overtime whether a driver is hired or not.

Mr. Gatewood stated he did not understand why there would be an increase in overtime if a driver was hired or not. **Mr. Gatewood** shared that he was skeptical about the memo for a driver replacement.

Mr. Cleworth stated he does not think it is fair to hire a driver for one year and then to let them go when the deployed firefighter returns. **Mr. Cleworth** spoke against the approval of the memo.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MEMO REGARDING FFD DRIVER DEPLOYMENT REPLACEMENT AS FOLLOWS:

YEAS: Staley, Matherly, Pruhs, Eberhart
NAYS: Gatewood, Cleworth, Walley
Mayor Eberhart declared the MOTION CARRIED and the Memo Regarding FFD Driver Deployment, APPROVED.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood stated he had no comments.

Mr. Walley stated he had no comments.

Ms. Staley stated she had no comments.

Mr. Matherly stated he spoke with Marc Marlow owner of the Polaris Building just prior to the Regular Council Meeting. Mr. Marlow reported he reached out to an investment corporation in Washington DC and that the Polaris Building has been put on a list of projects to be looked at.

Mr. Cleworth requested an update of the unsolved murders that have occurred within the City and asked if it was possible to schedule an update from FPD.

Mayor Eberhart asked Chief Aragon how long it would take him to compile the unsolved murder information. Chief Aragon stated he could have the information gathered prior to the next Regular Council Meeting.

Mr. Cleworth thanked Ms. Snider for the report she provided for the Council. **Mr. Cleworth** thanked Public Works and Engineering for the information they provided earlier in the meeting.

Mr. Pruhs stated he had met with Senator Lisa Murkowski and they discussed the Polaris Building. **Mr. Pruhs** stated he asked Senator Murkowski for federal funds to help tear down the building and to help redevelop downtown. **Mr. Pruhs** shared his excitement for having Senator Murkowski agree that the building needs to be taken down and consider funding of the project. **Mr. Pruhs** stated the City is being asked what kind of involvement they want on the issue of natural gas. **Mr. Pruhs** stated that 65% of the natural gas used will be by City residents.

Mayor Eberhart stated the Polaris Building needs to be attended to because it is sitting empty and it is a great location for some kind of redevelopment. **Mayor Eberhart** stated several local groups have shown interest in the property for a mixed-use development to include café's, retail shops, offices and a performing arts center.

CITY ATTORNEY'S REPORT

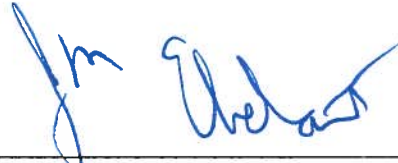
City Attorney Ewers stated he had no comments.

ADJOURNMENT

Mr. Pruhs, seconded by **Mr. Walley**, moved to ADJOURN the meeting.

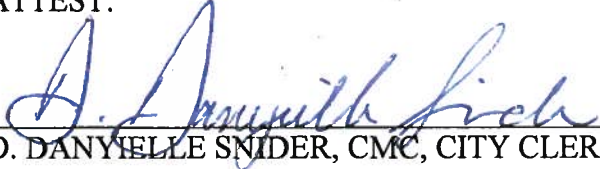
Mayor Eberhart called for objection and, hearing none, so ORDERED.

Mayor Eberhart declared the Meeting adjourned at 8:15 P.M.



JOHN EBERHART, MAYOR

ATTEST:



D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB