



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, NOVEMBER 23, 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 5:30 p.m. Work Session to discuss the 2016 Proposed City Budget, 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  
Perry Walley, Seat B  
Bernard Gatewood, Seat C  
Jim Matherly, Seat D  
Jerry Cleworth, Seat E

Absent: David Pruhs, Seat F

Also Present: Clem Clooten, Building Official  
Ernie Misewicz, Assistant Fire Chief  
D. Danyielle Snider, City Clerk  
Jim Williams, Chief of Staff  
Stephanie Johnson, Dispatch Center Manager  
Carmen Randle, Controller  
Jim Soileau, Chief Financial Officer  
Ben Barrio, IT Director  
Angela Foster-Snow, HR Director  
Randall Aragon, Police Chief  
Shannon Kumpula, Purchasing Agent/Risk Manager  
JB Brainerd, Deputy City Attorney

### **INVOCATION**

The Invocation was given by City Clerk Danyielle Snider.

### **FLAG SALUTATION**

**Mayor Eberhart** led the Flag Salutation.

### **CITIZEN'S COMMENTS**

Richard Meyer, 488 Cindy Drive, Fairbanks – Mr. Meyer stated that he worked for the City of Fairbanks for 30 years, retiring as Battalion Chief in 2012. He stated that he served on the panel to select the new Fire Chief. Mr. Meyer stated that all of the candidates were of exceptional quality but that when the interview process was over, Jim Styers stood out the most. Mr. Meyer recommended that the Council approve the appointment of Mr. Styers as the new Fire Chief.

Kevin Nelson, 1150 Range View Road, North Pole – Mr. Nelson stated he has worked for the City of Fairbanks as a firefighter and as a paramedic for the past three years. He stated that he also sat on the selection panel for the new Fire Chief and that Mr. Styers comes to the table with a high level of education. Mr. Nelson stated that Styers has medical experience, a long history of promoting diversity, and nearly 30 years of experience in the fire safety field. Mr. Nelson urged the City Council to confirm the nomination of Mr. Styers as the new Fire Chief for the City of Fairbanks.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney asked if Mr. Pruhs was absent or on the conference line.

**Mayor Eberhart** stated that Mr. Pruhs was weathered in in Tanana, Alaska and that he would not be able to attend the meeting.

Mr. Turney spoke to a 1964 Supreme Court decision regarding public debate. He voiced the importance of Americans' right to free speech and shared his disappointment that City Clerk Danyielle Snider shared a "rules of decorum" pamphlet at the previous meeting. Mr. Turney shared his belief that Ms. Snider posted the pamphlet specifically to silence his right to free speech and voiced his suspicion that she may have been put up to posting the pamphlet. He shared specific sections of the pamphlet that he thought were targeted at himself and Mr. Buberger, and he requested that the Mayor and Council take a hard look at the pamphlet that is available outside the Council Chambers. Mr. Turney wished everyone a happy Thanksgiving. He stated that he means no disrespect to Ms. Snider and added that she is a good Clerk; he stated that he thinks she was pressured to post the pamphlet.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger spoke to the death of an incarcerated man at the Fairbanks Correctional Center (FCC) and stated he would like to know why there was not an outside investigation done before the State Troopers reported no foul play. Mr. Buberger stated it was like having wolves watch the hen house and that the investigation was a joke. He stated that an independent investigation needs to take place at the Fairbanks Police Department (FPD). He stated that the motto "to protect and serve" was taken off the doors of police cars because the department is racist. Mr. Buberger stated that some of the officers should be arrested for crimes they have committed instead of being given raises. He stated his belief that the FPD is a gang of thieves and questioned how long the corruption would continue. Mr. Buberger requested that a plow truck be dispatched to Hamilton Acres to clear off the streets and speed bumps.

Scott McCrea, 2965 Westgate Place, Fairbanks – Mr. McCrea stated that he represents Explore Fairbanks and provided the Council an update on the emerging China travel industry. He stated that almost 700 tourists were expected to arrive in the near future to stay for a four-day, five-night trip. Mr. McCrea stated that the tourists would be staying in local hotels and taking part in local tourist activities, providing a big boost to the local economy. He stated that while he was working in China he met with China Airlines and that they shared their excitement with the new travel opportunity. Mr. McCrea stated that the aurora borealis put Fairbanks in the spotlight in the Chinese market and that advertising the northern lights is a promising industry. He stated that Skylar Travel and First Alaska Outdoor Schools were instrumental in attending the meetings abroad because they were able to translate into Mandarin for him. He stated that 2016 looks like

a promising year in the China travel industry. Mr. McCrea thanked the Council for reinvesting bed tax dollars with Explore Fairbanks and destination marketing.

Julie Jones, 1442 Luke Street, Fairbanks – Ms. Jones spoke in support of the Chena Riverfront Plan and stated that she was present to answer questions relating to it. She stated that she has been assigned by the City to serve as a member of the Chena Riverfront Commission (CRFC) and encouraged the Council to adopt Ordinance No. 5995. Ms. Jones stated that the CRFC has had many public meetings to ask citizens for input on what they would like to see in the Plan.

**Mr. Cleworth** thanked Ms. Jones for coming to speak on behalf of CRFC. He asked Ms. Jones to explain the regulatory policy of the plan. Ms. Jones stated that the language to modify the Fairbanks North Star Borough (FNSB) zoning code would allow more options to the riverfront influence area and would offer greater flexibility to riverfront properties in exchange for certain public amenities. She stated the specific section Mr. Cleworth is referring to was previously adopted and that there is no proposed change at the present time. Ms. Jones stated that Planning Director Christine Nelson was present to answer more questions if need be. **Mr. Cleworth** requested for Ms. Nelson to come forward to speak to his riverfront zoning questions.

Christine Nelson, 1526 Farmers Loop Road, Fairbanks – Ms. Nelson stated that drafting of the plan has been in progress for over a year and that this is the second-to-last stage of its adoption. Ms. Nelson stated that if the Council adopts the ordinance, the Plan will go before the Borough Assembly for final approval. Ms. Nelson stated that the Plan is not regulatory in nature; she stated that many zoning regulations refer to consistency with the Comprehensive Plan. She stated that any re-zone within 200-foot of the riverfront would be referred to the Chena Riverfront Plan.

**Mr. Cleworth** asked if the FNSB zoning code had already been modified to include the optional “Riverfront Influence Area” referred to under the regulatory section of the Plan. Ms. Nelson replied that she believed the FNSB code had already been changed. She stated that the CRFC does not have the power to make changes but they can refer comments to the Planning Commission and then to the Borough Assembly. **Mr. Cleworth** asked if a river setback had been included in the zoning code. Ms. Nelson stated that to her knowledge there have been no river-related setbacks put into the zoning code. **Mr. Cleworth** stated that he would like to know what the Borough zoning code language is in regard to the Riverfront Influence Area before the second reading of the ordinance.

Ms. Jones stated that any significant changes within 200 feet of the riverfront have to come before the CRFC for review. Ms. Nelson stated that the Plan would make it easy for a riverfront property owner to obtain a checklist of what a home owner or land owner would need to do in order to modify their riverfront property according to regulations.

**Ms. Huntington** stated that she is comfortable with the community process that is followed in regard to the Plan. **Ms. Huntington** asked Ms. Jones and Ms. Nelson for a brief summary of the rationale behind extending the periodic review of the Plan from five years to ten years. Ms. Nelson stated it was a matter of resources and the amount of time the process of review takes. She stated that most communities are moving to ten-year review periods because of dwindling resources. Ms. Nelson stated that the goals and policies are so broad that they do not always get

completed within a five-year period. Ms. Jones stated the CRFC inserted language that would allow the Plan to be reviewed more frequently than every 10 years if necessary.

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.

City Clerk Snider pointed out that the title of Resolution No. 4698 on the Agenda did not reflect the proper title of the actual resolution. She requested that the title on the Agenda be corrected to accurately reflect the correct title of Resolution No. 4698.

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

City Clerk Snider read the Consent Agenda into the record.

### **MAYOR'S COMMENTS AND REPORT**

**Mayor Eberhart** introduced newly-appointed Fire Chief Jim Styers and requested that he come forward to introduce himself.

Fire Chief Styers shared that he is married with two children in college. Chief Styers gave a history of his 33 years of service in the fire and emergency services fields; he shared his educational background and his credentials. Chief Styers stated that he is excited to work for the City and with the City Council. **Mayor Eberhart** asked everyone to join in welcoming Chief Styers.

**Mayor Eberhart** stated that November is Native American Heritage Month and that it is a time to acknowledge the important contributions of the Native people. **Mayor Eberhart** read aloud a Proclamation from the Office of the Mayor to recognize small businesses and stated that November 28, 2015 will be called "Small Business Saturday." **Mayor Eberhart** stated that Chief of Staff Jim Williams will be leaving the City of Fairbanks to work as the new Chief of Staff at FNSB. **Mayor Eberhart** stated that he looks forward to continued work with Mr. Williams on joint military and community projects. **Mayor Eberhart** wished everyone a Happy Thanksgiving.

### **NEW BUSINESS**

- a) Resolution No. 4698 – A Resolution to Extend the City's Contract with Alaska Permanent Capital Management as the Permanent Fund Investment Manager. Introduced by Council Member Gatewood.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 5994 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article XIII Business Licensing. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- c) Ordinance No. 5995 – An Ordinance Adopting the Goals, Policies and Objectives of the Chena Riverfront Plan. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- d) Ordinance No. 5996 – An Ordinance to Amend FGC Section 2-654 to Restrict the Transfer of Wages/Benefits to Non-Wage Accounts. Introduced by Council Members Cleworth and Matherly.

ADVANCED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

**FMATS Policy Committee** – **Mr. Walley** reported that a brief meeting was held since the last Council meeting. He stated that FMATS sent their annual request to Governor Walker asking for \$16 million in general funds. He stated that the letter acknowledged the State's fiscal challenges in moving forward. **Mr. Walley** stated that FMATS still does not have a State Transportation Improvement Plan (STIP) and that they had hoped to have it approved the previous week. He stated that FMATS approved a \$1.7 million dollar increase to the Noble Street project bringing the project total to \$10.7 million. He stated that \$800,000.00 was moved from the Old Steese/Wendell project to the Steese and 3rd project and thanked MPO Coordinator Donna Gardino for her hard work in making that happen. **Mr. Walley** stated that several projects were postponed to insure other projects get started. He stated that the State asked why FMATS requested such an increase in funds for the Noble Street project, and FMATS replied that all the water and sewer lines had to be replaced. He stated that FMATS held Chair and Vice Chair elections and that the chair was retained; he stated that Mayor Kassel was elected as Vice Chair.

**Mr. Cleworth** asked why Golden Heart Utilities was not paying for the utility upgrades on Noble Street. He expressed confusion as to why FMATS would have to increase their budget for something that a private entity should have to pay for.

**Mr. Walley** stated that he had failed to ask that question and that he would follow-up and get an answer for Mr. Cleworth.

**Hotel/Motel Discretionary Fund Committee** – **Mr. Matherly** stated the Committee had their first meeting to discuss ground rules for the upcoming round of presentations. He stated that 21 applicants have submitted applications for 2016 distribution.

## COMMUNICATIONS TO COUNCIL

- a) Clay Street Cemetery Commission Meeting Minutes of August 5, 2015

ACCEPTED on the CONSENT AGENDA.

- b) Fairbanks Diversity Council Meeting Minutes of October 13, 2015

ACCEPTED on the CONSENT AGENDA.

- c) Re-appointment to the Public Safety Commission

APPROVED on the CONSENT AGENDA.

- d) Appointment of the City Fire Chief

APPROVED on the CONSENT AGENDA.

## COUNCIL MEMBERS' COMMENTS

**Mr. Cleworth** asked City Clerk Snider if the Bill of Rights reading was going to be on the agenda for the second meeting in December; City Clerk Snider confirmed that it would be. **Mr. Cleworth** requested that City Clerk Snider place a copy of the pamphlet Mr. Turney spoke to during public testimony in each Council Member's mailbox. **Mr. Cleworth** stated he would miss Chief of Staff Jim Williams and stated he has done a wonderful job at the City. He encouraged the administration to promote within the City and he stated he hoped Deputy Chief Ernie Misewicz would continue employment with the City of Fairbanks. **Mr. Cleworth** welcomed Chief Styers to the City and wished everyone a Happy Thanksgiving.

**Mr. Matherly** shared an email from Mr. Marlow regarding the Polaris Building and the possibility of using tax credits to refurbish the structure. He echoed Mr. Cleworth's sentiments regarding Mr. Williams' departure from the City. **Mr. Matherly** shared his concerns and sadness for all the employees that have left the City over the past few years. He welcomed Chief Styers and congratulated him on being selected. **Mr. Matherly** wished everyone a wonderful Thanksgiving and encouraged volunteer work within the community.

**Mr. Gatewood** stated he had no comments.

**Mr. Walley** echoed fellow Council Members' comments on Mr. Williams' departure.

**Mr. Walley** requested to be excused from the Regular City Council Meeting of December 7, 2015.

**Mayor Eberhart** called for objection to Mr. Walley's request to be excused on December 7, 2015 and, hearing none, so ORDERED.

**Mr. Walley** congratulated Chief Styers and welcomed him to the City of Fairbanks. He wished everyone a Happy Thanksgiving.

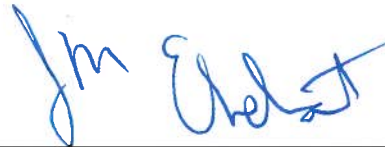
**Ms. Huntington** shared her appreciation for being sent to the Newly Elected Officials training at the Alaska Municipal League Annual Conference in Anchorage; she stated she had two full days of learning. She agreed with fellow Council Members and that she is sad to see Mr. Williams leave the City. **Ms. Huntington** welcomed Chief Styers to the City of Fairbanks and stated that she looks forward to working with him. She wished everyone a Happy Thanksgiving.

**ADJOURNMENT**

**Mr. Matherly** moved to ADJOURN the meeting.

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

**Mayor Eberhart** declared the Meeting adjourned at 8:02 p.m.



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JOHN EBERHART, MAYOR

ATTEST:



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D. DANIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB