



FAIRBANKS CITY COUNCIL
AGENDA NO. 2017-04
REGULAR MEETING FEBRUARY 27, 2017
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

PRELIMINARY MEETINGS

5:30 p.m. Work Session – Cowles Street Reconstruction

6:10 p.m. Work Session – FMATS Transportation Improvement Plan

REGULAR MEETING

7:00 P.M.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phones and electronic devices.
5. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda.
6. APPROVAL OF PREVIOUS MINUTES
 - *a) Regular Meeting Minutes of December 5, 2016
 - *b) Regular Meeting Minutes of December 12, 2016

7. SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the following Liquor License Applications for Renewal. Public Testimony will be taken and limited to five minutes.

Lic #	DBA	License Type	Licensee	Premises Address
5262	Aha Oriental Kitchen	Restaurant/ Eating Place	Moonstone, LLC	996 Blair Road
4548	Brewsters	Beverage Dispensary	Restaurant Concepts, LLC	354 Old Steese Hwy
3687	Thai House Restaurant	Restaurant/ Eating Place	Boonchoo, Inc.	412 5th Avenue
77	300 Club	Beverage Dispensary	Karen A Meadows-Sours	940 Cowles Street
4678	Fairbanks Junior Ice Dogs	Recreational Site	Fairbanks Junior Ice Dogs, Inc.	1920 Lathrop Street
426	Frontier Club	Beverage Dispensary	Boulder Investments, Inc.	No Premises
4314	Gallo's Mexican Restaurant	Beverage Dispensary	Northern Lights Business, Inc.	60 College Road
4763	Bobby's Downtown	Beverage Dispensary	Delta Epsilon, Inc.	609 2nd Avenue
3483	Fairbanks Curling Club	Beverage Dispensary	Fairbanks Curling Club, Inc.	1962 2nd Avenue
4465	Roundup Steak House	Beverage Dispensary	The Last Roundup, LLC	2701 S. Cushman St
4504	Gold Rush Deli	Beverage Dispensary	Upriver, Inc.	3399 Peger Rd, #C
2847	Bojangles	Beverage Dispensary	Scruff-N-Pork's, Inc.	1351 Cushman St
5051	Asiana Restaurant	Restaurant/ Eating Place	Young Mi Jin	2001 Airport Way

- b) Request by Tapas, Inc. President Franklin Eagle for the City Council to Revisit the Condition Placed on a Liquor License Transfer of Ownership, Location and Name Change.

NOTE: The original transfer was considered by the City Council on October 19, 2015, and the Council voted to PROTEST until a Certificate of Occupancy is issued. At that time, the Council also placed a condition on the license that food must be served at the location.

Type: Beverage Dispensary, License #4170
 To: Tapas / Tapas, Inc.
 603 Lacey Street, Fairbanks, Alaska
 From: Lavelle's Bistro / Café de Paris Catering Co.
 575 First Avenue, Fairbanks, Alaska

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Resolution No. 4768 – A Resolution Adopting a City of Fairbanks Diversity Action Plan. Introduced by Mayor Matherly. POSTPONED from the Regular Meeting of January 23, 2017.
- b) Ordinance No. 6041 – An Ordinance Amending Fairbanks General Code Sections 2-260 and 2-261 Regarding the Authorized Index Language and Asset Allocations in the City Permanent Fund Investment Policy. Introduced by Council Members Therrien, Pruhs and Norum. SECOND READING AND PUBLIC HEARING.
- c) Ordinance No. 6042 – An Ordinance Modifying the Annual General Fund Transfer from the Permanent Fund. Introduced by Council Members Therrien, Pruhs and Norum. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

- *a) Chena Riverfront Commission Meeting Minutes of December 14, 2016
- *b) Hotel-Motel Discretionary Fund Committee Meeting Minutes of December 19, 2016

13. COUNCIL MEMBERS' COMMENTS

14. CITY CLERK'S REPORT

15. CITY ATTORNEY'S REPORT

16. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 5, 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 Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Joy Huntington, Seat A
June Rogers, Seat B
Valerie Therrien, Seat C
Jerry Norum, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Clem Clooten, Building Official
Stephanie Johnson, Dispatch Center Manager
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Eric Jewkes, Deputy Police Chief
Brad Johnson, Deputy Police Chief
Jim Styers, Fire Chief
Mike Meeks, Chief of Staff
Jackson Fox, City Engineer
Jeff Jacobson, Public Works Director
JB Brainerd, Deputy City Attorney

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly led the Flag Salutation.

CITIZEN'S COMMENTS

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke in support of appointing Eric Jewkes as Police Chief and of having Teal Soden work in the Office of the Mayor. He stated it is the Mayor's obligation to ensure there is no conflict of interest or an appearance of such. He spoke to the nepotism at the Fairbanks Police Department (FPD). He spoke in favor of the Christmas bonus for FPD employees that Ms. Huntington is proposing and asked why other City employees were not offered a bonus. Mr. Turney spoke to the investigation into Chief Randall

Aragon and asked when it would be complete. He thanked the Mayor and City Clerk for organizing the reading of the Bill of Rights by elementary students at the next Council meeting.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger apologized for his behavior at the last Council meeting; he stated he did not mean to appear as if he was flipping off the Council. He stated that he was only demonstrating what one of the meeting attendees had done to him. Mr. Buberger stated that he read comments posted by Officer Ron Dupee in the News Miner stating that Buberger was confused about the wages of police officers. He spoke ill of Ofc. Dupee and spoke to how police officers are overpaid but always want more. He stated that the City Council should give all employees a \$2,000.00 bonus. Mr. Buberger requested that the City take money out of the Permanent Fund to build a public restroom.

Amy Geiger, 4400 Stanford Drive, Fairbanks – Ms. Geiger stated she is in attendance to share the 2017 Explore Fairbanks Visitors Guide. She spoke to some of the activities included in the guide.

Ms. Huntington asked if the State of Alaska produced a visitor's guide this year. Ms. Geiger replied that the State cut funding and did not produce a guide for the first time in 40 years.

Allen Wilson, P.O. Box 249, Ester – Mr. Wilson stated that the police should not get a bonus because all they do is drive around and harass people. He stated that if someone disagrees with an officer they are arrested and thrown in jail. He stated that last time he was arrested, his vehicle went into disrepair while in the City's impound yard. Mr. Wilson asked the Council to tell the police to quit beating people up when they are in jail. He stated the police can do whatever they want to someone when they are in jail with no consequence.

Floyd Terry, P.O. Box 73514, Fairbanks – Mr. Terry stated that he would like to attend the Fairbanks Diversity Council meetings but that he is a little hard of hearing. He congratulated Mayor Matherly on taking office and expressed hope for the future.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated she thinks Eric Jewkes would be a good choice for Police Chief because he does not have a wife that works at FPD. Ms. Herbert spoke against nepotism. She stated that at the last Council meeting there was talk of not having enough money, and now the Council is talking about giving the police a Christmas bonus. Ms. Herbert stated that the money could be used to build warming stations around the City. She spoke of the need to make shelters for the homeless in Fairbanks.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Therrien, seconded by **Mr. Cleworth**, moved to APPROVE the Agenda and Consent Agenda.

Ms. Therrien pulled Ordinance No. 6037, Resolution No. 4772 and Resolution No. 4773 from the Consent Agenda.

Mr. Cleworth pulled Ordinance No. 6035 and Ordinance No. 6036 from the Consent Agenda.

Mr. Pruhs pulled the Regular Meeting Minutes of August 22, 2016 from the Consent Agenda.

Mayor Matherly 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 August 22, 2016.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to APPROVE the Regular Meeting Minutes of August 22, 2016.

Mr. Pruhs spoke to the sale of City property that he believed was going to be used for a sobering center; he stated that if the property is not used as a sobering center he has a problem.

Mayor Matherly requested a Staff Report from Chief of Staff Mike Meeks. Mr. Meeks stated that Tanana Chiefs Conference (TCC) is still looking for real estate for a sobering center. **Mr. Pruhs** asked if the City was still going to sell the land. Mr. Meeks stated he would have to get back to him on that issue and asked former Chief of Staff Jeff Jacobson to speak to the issue. Mr. Jacobson stated Victor Joseph came to the City to ask for the land because of the growing need for care of residents in the Interior region. Mr. Jacobson stated that TCC is committed to providing services to the community to meet their health care needs. **Mr. Pruhs** stated the sale of the land was for the purpose of building a sobering center that would be in close proximity to the clinic and healthcare workers.

Mayor Matherly called for objection to APPROVING the Regular Meeting Minutes of August 22, 2016, and hearing none, so ORDERED.

SPECIAL ORDERS

a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership:

Type: Restaurant/Eating Place, License #4941
To: Seoul Gate Restaurant/Seoul Gate, Inc.
958 Cowles Street, Fairbanks, Alaska
From: Seoul Gate Restaurant/Chong Pak
958 Cowles Street, Fairbanks, Alaska

Mr. Pruhs, seconded by **Ms. Therrien** moved to WAIVE PROTEST on Liquor License Application for Transfer of Ownership.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Norum, Therrien

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership and Name Change:

Type: Restaurant/Eating Place, License #4344

To: Chiang Mai Restaurant/Chiang Mai Restaurant, LLC
338 Old Steese Highway, Fairbanks, Alaska

From: Siam Dishes/Air Choummittaphanh & Southsakone Pheunmany
338 Old Steese Highway, Fairbanks, Alaska

Ms. Huntington, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership and Name Change.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP AND NAME CHANGE AS FOLLOWS:

YEAS: Norum, Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly stated that he has hired Teal Soden as the City's Public Information Officer (PIO)/Executive Assistant. He spoke to Mr. Turney's concerns of nepotism at FPD and assured him everyone in the building has been briefed about issues relating to conflicts of interest. He spoke to the Aragon investigation and reported that AML/JIA has said the report will be available soon. He stated that a great deal of thought and input went into the decision to appoint Eric Jewkes as the Police Chief. **Mayor Matherly** stated that the decision was difficult given the quality of the two top candidates. He asked the Council to approve the appointment.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to CONCUR WITH THE RECOMMENDATION to appoint Eric Jewkes as the Police Chief.

Mr. Pruhs asked Deputy Chief Jewkes to come forward to answer some questions. **Mr. Pruhs** asked if there will be any internal issues between the other candidate and him if he is appointed as Chief. Deputy Chief Jewkes stated that he does not foresee any issues; he stated that he and Deputy Brad Johnson agree that their primary obligations are to the department. **Mr. Pruhs** asked Deputy Chief Jewkes if he would make a promise to remain the Police Chief as long as he is a Council Member. Deputy Chief Jewkes replied that he plans to remain the Police Chief long after Council Member Pruhs' term ends.

Ms. Therrien asked Deputy Chief Jewkes about his plan to increase diversity among the staff at FPD. Deputy Chief Jewkes stated that FPD recently hired a female who began her first day of field training earlier that day. He stated that the department's first goal is to hire qualified applicants, and diversity is secondary.

Mr. Norum wished Deputy Chief Jewkes all the best. He spoke to the importance of diversity at FPD and asked how many vacancies there are currently. Deputy Chief Jewkes stated there are seven vacancies and more to come in December and early in 2017. **Mr. Norum** asked what kind of outreach is in place to help increase diversity. Deputy Chief Jewkes replied that FPD is very aggressive in recruitment, even visiting the Lower 48 to look for applicants. **Mr. Norum** asked about the morale at FPD. Deputy Chief Jewkes stated that there are two major issues: leadership and the unfunded PSEA contract.

Ms. Huntington congratulated Deputy Chief Jewkes on his nomination and stated that her mother asked her to pass on congratulations as well. She asked Deputy Chief Jewkes what his vision is for continuing to build relationships with the community. Deputy Chief Jewkes stated that the whole department is dedicated to the philosophy of community policing and that they will sit down and create a plan for those efforts to continue; he reiterated that the current focus is on hiring.

Mr. Cleworth stated that he had the opportunity to work with Deputy Chiefs Jewkes and Johnson when he was Mayor; he stated that Mayor Matherly had a tough choice to make between the two candidates. **Mr. Cleworth** commended Deputy Chief Johnson for taking the leadership role during the shooting and eventual death of Sergeant Allen Brandt. He stated that he supports hiring from within and that the media nowadays makes people hesitant to become police officers. He congratulated Deputy Chief Jewkes and wished him the best.

Mr. Norum thanked Deputy Chief Johnson for picking up the leadership role that was necessary in recent months. He stated he has always been impressed with Deputy Chief Jewkes' commitment to policing and that Mayor Matherly's decision must have been a difficult one.

Ms. Huntington thanked both Jewkes and Johnson for their ongoing leadership; she stated that the feeling of brotherhood is strong at FPD.

Mayor Matherly stated he has had a lot of time to work with the FPD over the past few months and stated that Fairbanks has an excellent police force. He stated that it is time for the City to support the police.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CONCUR WITH THE RECOMMENDATION TO APPOINT ERIC JEWKES AS THE POLICE CHIEF AS FOLLOWS:

YEAS: Rogers, Norum, Therrien, Pruhs, Cleworth, Huntington

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

NEW BUSINESS

- a) Ordinance No. 6034 – An Ordinance Establishing a Claims, Judgments and Mitigation Insurance Special Revenue Fund. Introduced by Council Member Cleworth.

ADVANCED on the CONSENT AGENDA.

- b) Ordinance No. 6035 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the Public Safety Employees Association. Introduced by Council Members Therrien and Norum.

Ms. Therrien, seconded by **Ms. Norum**, moved to ADVANCE Ordinance No. 6035.

Mr. Cleworth stated there are two conflicting proposals in front of the Council dealing with salaries at FPD, Ms. Therrien's ordinance and Ms. Huntington's resolution. He stated that the Council needs to choose a direction; he added that a reduced workweek is a major problem because it is dangerous for the Council and the department. **Mr. Cleworth** stated the contract Ms. Therrien wants to ratify is not affordable. He stated that if the Council moves forward with the contract it will leave nothing in the General Fund and no forward funding to deal with other projects, including the contamination issue. **Mr. Cleworth** stated that under Ms. Huntington's proposal, there is a mechanism for a bonus and a 4% increase that is sustainable. He referenced the section of the Charter that speaks to the Council's obligation to pass a balanced budget; he stated that Ordinance No. 6035 would not make that possible.

Mr. Pruhs handed out a list of how the City could fund the PSEA contract; the handout listed 11 positions that would have to be cut from City Hall and Public Works.

Ms. Huntington stated that she would be willing to postpone her resolution to the next Regular Council meeting.

Ms. Therrien stated that she hopes the resolution could be postponed so that the Council could discuss the 4% increase at the next Finance Committee meeting.

Chief of Staff Mike Meeks stated that he sent a note to the PSEA on November 30, but they responded by stating that conversations need to occur between the attorneys involved.

City Attorney Paul Ewers stated that the PSEA attorneys had Unfair Labor Practices (ULPs) issues with the proposed ordinance or resolution. He stated, however, that they made no promises about an increase or a bonus being counted as credits if they prevail in the appeal.

Ms. Therrien asked Mr. Ewers if he could get an answer on whether the proposed 4% increase could be used as credit toward contract funding. Mr. Ewers stated that he could address the issue with PSEA.

Mr. Pruhs spoke against Ordinance No. 6035. He stated that in order to fund the contract, 11 positions must be terminated; he reiterated how significant the situation is.

Mr. Cleworth spoke against advancing the ordinance.

Ms. Huntington stated over the past month and a half she has been on a crusade trying to find a way to fund the PSEA contract without creating a major budget crisis. She stated that she does not see how to fund the contract without increasing revenues; she added, however, that employees need to be fairly compensated. **Ms. Huntington** stated that funding the contract will cause an immediate financial bleed which would not be sustainable or fair to the other unions.

Ms. Rogers echoed Ms. Huntington's thoughts and stated that she does not have a definitive answer to the problem. She stated she does not agree with drastically cutting personnel in order to fund the PSEA contract. She stated that the Council and the PSEA need more concentrated time to deal with such a complex issue.

Ms. Therrien asked the Council to advance the ordinance to see if Mr. Ewers can get approval from the PSEA to have the 4% increase credited towards the contract when it is funded.

Mr. Norum stated the ordinance is balanced because it uses unspent money from the budget to fund future costs. He stated that the Council needs to get away from bad faith bargaining and do what is right for the FPD. He stated that he would like to work with the Council to find a new revenue stream in order to fund the PSEA contract.

Ms. Rogers asked Mr. Cleworth how his comments on an unbalanced budget contrast with the comments of Mr. Norum.

Mr. Cleworth stated that in the 1980's the Council passed unbalanced budgets and it got the City into a lot of trouble; he stated that the citizens voted to put the balanced budget language in the Charter. **Mr. Cleworth** stated that if the Council adopts the Ordinance No. 6035, there is a liability for the terms of the contract for the years 2014 and 2015. He stated that the Council worked hard to comply with the Charter requirement and reach a bottom line of \$300,000.00.

Mr. Norum stated that the Council should evaluate new possibilities for new revenue so that each year there is not such a budget crunch. He stated that the work Ms. Therrien has done takes care of right now but it does not take of the future.

A ROLL CALL VOTE WAS TAKE ON THE MOTION TO ADVANCE ORDINANCE NO. 6035 AS FOLLOWS:

YEAS: Therrien, Norum
NAYS: Pruhs, Huntington, Cleworth, Rogers
Mayor Matherly declared the MOTION FAILED.

- c) Ordinance No. 6036 – An Ordinance Amending the 2016 Operating and Capital Budgets for the Fourth Time and Ratifying Some Terms of the 2014 PSEA CBA. Introduced by Council Member Therrien.

Ms. Therrien, seconded by **Mr. Norum**, moved to ADVANCE Ordinance No. 6036.

Mr. Cleworth spoke to the problem of forward funding projects out of the General Fund; he recommended that the Council not advance Ordinance No. 6036. He stated that revenue sharing has dried up creating an even worse budget situation. **Mr. Cleworth** stated that if the contract is funded it not only puts the City in the hole financially but also leaves no money for the soil remediation project.

Ms. Therrien asked the Council to advance Ordinance No. 6036 so that Mr. Ewers could find out if the PSEA will allow the 4% increase to be credited towards the contract.

Mr. Pruhs spoke against advancing Ordinance No. 6036. He stated that reserves do not increase with department vacancies and that funds do not carry over year-to-year in the budget.

Ms. Huntington stated she was traveling and missed the last Finance Committee meeting. She requested a staff report from Chief Financial Officer (CFO) Carmen Randle regarding the numbers. Ms. Randle stated that the numbers she provided are based on what the City paid year-to-date in 2016. She stated that the figures are reflective of how the department is currently staffed. She asked members to imagine that FPD was at full staffing, and she stated that the cost would increase. She stated that the City does not have enough money to fund the ordinance.

Ms. Rogers asked Ms. Therrien to explain what her expectations would be after hearing back from Attorney Ewers. **Ms. Therrien** stated she was hoping that the money spent by funding Ordinance No. 6036 could be credited toward the litigated PSEA contract.

Mr. Norum asked if the City has the ability to pay for full staffing at FPD in 2017. Ms. Randle stated that the 2017 budget is based on full staffing.

Mr. Pruhs stated that at the last budget meeting a critical look was taken at future City revenues and that there is a net revenue decrease from the previous year. He stated that the Council is somewhat limited on what they can do with revenues, and it would take a vote of the people to increase tax revenues.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6036 AS FOLLOWS:

YEAS: Therrien, Rogers, Norum
NAYS: Pruhs, Huntington, Cleworth, Matherly
Mayor Matherly declared the motion FAILED.

- d) Ordinance No. 6037 – An Ordinance Adopting the 2017 Operating and Capital Budgets. Introduced by Mayor Matherly.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to ADVANCE Ordinance No. 6037.

Ms. Therrien stated there is a 4% increase for the police in the 2017 budget. She asked Ms. Randle whether the police would receive a 14% increase if the ordinance passed and the contract was ratified. Ms. Randle deferred the question to Mr. Ewers. Mr. Ewers stated that it would depend on whether the PSEA would allow the 4% to be a credit towards the contract.

Mr. Pruhs stated that when it was discussed it was a mutually-exclusive item; he stated that FPD employees deserve an increase.

Ms. Huntington asked Mr. Ewers how soon he would know whether the PSEA would allow the increase to be a credit toward the contract. Mr. Ewers stated he hopes to receive an answer before the next City Council meeting. **Ms. Huntington** asked whether the City could take away the 4% increase if the PSEA wins the court case and receives a 10% increase. Ms. Randle stated that she has never seen an increase taken away from a City employee. Mr. Ewers stated it is possible in theory but that he has never seen it happen.

Mr. Cleworth stated it happened many years ago when employees were 100% funded on their medical premiums. He stated that if the court's ruling favors the PSEA, the dollar amount owed will exponentially grow because of the amount of time passed; he stated that the City will be in a non-funding position if that happens. He spoke in favor of the 4% increase.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6037 AS FOLLOWS:

YEAS: Huntington, Norum, Therrien, Pruhs, Cleworth, Rogers
NAYS: None
Mayor Eberhart declared the MOTION CARRIED.

- e) Resolution No. 4771 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the 2016 FMATS Improvements Program Surface Upgrades Project. Introduced by Mayor Matherly.

PASSED and APPROVED on the Consent Agenda.

- f) Resolution No. 4772 – A Resolution Authorizing the City of Fairbanks to Provide a Bonus to PSEA Employees. Introduced by Council Member Huntington.

Ms. Huntington, seconded by **Mr. Pruhs**, moved to APPROVE Resolution No. 4772.

Ms. Huntington stated that everyone wants forward progress with the PSEA contract and that it has been hard to be a new Council Member with such a major dispute already underway. She thanked Mayor Matherly for meeting with the PSEA representative in Anchorage to discuss an increase. She stated that the proposed bonus has no strings attached; she added that she would like to do something positive for PSEA members.

Mr. Pruhs stated that he agrees with Ms. Huntington; he congratulated the Council for working so hard on the 2017 budget. He stated that the Council went back twice to the budget table just for PSEA and that the bonus is the right thing to do. **Mr. Pruhs** stated that the employees deserve more but that this is all the City can afford.

Mr. Cleworth stated that during public testimony someone suggested every employee should get the same bonus. He stated that City Code states that all bargaining units are to be treated similarly. He explained that since 2014, IBEW employees and AFL-CIO employees have seen increases, but PSEA employees have had no increases due to litigation. **Mr. Cleworth** stated that the PSEA bonus is deserved because they have not had an increase in several years.

Ms. Randle stated that she believes a few officers have joined the force since the ordinance was drafted; she asked if everyone on the payroll at the date of the check would receive the bonus. **Mayor Matherly** stated everyone on the payroll would receive the bonus.

Ms. Rogers expressed agreement that the bonus is a positive direction for the Council to take.

Mayor Matherly clarified that the bonus does not stop further negotiation with PSEA and that it is time to mend relationships. He stated with a new leader at FPD morale has improved but that the contract still needs attention.

Mr. Cleworth pointed out that the wage figures Mr. Buberger quoted in his public testimony are the total package rate not the officers' take home pay.

Attorney Ewers recommended that the total dollar amount of the bonus and the effective date be specified in the resolution for clarification and historical purposes.

Mr. Pruhs, seconded by **Mr. Norum**, moved to AMEND Resolution No. 4772 by adding the dollar amount and the effective date to the "NOW THEREFORE" statement.

Members discussed how to define the effective date. They reached a consensus that every PSEA employee on the City payroll the date the check is cut would receive the bonus.

Mr. Norum spoke in support of the bonus, and he stated he would vote in favor of Resolution No. 4772.

Ms. Therrien requested that all Council Members be added as sponsors Resolution No. 4772. No members objected to the request.

Ms. Randle pointed out that Deputy Chief Jewkes may not get a bonus check since he will no longer be a PSEA member once appointed as the Police Chief. She suggested that the effective date be changed to accommodate him.

No members objected to amending the effective date so that all those who were PSEA employees on the effective date of the resolution (December 5) would receive a bonus.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4772 AS FOLLOWS:

YEAS: Norum, Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4772, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Norum, Therrien

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4772, as Amended, APPROVED.

g) Resolution No. 4773 – A Resolution Stating the City of Fairbanks Capital and Legislative Priorities for 2017. Introduced by Mayor Matherly.

Ms. Therrien, seconded by **Mr. Norum**, moved to APPROVE Resolution No. 4773.

Mr. Pruhs, seconded by **Mr. Norum**, moved to AMEND Resolution No. 4773 to STRIKE “HB 4002” from Item 5 of the resolution.

Mr. Pruhs explained that HB 4002 is no longer an active bill in the legislature.

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

Ms. Therrien, seconded by **Ms. Huntington**, moved to AMEND Resolution No. 4773 by adding new Item #8 to read, “Balancing the State budget by finding new State revenues.”

She requested that the new item be moved to the top of the legislative priority list. She spoke to the discussion at the AML conference regarding State revenues. Members discussed the order of priority of legislative priorities.

Mr. Cleworth stated he did not think that the State should only look at new revenue sources to balance the budget; he commented that the State should also be keeping a close watch on expenses. He stated that there are areas where the State could cut spending, and he used the salaries of University Presidents as an example.

Mr. Pruhs and **Mr. Norum** expressed support for Ms. Therrien’s amendment.

Ms. Huntington stated that she likes the language emphasizing the need for new State revenue sources.

Ms. Rogers stated that the goal of supporting new revenue is not necessarily the same issue as balancing the budget.

Mr. Norum spoke to the importance of new economic development.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to AMEND the amendment by adding the language “while concurrently keeping a close watch on expenses.”

Ms. Huntington suggested separating the priorities into two separate items.

Mayor Matherly stated that the priorities need to be concise.

Mr. Norum stated that all legislators are trying to find ways to cut expenses. **Mr. Cleworth** disagreed; he stated that some legislators are focused only on revenues and some only on expenditures.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE AMENDMENT BY ADDING THE LANGUAGE “WHILE CONCURRENTLY KEEPING A CLOSE WATCH ON EXPENSES” AS FOLLOWS:

YEAS: Cleworth
NAYS: Huntington, Norum, Therrien, Pruhs, Rogers
Mayor Matherly declared the MOTION FAILED.

Ms. Rogers, seconded by **Mr. Cleworth**, moved to AMEND the amendment by striking the words “balancing the State budget by”.

Ms. Rogers, with the concurrence of the Second, added the word “sources” after the word “revenue” to her motion to amend.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE AMENDMENT BY STRIKING THE LANGUAGE “BALANCING THE STATE BUDGET BY” AND BY ADDING THE WORD “SOURCES” AS FOLLOWS:

YEAS: Cleworth, Rogers, Huntington, Norum
NAYS: Pruhs, Therrien
Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Norum**, moved to AMEND the amendment by changing the priority number of the new Item from 8 to 2 and by renumbering the other items accordingly.

Ms. Randle informed the Council that the top two priorities for AML and other municipalities in the State were to maintain current PERS contribution rates and to preserve municipal revenue sharing. She stated that the City of Fairbanks usually concurs with AML's priorities, and she asked the Council to consider keeping those two items at the top of the list.

Ms. Therrien, with the concurrence of the Second, WITHDREW the motion to amend the amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4773 BY ADDING NEW ITEM #8 TO READ, "FINDING NEW STATE REVENUE SOURCES" AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Norum, Huntington, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Ms. Huntington**, moved to AMEND the amendment by changing the order of prioritization so that Item 2 is moved to Item 1, Item 3 is moved to Item 2, new Item 8 is moved to Item 3, Item 1 is moved to Item 4, and Items 4 – 7 are renumbered to follow in the same sequence.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4773, AS AMENDED, BY CHANGING THE ORDER OF PRIORITIZATION AS MOTIONED ABOVE AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Norum, Huntington

NAYS: Cleworth

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4773, AS AMENDED, AS FOLLOWS:

YEAS: Rogers, Norum, Therrien, Pruhs, Cleworth, Huntington

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4773, as Amended, APPROVED.

Mayor Matherly called for a five minute recess.

DISCUSSION ITEMS

a) Committee Reports

Polaris Workgroup – **Mr. Pruhs** stated that the next meeting would be held at 3 p.m. on December 8 at the Explore Fairbanks Chamber.

Explore Fairbanks Board of Directors – **Mr. Norum** stated that he met with the Chair of the Board because he was unable to attend the last meeting. He stated that he is excited about serving as the City representative to the Board.

Opioid Task Force – **Ms. Rogers** stated that she understands that the Opioid Task Force is not an official City committee but that she finds it important to attend the meetings. She spoke to a survey being done by The Goldstream Group; she stated that she has already met with Mayor Matherly and plans to meet with Mayor Ward and Mayor Kassel to discuss leadership roles that will help remedy the opioid and heroin problem in the community.

Mr. Norum stated he would like to see the minutes from the Opioid Task Force meetings. **Ms. Rogers** stated the Mental Health Trust is doing the minutes but that she feels compelled to share information with the Council.

COMMUNICATIONS TO COUNCIL

- a) Memo Regarding Proposed Changes to the TCC Land Sale Agreement, Paragraph 4.4

APPROVED on the CONSENT AGENDA.

- b) Memo Regarding the City of Fairbanks 2016 Auditing Services Contract

APPROVED on the CONSENT AGENDA.

- c) Reappointment to the Building Code Review & Appeals Commission

APPROVED on the CONSENT AGENDA.

- d) Appointment to the Hotel-Motel Discretionary Fund Committee

APPROVED on the CONSENT AGENDA.

- e) Memo Regarding City Representation on the FNSB Planning Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Pruhs stated he had no comments.

Mr. Cleworth stated he had no comments.

Mr. Norum thanked the Council for the good work.

Ms. Huntington commended everyone and thanked Ms. Randle for all the hard work that went into preparing the 2017 City budget.

Ms. Rogers stated she would be physically absent from the next Regular Council Meeting but that she would be calling in. She asked if she needed to call in to the Finance Committee meeting the following morning. **Mayor Matherly** stated she did not need to call in for the Finance Committee meeting. **Ms. Rogers** expressed disappointment that she will miss the meeting with Interior Delegates the following day; she stated that she has already personally written to each delegate and has asked Ms. Therrien to deliver them.

Ms. Therrien asked if there was going to be a City Christmas party for all the employees. **Mayor Matherly** stated there will be a Christmas party on December 22, 2016 at City Hall. **Ms. Therrien** expressed concern that the City still has not received the report on the investigation into former Police Chief Randall Aragon.

Mr. Norum stated the party is a wonderful idea and asked if North Pole City Council Member, Santa Claus, would be able to attend.

Mayor Matherly thanked all of the public safety employees who responded to the tragedy that recently occurred at the Hampton Inn. He stated the event made national news, and it was handled professionally by all those involved. He expressed pride in serving as Fairbanks Mayor.

Ms. Rogers spoke to the suicide of one of her employees from McCafferty's, and she shared the importance of regular human contact. She reminded everyone to be kind to their neighbors and do their best to lift the spirits of others.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Negotiations and the Fairbanks Firefighters Union (FFU) Arbitration.

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

Mayor Matherly called for a brief recess.

EXECUTIVE SESSION

- a) Labor Contract Negotiations
- b) Fairbanks Firefighters Union (FFU) Arbitration
- c) The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations and the FFU Arbitration. Direction was given to staff and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 11:27 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB

DRAFT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 12, 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 Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Joy Huntington, Seat A
June Rogers, Seat B (Telephonic)
Valerie Therrien, Seat C
Jerry Norum, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Clem Clooten, Building Official
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Angela Foster-Snow, HR Director
Carmen Randle, Chief Financial Officer
Eric Jewkes, Police Chief
Jim Styers, Fire Chief
Greg Foster, Police Officer
Doug Welborn, Police Officer
Bonnie Nolan, Lead Dispatcher
Yumi McCullough, Administrative Assistant
Martha Jewkes, Front Desk Clerk

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly led the Flag Salutation.

READING OF THE BILL OF RIGHTS

Ms. Megan Schreder's fifth grade class from Arctic Light Elementary School read aloud the Bill of Rights.

After the reading of the Bill of Rights, Mayor Matherly called for a brief recess to have some cake provided by Frank Turney.

CITIZEN'S COMMENTS

Brittany Smart, 809 Pioneer Way, Fairbanks – Ms. Smart reported that the Recycling Center project is moving forward and that the Assembly is continuing negotiations with the University of Alaska Fairbanks (UAF) on a lease. She stated that the Assembly passed Resolution No. 2016-60 to support the City of Fairbanks in assessing the contamination levels in the Polaris Building. Ms. Smart relayed Mayor Kassel's wish to recognize Building Official Clem Clooten for his expertise and participation in the Mayor's Code Enforcement Group. Ms. Smart wished everyone a happy holiday.

Victor Buberger, P.O. Box 58192 – Mr. Buberger thanked the students for reading the Bill of Rights, and he wished everyone a Merry Christmas. He wished new Police Chief Eric Jewkes the best of luck. He asked the Council to make public restrooms their New Year's resolution.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney thanked the students for coming to the meeting to read the Bill of Rights. He stated it is the 225th anniversary of the Bill of Rights and spoke to its history. He wished everyone a Merry Christmas.

Mr. Pruhs stated that the Bill of Rights should be posted in the Council Chambers. Mr. Turney agreed.

Meagan Scheer, 1845 Caribou Way, Fairbanks – Ms. Scheer stated she is the Vice Chair of the Housing and Homeless Coalition; she spoke to the economic challenges of living in Fairbanks. She stated that she has worked with the coalition over the past five years and shared the importance of having a full-time employee to continue to move forward with their goals. She stated that the coalition would also like to establish sobering centers in Fairbanks.

Mr. Cleworth asked Ms. Scheer if the coalition is a non-profit organization or just a gathering of various groups. Ms. Scheer stated that it is a gathering of people and that they are not a 501(c)(3); she stated that the North Star Community Foundation is the group's fiscal agent.

Christopher McClain, 726 27th Avenue, Fairbanks – Mr. McClain stated that he is the Reentry Coalition Coordinator at the Fairbanks Rescue Mission and that he is in attendance to speak to the need for a housing and homeless coordinator. He stated that the family community at the rescue mission is a beautiful thing, and he shared that he eats lunch with the group every day. Mr. McClain spoke to the efforts of community members and organizations to help with the homeless and housing problem in Fairbanks. He stated he is where he is supposed to be even though he deals with difficult issues every day. He thanked the Council for their service and asked them to support the housing and homeless coordinator position.

Kelvin Lee, 253 Romans Way, Fairbanks – Mr. Lee stated he is the Chair of the Homeless Coalition and the President of No Limits, Inc., a reentry program in Fairbanks. He spoke to the importance of all organizations working together with a common goal and the importance of the housing and homeless coordinator position.

Marylee Bates, 1290 Saint Anton Drive, Fairbanks – Ms. Bates stated that she is the Director of Fairbanks Youth Advocates and that her organization operates The Door. She stated that she is

also a member of the Homeless Coalition. She urged the City Council to approve Resolution No. 4774 and spoke to the importance of a housing and homeless coordinator position at the City.

Pete Pinney, 814 6th Avenue, Fairbanks – Mr. Pinney stated that he is the Chair of the Fairbanks North Star Borough Health and Social Services Commission and the Volunteer Director for the North Star Community Foundation. He stated that over the years he has housed three different homeless teens who have transitioned into independent, self-sufficient individuals. He spoke in support of the housing and homeless coordinator position at the City.

Karen Taber, 3410 Rosie Creek Road, Fairbanks – Ms. Taber stated she represents the Fairbanks Wellness Coalition and that she fully supports the housing and homeless coordinator position. She stated that she understands the importance of having a full-time coordinator in place because she is a coordinator. She stated it is very cold outside and that it is time to end homelessness. She stated she fully supports the position and encouraged the Council to pass the resolution.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson stated she is the interim coordinator for the Housing and Homeless Coalition, and she spoke to the importance of having a full-time coordinator position because it would facilitate the needs of the community. She shared that she volunteers for the coalition because it is no longer grant-funded through the Center for Non-Violent Living. Ms. Carlson stated she was supposed to phase out of the position in October of 2016, but that she could not drop it because it is too important for the community. She stated a Volunteers in Service to America (VISTA) position is being filled in March of 2017 that will fall under the City of Fairbanks' new position. She spoke to what a huge asset it will be to the community.

Mr. Norum thanked Ms. Carlson for the work she has done in helping the community. He asked how many lives are lost each winter due to homelessness. Ms. Carlson stated that there are 398 people who have applied for housing in Fairbanks and have not yet been housed. She stated another member of the coalition may have a better answer as to how many deaths have been attributed to homelessness. **Mr. Norum** shared his shock that the statistic of deaths due to homelessness is not known.

Mr. Pruhs stated that he would like to ensure that the position is for a fixed, three-year term. Ms. Carlson stated that there has been discussion as to whether the position will be a City employee or a contracted position.

Mr. Norum stated that together the City and Borough can make the housing and homeless coordinator position work. Ms. Carlson reported that she has spoken with the Borough, and they are willing to help at some level. She stated she would not push so hard for the position if it would not be sustainable.

Brittany Smart, 809 Pioneer Way, Fairbanks – Ms. Smart stated that as a Second Class Borough, funding a position like this would have to be authorized by the voters. She stated that the VISTA position at the Borough would be able to help the housing and homeless coordinator.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Matherly pulled Resolution No. 4774 from the Consent Agenda.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to ADD Hand-Carried Resolution No. 4776 to the Agenda.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADD HAND-CARRIED RESOLUTION NO. 4776 TO THE AGENDA AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Cleworth, Norum, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Mayor Matherly called for objection to APPROVING the Agenda, as Amended, 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 September 12, 2016.

APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly thanked the public for showing up to testify and commended City employees for their hard work. He spoke to how wonderful City employees are and to how humbled and honored he is to be City Mayor. **Mayor Matherly** spoke to changes he is going to propose to City Council meetings. He spoke to the City Christmas party that would take place in Council Chambers on December 22, 2016 in the afternoon. He stated he supports the housing and homeless coordinator position, and he wished everyone a Merry Christmas.

UNFINISHED BUSINESS

a) Ordinance No. 6034 – An Ordinance Establishing a Claims, Judgments and Mitigation Insurance Special Revenue Fund. Introduced by Council Member Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6034.

Mayor Matherly called for Public Testimony.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney asked Mr. Cleworth what the word “judgments” means in the ordinance.

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

Mr. Cleworth explained that claims and judgments come from the General Fund until they are reimbursed by a recovery of funds the following year in the tax cap. He explained that the ordinance would create a special fund for claims and judgments.

Mr. Norum spoke in support of Ordinance No. 6034.

Ms. Rogers thanked Mr. Cleworth for his simple explanation of the ordinance and spoke in support of the ordinance.

Mr. Norum asked City Attorney Paul Ewers if there was any legal situation that could arise relating to the tax cap. Mr. Ewers replied that he did not see any potential issues.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6034 AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Norum, Huntington, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6034 ADOPTED.

- b) Ordinance No. 6037 – An Ordinance Adopting the 2017 Operating and Capital Budgets. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Norum, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6037.

Ms. Therrien, seconded by **Ms. Huntington** moved to SUBSTITUTE Ordinance No. 6037, as Amended, for Ordinance No. 6037.

Mayor Matherly called for objection to the SUBSTITUTION and, hearing none, so ORDERED.

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

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to AMEND Ordinance No. 6037, as Amended, by reducing the budget for lobbyist services (account #5501) by \$10,000.00.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION AMEND ORDINANCE NO. 6037, AS AMENDED, BY REDUCING THE BUDGET FOR LOBBYIST SERVICES (ACCOUNT #5501) BY \$10,000.00 AS FOLLOWS:

YEAS: Huntington, Norum, Therrien, Pruhs, Cleworth, Rogers
NAYS: None
Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien requested a Staff Report on the salary of Fire Chief Jim Styers. **Mayor Matherly** asked Chief of Staff Mike Meeks and Chief Financial Officer Carmen Randle to come forward to speak to the issue.

Mr. Meeks stated that Chief Styers' wage should be bumped up to \$119,000.00 because of his 23 years of experience. Ms. Randle stated the actual wage would be \$118,914.00. Mr. Meeks suggested that the Deputy Chief hiring could be moved back to July 1, 2017.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6037, as Amended, by increasing the Fire Chief's wage to \$118,914.00 and by moving the date to fill the Assistant Chief position to July 1, 2017.

Ms. Huntington asked Chief Styers to address the importance of the Assistant Fire Chief position. Chief Styers stated that it will be difficult for his department to go until July 1 without an Assistant Fire Chief because it will increase everyone's duties until then. He stated that he does not want the position to be eliminated.

Ms. Therrien requested an update on the financial aspect of Chief Styers' increase and the delay in filling the Assistant Chief position. Ms. Randle stated that pushing the hiring back three months saves the City money and allows for the Chief's pay increase.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6037, AS AMENDED, BY INCREASING THE FIRE CHIEF'S WAGE TO \$118,914.00 AND BY MOVING THE DATE TO FILL THE ASSISTANT CHIEF POSITION TO JULY 1, 2017 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Norum, Therrien
NAYS: None
Mayor Matherly declared the MOTION CARRIED.

Mr. Cleworth stated he is uncomfortable with the small bottom line of the 2017 budget. He stated that the Council continues to add positions to fund. **Mr. Cleworth** stated he will vote for the ordinance but commented that the Council needs to keep an eye on expenditures.

Mr. Norum asked how many vacancies there are between the Fire and Police Departments. Staff reported that there are 11 vacancies at FPD and 3 at the Fire Department.

Ms. Therrien stated Mr. Cleworth's concerns are valid but that something has to be done to keep police officers from leaving the City.

Mr. Norum stated that vacancies result in inflated overtime costs.

Mayor Matherly stated that Chief Jewkes has indicated that it is FPD's goal to bring the department to full staff in 2017.

Ms. Huntington commended everyone for their hard work getting the 2017 budget prepared; she stated that the Council needs to give some attention to a future decline in revenues.

Mr. Pruhs stated that the City will make it through the year because of everyone's hard work on the 2017 budget.

Ms. Rogers thanked everyone for all the attention that was given to the 2017 budget.

Mr. Cleworth asked how to ensure that Sergeant Allen Brandt's family is included in the \$2,000.00 Christmas bonus. Ms. Randle stated that there is enough in the budget to fund a bonus for the Brandt family; she stated that the Council will have to decide whether to grant the bonus.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6037, as Amended, by increasing the Police Department wage account #5001 by \$2,000.00 so a bonus can be paid to the family of Sergeant Allen Brandt.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6037, AS AMENDED, BY INCREASING THE POLICE DEPARTMENT WAGE ACCOUNT #5001 BY \$2,000.00 SO A BONUS CAN BE PAID TO THE FAMILY OF SERGEANT ALLEN BRANDT AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Cleworth, Norum, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED

Ms. Randle stated she updated numbers, and the 2017 budget surplus is now \$383,577.00.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6037, AS AMENDED, AS FOLLOWS:

YEAS: Norum, Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6037, as Amended, ADOPTED.

OATH OF OFFICE

Mayor Matherly commended Eric Jewkes for his years of service to the City of Fairbanks; he thanked him for stepping up and applying for the position of Chief of Police.

City Clerk Snider swore in Eric Jewkes as the City's Chief of Police.

Chief Jewkes thanked the Mayor and the Council for their support in selecting him to become the Chief of Police. He thanked his family and his FPD family for their support over the years.

Chief Jewkes spoke to the hard job that police officers do and stated that he would be there to support them.

Mayor Matherly called for a five minute recess before proceeding with New Business.

NEW BUSINESS

- a) Resolution No. 4774 – A Resolution to Accept Funding from the Alaska Mental Health Trust Authority for a Homeless and Housing Services Coordinator. Introduced by Mayor Matherly.

Mr. Norum, seconded by **Ms. Huntington**, moved to APPROVE Resolution No. 4774.

Mayor Matherly stated he supports the resolution but that there is some clean up that needs to be done before proceeding. He proposed adding the language, “contingent upon receipt of the grant award notice and a signed memorandum of understanding” after the word “grant” in the “be it resolved” section of the resolution.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to AMEND Resolution No. 4774 by adding the language, “contingent upon receipt of the grant award notice and a signed memorandum of understanding” after the word “grant” in the “be it resolved” section.

Mayor Matherly stated that the community needs a homeless and housing services coordinator; he stated that with the help of the grant funds, the City can help save lives.

Mr. Cleworth stated he would like to see the Memorandum of Agreement (MOA) because he has concerns about whether it will be a contractual or a union position. He stated if it is a union position it could create problems for the City; he stated he would prefer it to be a contracted position. **Mr. Cleworth** stated he did not want the position to go the way of the Community Service Patrol (CSP) with the City being left responsible for sole funding of the position.

Mayor Matherly expressed agreement with Mr. Cleworth; he stated that he has been working with City Staff to address the issue.

Mr. Pruhs stated that when the discussion of the position came up under former Mayor Eberhart, the intent was for the position to be a contracted with no benefits.

Mr. Norum spoke in support of the resolution.

Ms. Therrien stated she would like to pass the resolution because it is such a serious issue.

Ms. Huntington thanked Mr. Meeks for coming by her office to speak to her about the resolution earlier that day because she had some questions. She thanked everyone who is working to end homelessness in the City of Fairbanks.

Mr. Meeks stated he would email the MOA out to Council Members the following morning; he requested they only respond to him to avoid a violation of the Open Meetings Act (OMA).

Ms. Rogers stated she would be comfortable voting in favor of the resolution because there is a great need for the position.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4774 BY ADDING THE LANGUAGE, "CONTINGENT UPON RECEIPT OF THE GRANT AWARD NOTICE AND A SIGNED MEMORANDUM OF UNDERSTANDING" AFTER THE WORD "GRANT" IN THE "BE IT RESOLVED" SECTION AS FOLLOWS:

YEAS: Norum, Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien stated she would be out of country for three weeks and requested she not be a reason for the Council not to move forward with the MOA.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4774, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Norum, Huntington, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4774, as Amended, APPROVED.

b) Resolution No. 4775 – A Resolution in Support of the Bill of Rights and Civil Liberties. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

c) HAND-CARRIED Resolution No. 4776 – A Resolution Awarding a Contract to NC Machinery to Provide a Front-Line Grader in the Amount of \$359,589. Introduced by Mayor Matherly.

Mr. Norum, seconded by **Ms. Huntington**, moved to APPROVE Resolution No. 4776.

Mayor Matherly stated that the funds were already budgeted and that NC Machinery gave the City a good price on the grader.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT RESOLUTION NO. 4776 AS FOLLOWS:

YEAS: Rogers, Norum, Therrien, Pruhs, Cleworth, Huntington

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4776 APPROVED.

DISCUSSION ITEMS

- a) Committee Reports

Polaris Building Work Group – **Mr. Pruhs** stated that the group will meet twice per month for the next three months. He stated that the group is on task and moving forward.

COMMUNICATIONS TO COUNCIL

- a) Hotel-Motel Discretionary Fund Committee Meeting Minutes of November 10, 2016

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers stated she is in New York about to head to the airport to return home. She stated there will be a Diversity Council meeting on Tuesday, December 13 and a Hotel-Motel Discretionary Fund Committee meeting on Wednesday, December 14.

Ms. Huntington stated that she is impressed with how many citizens came out to speak in favor of the housing and homeless coordinator position. She stated she is a “glass half full” kind of person and that she looks forward to working on coming up with a solution to homelessness. **Ms. Huntington** stated she is excited for Chief Jewkes to get started as Police Chief. She wished everyone a Merry Christmas.

Ms. Therrien wished everyone Happy Holidays, and she congratulated Chief Jewkes on his promotion. She encouraged him to fill the vacant positions at FPD.

Mr. Pruhs wished everyone a Merry Christmas. He stated that he enjoys working with everyone on the Council because they all have the best of intentions for the City of Fairbanks.

Mr. Cleworth spoke to the passing of Andy O’Grady, a former Public Works Director at the City of Fairbanks. He wished the best to Chief Jewkes and his family and mentioned he is taking the reins at a difficult time. He spoke against changing public testimony to three minutes because it is not enough time for citizens to voice their concerns. **Mr. Cleworth** stated he would be getting the Transportation Improvement Plan (TIP) packet from FMATS to distribute to Council Members so they can answer questions from residents. He wished everyone a Merry Christmas.

Mr. Norum stated he is happy to see some positive editorials in the Fairbanks Daily News Miner. He wished everyone a Merry Christmas and a Happy New Year.

CITY ATTORNEY’S REPORT

City Attorney Ewers advised that there is no need for an AFL-CIO Labor Negotiations Executive Session because there is nothing new to report.

Mr. Norum, seconded by **Ms. Huntington**, moved to go into Executive Session for the purpose of discussing Gavora, Inc. v. City of Fairbanks Mediation.

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

Mayor Matherly called for a ten minute recess.

EXECUTIVE SESSION

a) Gavora, Inc. v. City of Fairbanks Mediation

The City Council met in Executive Session to discuss Gavora, Inc. v. City of Fairbanks Mediation. Direction was given to counsel, and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 10:35 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



City of Fairbanks

Office of the City Clerk


800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

MEMORANDUM

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Liquor License Renewals

DATE: February 22, 2017

Notice has been received from the State Alcohol and Marijuana Control Office (AMCO) for the following liquor license renewals:

Lic. #	DBA	License Type	Licensee	Premises Address
5262	Aha Oriental Kitchen	Restaurant/ Eating Place	Moonstone, LLC	996 Blair Road
4548	Brewsters	Beverage Dispensary	Restaurant Concepts, LLC	354 Old Steese Hwy
3687	Thai House Restaurant	Restaurant/ Eating Place	Boonchoo, Inc.	412 5th Avenue
77	300 Club	Beverage Dispensary	Karen A Meadows-Sours	940 Cowles Street
4678	Fairbanks Junior Ice Dogs	Recreational Site	Fairbanks Junior Ice Dogs, Inc	1920 Lathrop Street
426	Frontier Club	Beverage Dispensary	Boulder Investments, Inc.	No Premises
4314	Gallo's Mexican Restaurant	Beverage Dispensary	Northern Lights Business, Inc.	60 College Road
4763	Bobby's Downtown	Beverage Dispensary	Delta Epsilon, Inc.	609 2nd Avenue
3483	Fairbanks Curling Club	Beverage Dispensary	Fairbanks Curling Club, Inc.	1962 2nd Avenue
4465	Roundup Steak House	Beverage Dispensary	The Last Roundup, LLC	2701 S. Cushman St
4504	Gold Rush Deli	Beverage Dispensary	Upriver, Inc.	3399 Peger Rd, #C
2847	Bojangles	Beverage Dispensary	Scruff-N-Pork's, Inc.	1351 Cushman St
5051	Asiana Restaurant	Restaurant/ Eating Place	Young Mi Jin	2001 Airport Way

Pursuant to FGC Sec. 14-178 the Council must determine whether or not to protest liquor license renewals after holding a public hearing.

Per the Council's request, the Police Department has included a call report for each location (attached); however, Chief Jewkes is not recommending a protest for any of the renewals.

There are **no departmental protests** to the above-listed license renewals. Please contact me if you need any further information.

Call	Time	Nature	Location
2/21/2016	18:47	INCAPACITATED	354 OLD STEESE HWY
2/27/2016	18:11	WANTED PERSON -	354 OLD STEESE HWY
3/20/2016	3:28	INCAPACITATED	354 OLD STEESE HWY
4/10/2016	14:49	INCAPACITATED	354 OLD STEESE HWY
4/14/2016	18:32	SI - FIELD CONTACT	354 OLD STEESE HWY
4/15/2016	20:41	SUSPICIOUS PERSON -	354 OLD STEESE HWY
5/11/2016	17:07	DISTURBANCE	354 OLD STEESE HWY
5/25/2016	9:21	ALARM BURGLARY -	354 OLD STEESE HWY
5/31/2016	21:30	INCAPACITATED	354 OLD STEESE HWY
6/13/2016	17:05	INCAPACITATED	354 OLD STEESE HWY
6/20/2016	6:25	FOUND PROPERTY -	354 OLD STEESE HWY
6/20/2016	18:28	INCAPACITATED	354 OLD STEESE HWY
8/14/2016	16:46	THEFT - DELTA	354 OLD STEESE HWY
10/12/2016	11:46	SI - FIELD CONTACT	354 OLD STEESE HWY
11/3/2016	17:06	PRIVATE IMPOUND	354 OLD STEESE HWY
11/10/2016	18:04	TRESPASS SMALL	354 OLD STEESE HWY

Total Number of Events Listed: 16

Incident / Event (Search) X

Link Event ID Call recv

Event Info Notes Times R/E Log Other Log Entry Ani/Ali Patients Employee Names Vehicles

Rpt# Source PU EMS Fire Law Resc Othr

Loc 412 FIFTH AVE FAIR

X-ST Jur Service Agency FPD

Stat/Beat District RA

Busi THAI HOUSE RESTAURANT Ph# () - Call group

Nature QA

Caller

Address


Veh #

RMS status

Include delayed events Include cancelled events

Prev Next Add Duplicate Delete Search View Exit Srch

ONESolution CAD X

 No match found.

Call	Time	Nature	Location
1/21/2016	19:01	WELFARE CHECK -	440 OLD RICHARDSON
3/15/2016	0:39	INCAPACITATED	440 OLD RICHARDSON
4/15/2016	22:51	SUSP	440 OLD RICHARDSON
7/8/2016	2:18	INCAPACITATED	440 OLD RICHARDSON
7/12/2016	17:28	DISTURBANCE -	440 OLD RICHARDSON
7/20/2016	21:41	WELFARE CHECK	440 OLD RICHARDSON

Total Number of Events Listed: 6

Call	Time	Nature	Location
1/14/2016	2:22	ALARM BURGLARY -	60 COLLEGE RD
1/23/2016	16:01	DISTURBANCE -	60 COLLEGE RD
5/10/2016	7:51	ALARM BURGLARY -	60 COLLEGE RD
5/15/2016	17:50	REDDI	60 COLLEGE RD
5/23/2016	20:01	DV - PHYSICAL - DELTA	60 COLLEGE RD
5/27/2016	0:53	ALARM BURGLARY -	60 COLLEGE RD
6/1/2016	14:37	SUSPICIOUS	60 COLLEGE RD
7/9/2016	0:29	ALARM BURGLARY -	60 COLLEGE RD
12/4/2016	19:19	DISTURBANCE -	60 COLLEGE RD
12/13/2016	18:43	THEFT FROM VEHICLE -	60 COLLEGE RD
12/16/2016	0:11	ALARM BURGLARY -	60 COLLEGE RD

Total Number of Events Listed:11

Call	Time	Nature	Location
1/26/2016	20:26	INCAPACITATED	609 SECOND AVE
3/21/2016	14:54	DISTURBANCE -	609 SECOND AVE
8/10/2016	14:49	FRAUD/FORGERY -	609 SECOND AVE
9/23/2016	10:29	THREAT - BRAVO	609 SECOND AVE

Total Number of Events Listed: 4

Call	Time	Nature	Location
1/4/2016	20:14	SI - FLAG DOWN	1962 SECOND AVE
5/15/2016	5:05	OFFICER ADVICE	1962 SECOND AVE
5/25/2016	14:45	SUSPICIOUS	1962 SECOND AVE
5/30/2016	22:35	SI - SECURITY CHECK	1962 SECOND AVE
6/15/2016	14:37	LOST PROPERTY -	1962 SECOND AVE
7/3/2016	16:07	FOUND PROPERTY -	1962 SECOND AVE
10/2/2016	22:25	ALARM BURGLARY -	1962 SECOND AVE

Total Number of Events Listed: 8

CITY OF FAIRBANKS PUBLIC SAFETY

Roundup Steak House 2701 S. Cushman St 02-07-2016 to 02-07-2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
17000130	01/13/2017 12:07	SI - FOLLOW-UP	2701 S CUSHMAN ST	O25	RPT	01/13/2017 13:23:18
17000130	01/13/2017 09:10	BURGLARY - BRAVO	2701 S CUSHMAN ST	O26	RPT	01/13/2017 13:54:17
16003374	11/01/2016 16:57	SI - FOLLOW-UP	2701 S CUSHMAN ST	O16	RPT	11/02/2016 09:35:31
	11/01/2016 15:35	DVPO SERVICE	2701 S CUSHMAN ST	O9	NRP	11/03/2016 10:42:40
1603354	10/30/2016 17:14	SI - FOLLOW-UP	2701 S CUSHMAN ST	O33	RPT	10/30/2016 17:20:09
	10/29/2016 14:00	SI - FOLLOW-UP	2701 S CUSHMAN ST	O33	NRP	10/29/2016 14:26:34
16003354	10/29/2016 09:12	ASSAULT - BRAVO	2701 S CUSHMAN ST	O33	RPT	10/29/2016 10:07:14
16002334	10/13/2016 18:06	SI - FOLLOW-UP	2701 S CUSHMAN ST	O19	RPT	10/13/2016 18:09:03
	10/01/2016 01:08	DRUGS - USE -	2701 S CUSHMAN ST	S2	NRP	10/01/2016 01:15:21
	08/28/2016 10:39	10-36	2701 S CUSHMAN ST	S6	NRP	08/28/2016 11:47:01
	08/06/2016 01:02	DISTURBANCE -	2701 S CUSHMAN ST	O25	NRP	08/06/2016 01:56:25
16002334	08/05/2016 16:00	SI - FOLLOW-UP	2701 S CUSHMAN ST	O19	RPT	08/05/2016 16:08:41
16002334	07/29/2016 12:24	BURGLARY - BRAVO	2701 S CUSHMAN ST	O19	RPT	07/29/2016 16:06:10
	06/11/2016 03:32	DISTURBANCE -	2701 S CUSHMAN ST	S2	NRP	06/11/2016 04:05:48
	04/24/2016 16:20	REDDI	2701 S CUSHMAN ST	O30	NRP	04/24/2016 17:00:51
	04/10/2016 08:18	SI - FIELD CONTACT	2701 S CUSHMAN ST	O22	NRP	04/10/2016 08:21:46

Total Number of Events Listed: 16

GOLD RUSH DELI 3399 PEGER ROAD

February 7, 2016 to February 7, 2017

Incident / Event (Search)

Link Event ID Call recv AVL Pict Print Report

Event Info Notes Times R/E Log Other Log Entry Ani/All Patients Employee Names Vehicles

Rpt# Source PU EMS Fire Law Resc Othr

Loc 3399 PEGER RD FAIR

X-ST Jur Service Agency FPD

Stat/Beat District RA

Busi GOLD RUSH SALOON Ph# () - Call group

Nature QA

Caller

Address

Veh#

PQA Hist Alarm

RMS status Send To RMS

include delayed events include cancelled events View Text Re-Open

Prev Next Add Duplicate Delete Search View Exit Srch

ONESolution CAD

No match found.

Ok

CITY OF FAIRBANKS PUBLIC SAFETY

Bojangles 1351 S Cushman 02-07-2016 to 02-07-2017

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	11/11/2016 02:12	TRESPASS - PAST -	1351 S CUSHMAN ST	L9	NRP	11/11/2016 03:58:50
	10/21/2016 02:00	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	10/21/2016 02:25:11
	10/21/2016 01:58	SI - BAR CHECK	1351 S CUSHMAN ST	O35	NRP	10/21/2016 02:06:57
	10/12/2016 00:06	SI - BAR CHECK	1351 S CUSHMAN ST	S1	NRP	10/12/2016 00:25:31
	10/10/2016 09:17	MVC - NO INJURIES -	1351 S CUSHMAN ST	O32	NRP	10/10/2016 09:39:07
	09/17/2016 15:10	REDDI	1351 S CUSHMAN ST	O41	NRP	09/17/2016 15:30:25
	09/11/2016 02:21	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	09/11/2016 02:26:47
	09/11/2016 01:55	SI - BAR CHECK	1351 S CUSHMAN ST	S2	NRP	09/11/2016 01:59:16
	09/10/2016 02:48	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	09/10/2016 02:53:43
16002755	09/04/2016 12:32	SI - FOLLOW-UP	1351 S CUSHMAN ST	O32	RPT	09/04/2016 12:41:19
16002755	09/04/2016 02:34	SHOTS FIRE - DELTA	1351 S CUSHMAN ST	S2	RPT	09/04/2016 09:47:36
	08/27/2016 03:12	SI - BAR CHECK	1351 S CUSHMAN ST	S2	NRP	08/27/2016 03:16:57
	08/09/2016 14:44	DISTURBANCE -	1351 S CUSHMAN ST	O33	NRP	08/09/2016 14:52:57
	07/17/2016 03:18	DISTURBANCE -	1351 S CUSHMAN ST	S2	NRP	07/17/2016 03:42:02
	06/12/2016 03:19	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	06/12/2016 03:34:44
	06/05/2016 03:06	SI - BAR CHECK	1351 S CUSHMAN ST	S2	NRP	06/05/2016 03:28:20
	06/05/2016 02:34	DISTURBANCE	1351 S CUSHMAN ST	O25	NRP	06/05/2016 02:48:58
	06/02/2016 15:30	INCAPACITATED	1351 S CUSHMAN ST	CSP	CSP	06/02/2016 15:46:04
	05/29/2016 03:02	SI - BAR CHECK	1351 S CUSHMAN ST	O1	NRP	05/29/2016 03:21:52
	05/22/2016 00:23	SUSPICIOUS	1351 S CUSHMAN ST	O4	NRP	05/22/2016 06:41:41
	05/18/2016 02:50	WELFARE CHECK -	1351 S CUSHMAN ST	O4	NRP	05/18/2016 03:05:33
	05/15/2016 02:58	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	05/15/2016 03:04:09
	05/15/2016 02:46	SI - BACKGROUND	1351 S CUSHMAN ST	S1	NRP	05/15/2016 02:56:12
	05/15/2016 02:04	SI - BAR CHECK	1351 S CUSHMAN ST	S1	NRP	05/15/2016 03:04:14
	05/14/2016 00:47	INCAPACITATED	1351 S CUSHMAN ST	CSP	CSP	05/14/2016 00:50:11
	04/30/2016 03:16	NUISANCE - BRAVO	1351 S CUSHMAN ST	S2	NRP	04/30/2016 03:47:24
	04/20/2016 19:34	URGENT WELFARE	1351 S CUSHMAN ST	O3	NRP	04/20/2016 19:56:54
	04/09/2016 03:29	SI - BAR CHECK	1351 S CUSHMAN ST	O30	NRP	04/09/2016 03:36:57
	04/03/2016 00:01	10-36	1351 S CUSHMAN ST	S2	WAR	04/03/2016 00:06:58
	04/02/2016 23:50	NUISANCE - BRAVO	1351 S CUSHMAN ST	S1	NRP	04/03/2016 00:50:49
	03/20/2016 02:02	PARKING COMPLAINT	1351 S CUSHMAN ST	S2	UTC	03/20/2016 02:44:02
	03/20/2016 01:25	SI - BAR CHECK	1351 S CUSHMAN ST	O37	NRP	03/20/2016 03:31:56
16000736	03/06/2016 02:23	DISTURBANCE -	1351 S CUSHMAN ST	S11	RPT	03/06/2016 03:11:44
16000735	03/06/2016 01:29	DISTURBANCE -	1351 S CUSHMAN ST	O25	RPT	03/06/2016 02:59:10
	02/28/2016 03:09	SI - SECURITY CHECK	1351 S CUSHMAN ST	S1	NRP	02/28/2016 03:47:21
	02/26/2016 22:11	SI - ADMIN	1351 S CUSHMAN ST	S1	NRP	02/26/2016 22:38:48
	02/22/2016 08:49	ADMINISTRATIVE	1351 S CUSHMAN ST	O1	NRP	02/22/2016 09:43:32
16000576	02/21/2016 01:11	DISTURBANCE -	1351 S CUSHMAN ST	O19	RPT	02/21/2016 02:27:32
	02/20/2016 03:18	10-36	1351 S CUSHMAN ST	O29	WAR	02/20/2016 03:30:34
16000510	02/15/2016 14:23	MISCELLANEOUS -	1351 S CUSHMAN ST	O26	RPT	02/15/2016 16:25:19
	02/14/2016 00:11	10-36	1351 S CUSHMAN ST	O32	WAR	02/14/2016 00:15:58

Report Generated: 02/08/2017 08:55:50 | User ID: 1086

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Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	02/11/2016 16:51	FOUND PROPERTY -	1351 S CUSHMAN ST	DESK NRP		02/11/2016 17:00:21

Total Number of Events Listed: 42

CITY OF FAIRBANKS PUBLIC SAFETY

Asiana Restaurant 2001 Airport Way 02-07-2016 to 02-07-2017


Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	01/16/2017 18:45	10-36	2001 AIRPORT WAY	O17	UTC	01/16/2017 19:02:04

Total Number of Events Listed: 1

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, CMC, City Clerk

TO: Mayor Jim Matherly and City Council Members
FROM: D. Danyielle Snider, CMC, City Clerk 
SUBJECT: Request by Frank Eagle for Council to Revisit Food Service Condition Placed on Liquor License Transfer of Ownership, Location & Name Change
DATE: February 22, 2017

On October 19, 2015, the City Council voted unanimously to protest the Application for Transfer of Ownership, Location and Name Change for the following liquor license until a Certificate of Occupancy is issued for the premises, with the condition that food must be served at the new location:

Type: Beverage Dispensary, License #4170
To: Tapas / Tapas, Inc.
603 Lacey Street, Fairbanks, Alaska
From: Lavelle's Bistro / Café de Paris Catering Co.
575 First Avenue, Fairbanks, Alaska

On February 13, 2017, Tapas, Inc. President Franklin Eagle contacted me with a request for the City Council to revisit the food service condition placed on Liquor License #4170. Attached is Mr. Eagle's 2015 application to the State along with other documentation included with the 2015 request for transfer. I have also attached the meeting minutes from the October 19, 2015, meeting and the City's official response letter to the State dated October 20, 2015.

Mr. Eagle listed the following reasons why he believes the Council should revisit the issue in an email dated February 13, 2017:

- 1) The establishment can open far more quickly without the burden of completing the complex design and engineering feats that go into building a proper restaurant;
- 2) Although food will definitely be included in the operating plan, it will not necessarily be available at all times the business is open;
- 3) The food requirement carries with it the highest level of business risk with the lowest level of return;
- 4) A properly-run cocktail lounge operated for the benefit of adults who are seeking a reprieve from smoky bars and nightclubs is in demand in the City;
- 5) There could be a misunderstanding about what level of food service is required to operate (he believes eliminating the requirement altogether is the appropriate action); and
- 6) The State is demanding immediate movement on the implementation of the license and this is the quickest way to satisfy them.

Transfer Liquor License

License is: Full Year OR Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
License Year: 2016/2017	License Type: Beverage Dispensary	Statute Reference Sec. 04.11.090	Filing Fee: \$100.00
License #: 4170			Rest. Desig. Permit Fee: (\$50.00) \$
Local Governing Body: (City, Borough or Unorganized) City of Fairbanks	Community Council Name(s) & Mailing Address:		Fingerprint: \$ (\$49.75 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Franklin Eagle and Kathleen Lavelle Tapas Inc..	Doing Business As (Business Name): Tapas		TOTAL <u>100.00</u> ✓
Mailing Address: 603 Lacey St., Fbks., Ak. 99701 City, State, Zip:	Street Address or Location of Premises: 603 Lacey St. Fbks., Ak. 99701	Business Telephone Number: 9074561669	Email Address: frank@lavellesbistro.com
Is any shareholder related to the current owner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "yes" please state the relationship <u>married</u>			

12696 ck

SECTION B - TRANSFER INFORMATION	
<input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Name and Mailing Address of CURRENT Licensee: Café de Paris Catering Co. 575 First Ave. Fbks., Ak. 99701 Business Name (dba) BEFORE transfer: Lavelle's Bistro Street Address or Location BEFORE transfer: 575 First Ave. Fbks., Ak. 99701

SECTION C - PREMISES TO BE LICENSED		
Distance to closest school grounds: 1/2 mile	<i>Distance measured under:</i> <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable
Distance to closest church: 500 yds	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		

Transfer Liquor License

SECTION D – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
Franklin Eagle	Fbks. Golf Course	Golf course and Bev. Disp.	1735 Farmer's Loop Fbks Ak 99709	Ak
Kathleen Lavelle	No name	Bev. Disp	No premise	Ak
Franklin Eagle	No name	Bev. Disp	No premise	Ak
Franklin Eagle and Kathleen Lavelle	No name	Bev. Disp	No premise	Ak

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.

SECTION E – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Tapas Inc.		Telephone: 907-456-1669	Fax Number: 9074500444
Corporate Mailing Address: 603 Lacey St. Fbks. Ak 99701	City: Fbks	State: Ak	Zip Code: 99701
Name, Mailing Address and Telephone Number of Registered Agent: Franklin Eagle 575 First Ave. Fbks. Ak. 99701		Date of Incorporation OR 7-28-15 Certification with DCED:	State of Incorporation: Ak
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Kathleen Lavelle	Pres	50	912 Kellum St Fbks. Ak 99701 9073883650	9074561669	3/7/55
Franklin Eagle	Sec/trea	50	912 Kellum St Fbks. Ak 99701 907378-1954	9074561669	2/11/54

Transfer Liquor License

NOTE: If you need additional space, please attach a separate sheet.

SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature: <i>Frank Egl</i>	Signature of Transferee(s) Signature: <i>Frank Egl</i>
Signature: <i>Kathleen Lavelle</i>	Signature: <i>Kathleen Lavelle</i>
Name & Title (Please Print) KATHLEEN LAVELLE PRES FRANKLIN ENGLE SECT.	Name & Title (Please Print) KATHLEEN LAVELLE PRES FRANKLIN ENGLE SECT.
Subscribed and sworn to before me this 10 day of September, 2015.	Subscribed and sworn to before me this 10 day of September, 2015.
Notary Public in and for the State of Alaska <i>Stephanie Smith</i>	Notary Public in and for the State of Alaska <i>Stephanie Smith</i>
My commission expires: <i>Sep 24, 2016</i>	My commission expires: <i>Sep 24, 2016</i>

Notary Public
STEPHANIE M. SMITH
 State of Alaska
 My Commission Expires September 24, 2016

Notary Public
STEPHANIE M. SMITH
 State of Alaska
 My Commission Expires September 24, 2016

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Taped Inc

PREMISES LOCATION: 603 Lecky St. Anchorage AK 99701

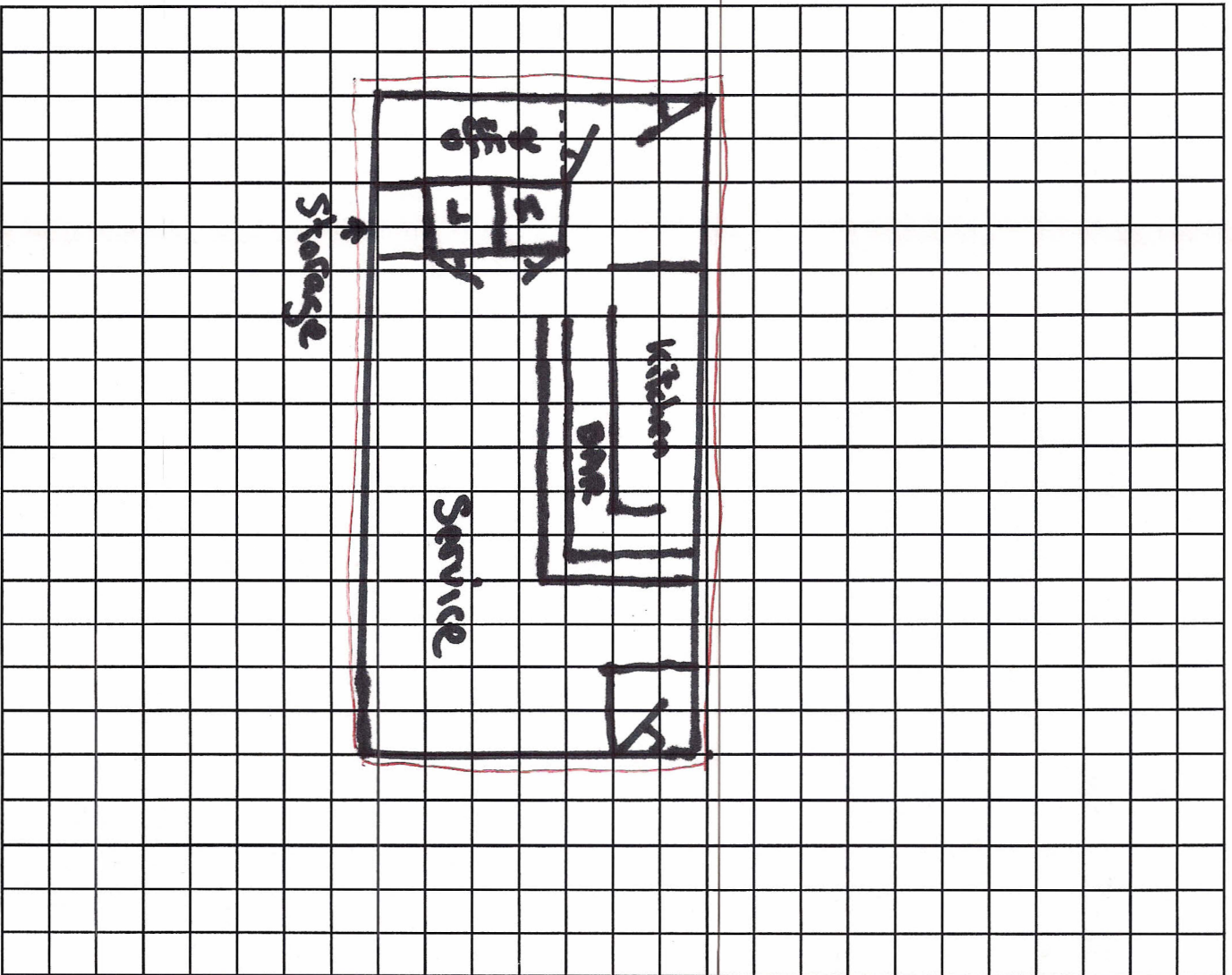
Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: X 1 SQ. = 4 FT. **SCALE B:** _____ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.


DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, CMC, City Clerk

TO: Mayor John Eberhart and City Council Members
FROM: D. Danyielle Snider, CMC, City Clerk 
SUBJECT: Application for Liquor License Transfer – Ownership, Location & Name Change
DATE: October 9, 2015

An application has been received from the State Alcohol Beverage Control Board for transfer of ownership, location and name change for the following liquor license:

Type: Beverage Dispensary, License #4170
To: Tapas / Tapas, Inc.
603 Lacey Street, Fairbanks, Alaska
From: Lavelle's Bistro / Café de Paris Catering Co.
575 First Avenue, Fairbanks, Alaska

Pursuant to FCG Sec. 14-178 the Council must determine whether or not to protest the liquor license action after holding a public hearing. The public notice requirements of FGC Sec. 14-168(2) have been met.

The Building and Fire Departments recommend protest of the transfer until a Certificate of Occupancy is issued; those departmental response forms are attached. There are **no other departmental objections** to this transfer.



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

ALCOHOL BEVERAGE CONTROL BOARD LIQUOR LICENSE RESPONSE FORM

TO: Finance Department
 Fire Department
 Police Department
 Building Department

DATE: 09/25/2015

FROM: City Clerk's Office

RE: Liquor License Action-Transfer of Ownership, Location, and Name Change

Date Notice Received at Clerks Office: 09/25/2015 - 60 DAY DUE DATE 11/24/2015

DATE RESPONSE DUE: **10/13/2015** for City Council Meeting of 10/19/2015

License #: 4170
License Type: Beverage Dispensary
D.B.A.: Tapas
Licensee/Applicant: Tapas, Inc.
Physical Location: 603 Lacey Street, Fairbanks, Alaska

Telephone #: 907-456-1669
EIN: 47-4937300

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Franklin Eagle	575 First Avenue Fairbanks, AK 99701	907-456-1669	12/29/1999	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Kathleen Lavelle President	03/07/1955	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50
Franklin Eagle Secretary/Treasurer	02/11/1954	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50

ADDITIONAL COMMENTS: Transfer from Lavelle's Bistro / Café de Paris Catering Co / 575 1st Avenue.

NO PROTEST:

PROTEST

COMMENTS

REASONS: UNTIL CERTIFICATE
OF OCCUPANCE IS ISSUED.

DEPARTMENT SIGNEE:


(Signature)

CLEMENS M. CLOOTEN
(Printed Name)



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715
Fax (907)459-6710

ALCOHOL BEVERAGE CONTROL BOARD LIQUOR LICENSE RESPONSE FORM

- TO: Finance Department
 Fire Department
 Police Department
 Building Department

DATE: 09/25/2015

FROM: City Clerk's Office

RE: Liquor License Action-Transfer of Ownership, Location, and Name Change

Date Notice Received at Clerks Office: 09/25/2015 - 60 DAY DUE DATE 11/24/2015

DATE RESPONSE DUE: **10/13/2015** for City Council Meeting of 10/19/2015

License #: 4170
 License Type: Beverage Dispensary
 D.B.A.: Tapas
 Licensee/Applicant: Tapas, Inc.
 Physical Location: 603 Lacey Street, Fairbanks, Alaska

Telephone #: 907-456-1669
 EIN: 47-4937300

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Franklin Eagle	575 First Avenue Fairbanks, AK 99701	907-456-1669	12/29/1999	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Kathleen Lavelle President	03/07/1955	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50
Franklin Eagle Secretary/Treasurer	02/11/1954	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50

ADDITIONAL COMMENTS: Transfer from Lavelle's Bistro / Café de Paris Catering Co / 575 1st Avenue.

NO PROTEST:

PROTEST

COMMENTS

REASONS:

PROTEST UNTIL Remodel
is complete & Certificate
of Occupancy is ISSUED

DEPARTMENT SIGNEE: _____

(Signature)

WARDEN Cummings

(Printed Name)

Five Chmct

located in the old Alaska Rag Company Building. **Mr. Pruhs** asked when he plans to begin the renovation if the license is approved; **Mr. Eagle** responded as soon as possible.

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

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

YEAS: Gatewood, Walley, Pruhs, Matherly, Cleworth
NAYS: None
ABSENT: Staley
Mayor Eberhart declared the MOTION CARRIED.

b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location and Name Change:

Type: Beverage Dispensary, License #4170
To: Tapas / Tapas, Inc.
603 Lacey Street, Fairbanks, Alaska
From: Lavelle's Bistro / Café de Paris Catering Co.
575 First Avenue, Fairbanks, Alaska

Mr. Matherly, seconded by **Mr. Walley**, moved to PROTEST the Liquor License Application for Transfer until a Certificate of Occupancy is issued for the premises.

Frank Eagle, 912 Kellum Street, Fairbanks – **Mr. Eagle** stated he would like to get stated on building Tapas as soon as possible.

Mr. Cleworth stated that he spoke with **Mr. Eagle** regarding free standing liquor licenses and that he is concerned that the Council has opened the door to other free standing bars. **Mr. Cleworth** stated that he wants to be sure that there be a condition put on the License that food must be served at the location.

Mr. Cleworth, seconded by **Mr. Gatewood**, moved to AMEND the MOTION TO PROTEST by placing a condition that food must be served at the new location until one hour before closing.

Mr. Eagle stated that he believes that a cocktail lounge downtown would not be a problem if the owner follows that law. He stated that if someone comes into the establishment inebriated, they would refuse service; he added that if someone is inebriated onsite they are asked to leave. **Mr. Cleworth** stated that he did not want the downtown area to suffer the way it did in the 1980's when the City had a problem with too many liquor licenses in the downtown area.

Mr. Matherly expressed agreement with **Mr. Cleworth** and stated that the Council should make liquor license decisions on an individual basis.

Mr. Walley asked **Mr. Eagle** if he was willing to serve food up to the last hour of operating hours. **Mr. Eagle** stated that if he had a New Year's Eve party he would not intend to keep the kitchen open until two o'clock in the morning. **Mr. Eagle** stated that he plans to serve food but that it is not cost effective to keep the kitchen open on special event nights.

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

Mr. Pruhs stated that he does not agree that the caveat be placed on **Mr. Eagle's** establishment. He stated that he agrees that looking at each license and voting it up or down is a better way for the Council to conduct business.

Mr. Gatewood stated that he and his wife love to go out to dinner at **Lavelle's** but that he also agrees with **Mr. Cleworth**. **Mr. Gatewood** stated that the Tap House was allowed because everyone in Fairbanks knows the history of the **Eagle-Lavelle** family, but that it would be very hard to grant the same allowances for someone that is unknown.

Mr. Cleworth stated that he is concerned with the consistency of the City Council on these types of issues.

Mayor Eberhart stated that his parents owned a restaurant and bar and that he does not believe that the Council should enforce food being served up to an hour before the establishment closes.

Mr. Cleworth stated that there are problems with the inebriate population downtown and that the Council should be smart and consistent in regard to the liquor license issue.

Mayor Eberhart stated that he believes the bar that is close to **Mr. Cleworth's** business may be of concern because there is a possibility that patrons are being over served.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO PROTEST BY PLACING A CONDITION THAT FOOD MUST BE SERVED AT THE NEW LOCATION UNTIL ONE HOUR BEFORE CLOSING AS FOLLOWS:

YEAS: Matherly, Gatewood, Cleworth

NAYS: Walley, Pruhs

ABSENT: Staley

Mayor Eberhart declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE PREMISES WITH THE CONDITION THAT FOOD MUST BE SERVED AT THE NEW LOCATION UNTIL ONE HOUR BEFORE CLOSING AS FOLLOWS:

YEAS: Matherly, Cleworth, Walley, Gatewood, Pruhs

NAYS: None

ABSENT: Staley

Mayor Eberhart declared the MOTION CARRIED.

EXECUTIVE SESSION

a) IBEW Labor Contract Negotiations

The City Council met in Executive Session to discuss IBEW Labor Negotiations. Direction was given to staff and no action was taken.

Mr. Matherly, seconded by **Mr. Pruhs**, moved to RECONSIDER the Application for Transfer of Liquor License #4170.

Mr. Matherly stated that the restaurant should not be required to serve food until one hour before closing.

A ROLL CALL VOTE WAS TAKEN TO RECONSIDER THE APPLICATION FOR TRANSFER OF LIQUOR LICENSE #4170 AS FOLLOWS:

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

NAYS: None

Mayor Cleworth declared the MOTION CARRIED.

Mr. Matherly, seconded by **Mr. Pruhs**, moved to PROTEST the Liquor License Application for Transfer until a Certificate of Occupancy is issued for the premises with the condition that food must be served at the new location.

Mr. Cleworth stated that in the past, establishments would purchase a microwave, serve food for one hour and call it good. **Mr. Cleworth** stated he is worried that this will become problematic; he stated he did not think Mr. Eagle would do that but that it is a very real concern.

Mr. Pruhs stated that this only applies to a specific liquor license and that it is not an entire ordinance; he stated he did not think that Mr. Eagle deserved the prior stipulation.

Mr. Walley stated that he understands Mr. Cleworth's concern and wanted to know how the police enforce would enforce such a stipulation.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE PREMISES WITH THE CONDITION THAT FOOD MUST BE SERVED AT THE NEW LOCATION AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

ADJOURNMENT

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



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702
Fax (907)459-6710

October 20, 2015

Jane Sawyer, Business Registration Examiner
Alcohol Beverage Control Board
550 W. 7th Avenue, Ste. 1600
Anchorage, Alaska 99501-3567

Ms. Sawyer,

At the regularly-scheduled meeting of October 19, 2015, the Fairbanks City Council voted to **PROTEST** the application for transfer of ownership, location and name change for the below Beverage Dispensary License **until a Certificate of Occupancy is issued** by the City of Fairbanks. The Council also placed a **condition on the license that food must be served at the location.**

License Type: Beverage Dispensary, License #4170
DBA: **Tapas**
Licensee/Applicant: Tapas, Inc.
Physical Location: 603 Lacey Street, Fairbanks, Alaska

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Franklin Eagle	575 First Avenue Fairbanks, AK 99701	907-456-1669	12/29/1999	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Kathleen Lavelle President	03/07/1955	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50
Franklin Eagle Secretary/Treasurer	02/11/1954	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50

I will notify the ABC Board when a Certificate of Occupancy is issued for the premises. Should you need further information do not hesitate to contact me.

Sincerely,

D. Danyielle Snider, CMC
Fairbanks City Clerk

cc: File(s)
Tapas, Inc.
Fire Department
Building Department

RESOLUTION NO. 4768

**A RESOLUTION ADOPTING A CITY OF FAIRBANKS
DIVERSITY ACTION PLAN**

WHEREAS, on March 10, 2014, the City Council approved Ordinance No. 5939, as Amended, enacting FGC Sections 2-231 through 2-235 and creating a Fairbanks Diversity Council; and

WHEREAS, the Fairbanks Diversity Council began meeting in September of 2014 and meets regularly on the second Tuesday of each month; and

WHEREAS, one of the purposes of the Fairbanks Diversity Council is to draft and present to the City Council a Diversity Action Plan; and

WHEREAS, the Fairbanks Diversity Council held multiple strategic planning sessions, under the guidance of the Chief of Staff and, with the help of other City staff, drafted a Diversity Action Plan; and

WHEREAS, on October 11, 2016, the Fairbanks Diversity Council voted unanimously to adopt a City of Fairbanks Diversity Action Plan and recommends adoption of the Plan by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS that the attached City of Fairbanks *Diversity Action Plan* is hereby adopted and will be made available at the City's website, www.fairbanksalaska.us. The Plan may be amended by resolution of the City Council.

PASSED and APPROVED this ____ day of _____ 2017 .

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
<p>1. Internal City Processes. Review internal City processes such as hiring, promotions and recruiting. Provide guidance and training to senior staff on how to improve workforce diversity and ultimately, hire and promote a qualified and diverse workforce that benefits all City stakeholders.</p>	<p>Required – Develop 5-year Diversity Action Plan (DAP) as directed by City Ordinance 5939.</p>	<p>DAP will:</p> <ol style="list-style-type: none"> 1. Increase the capacity of the City to perform key primary mission, and 2. Provide EEO and diversity related guidance to the Fairbanks City Council and Fairbanks North Star Borough Assembly, and 3. Create a workforce reflective of the community we serve. 	<p>Mayor’s Office</p>	<p>Complete</p>
	<p>Conduct and review City of Fairbanks employee EEO survey and demographics data. Suggest benchmark EEO and diversity goals. Continue increased efforts to encourage diversity in the applicant pool. Annually results will be reflected in the data collected, specifically in the areas of recruitment and retention.</p>	<p>Thorough analysis of the City's current EEO and diversity composition and recommendations of EEO and diversity performance goals that reflect the Fairbanks community.</p>	<p>Diversity Council Mayor’s Office</p>	<p>End of the Year Data Ongoing</p>
	<p>Form a screening committee for City of Fairbanks jobs interviews. Screening committee will appoint FDC members will be invited to participate in all key (public safety and supervisory) City of Fairbanks employment interviews.</p>	<p>Community stakeholders to ensure hiring managers are aware of and engaged in diversity related issues before hiring decision is made.</p>	<p>Diversity Council Human Resources</p>	<p>Ongoing</p>
	<p>Review City of Fairbanks recruitment and promotion practices, to include application forms, recruiting sites, interview practices, applicant screening and all internal processes related to recruitment and promotion of City Staff. Prepare report and suggested changes.</p>	<p>Tangible suggestions to improve and overcome barriers to the City's recruiting, hiring and promotion practices as they relate to a more diverse workforce.</p>	<p>Diversity Council Human Resources</p>	<p>A presentation will be scheduled for a complete overview</p>
	<p><u>Work with Human Resources to develop a City-wide diversity employment plan and a training curriculum for awareness of the importance and inclusion of diverse groups in our community. Periodically review training given to all employees.</u></p>	<p><u>Improve workforce diversity through hiring and promotion of qualified and diverse employees</u></p>	<p><u>Diversity Council</u> <u>Human Resources</u></p>	<p><u>Ongoing</u></p>

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
2. Financial Resources. Ensure sufficient resources are available to implement DAP	Seek out and engage community partners who can provide expertise and resources	Ensure facilities and staff resources are available to implement DAP	Mayor's Office FDC Members	In progress
	Create a proposed budget for expenses related to promotions and outreach activities; funds to be allocated by the Fairbanks City Council to the Mayor's Community Promotions budget.	Appropriately fund FDC activities where in-kind and in-house expertise is not available.	Mayor's Office	Ongoing 2015 funds were approved in the annual City Budget

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
3. Internal City Policies and Procedures. City of Fairbanks Internal Policies and Procedures will work to create greater diversity among the workforce. Monitor changes to City Policies and Procedures that are relevant to achieving greater diversity and consistent with the DAP.	Establish workgroup or committee to review internal City policies and procedures and identify barriers to achieving greater diversity and consistent with the DAP. Work with the Chief of Staff to review the current policies.	Ensure City of Fairbanks internal policies and procedures are equitable. Chief of Staff is currently updating and accounting for all City Policies. These documents will be collected in a City Policy Manual.	Policy & Procedure Committee Mayor's Office	Ongoing Committee formed and reviewing hiring procedures
	Review City of Fairbanks Affirmative Action Plan. Update as needed and integrate into internal City of Fairbanks operations related to recruitment, promotion and retention of staff	Assess diversity progress at the City of Fairbanks.	Diversity Council Mayor's Office	Summer 2016 – HR will present the approved plan to the FDC

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
4. Education and Training. Provide multi-tiered and on-going strategic and collaborative education and outreach to the City of Fairbanks leaders, staff and residents.	Required – Review State, Local, National Diversity Council Work as directed by City Ordinance 5939.	Educate FDC on ways other communities have implemented DAPs, to include efforts toward continuous and comprehensive diversity education.	Mayor’s Office	Complete
	Required – Provide Reports and Recommendations to City Council as directed by City Ordinance 5939. City staff will provide initial training and education to FDC members on methods of governance and communication to the Fairbanks City Council.	Ensure FDC can effectively and efficiently communicate observations and recommendations to the City Council for consideration of adoption.	Edu/Outreach/Media /Communications Committee Mayor’s Office	Ongoing
	Required – Assist with Accessibility Issues as directed by City Ordinance 5939. Form committee to assess and examine common barriers to equal accessibility, examine public policy and practice issues that lead to inequities in accessibility, and provide recommendations to City leaders and staff.	Ensure continuous improvement and awareness of accessibility and access barriers.	Accessibility Committee City Engineer’s Office <u>City Building Department</u>	Ongoing Committee Formed, ongoing meetings
	Implement current events discussions and calendar and declare a 'diversity topic of the month for FDC meetings	Continuous and comprehensive education on diversity.	Edu/Outreach/Media /Communications Committee	Ongoing
	Develop and maintain collaborative partnerships with other groups and jointly conduct recurring diversity awareness training and discussion for City Council members and City staff.	Ensure staff at all levels of the organization understands principles of diversity leadership and are considerate of EEO principles, biases and discrimination.	Human Resources FDC Committees	Ongoing

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
5. Community Outreach. Raise the profile and awareness of diversity in the Fairbanks Community in order to foster a safe and trusted voice and venue for the Fairbanks community.	Required – Plan, develop & implement Public Awareness Plans as directed by City Ordinance 5939. Create a procedure on how committee will handle public input.	Procedure: Verbal concerns, feedback or written concerns shared with DC members and direct public input/concerns submitted to the city clerk will be distributed by clerk to all DC members	Policy & Procedure Committee City Clerk All FDC Members	Procedure Complete Process Ongoing
	Required - Provide citizen forum as directed by City Ordinance 5939. The FDC will provide two public comment periods at FDC meetings. Increase public awareness of meetings and FDC.	A safe and trusted voice and venue for the community.	FDC Members City Clerk	Ongoing
	The FDC will develop active and continuously monitored communications aimed at interconnecting different groups. Possible media tools to be used are: TV, radio, social media, web pages and email.	Raise community awareness of the importance of acceptance and inclusion of diverse groups in our community	Edu/Outreach/Media /Communications Committee & City PIO	Ongoing
	Survey public to find most effective outreach communication methods.	Raise community awareness of diversity issues.	Edu/Outreach/Media /Communications Committee & City PIO	Not started
	FDC will identify key community leaders and extend invitations to speak at FDC and Fairbanks City Council meetings and other community events on topics of interest.	Diversity issues are shared in deliberate manner with community leaders, youth and stakeholders. Encourage leaders to spread message(s) in their organizations and circle of influence.	Edu/Outreach/Media /Communications Committee Mayor’s Office	Ongoing
	FDC representation at local events and activities	Presence at local events such as but not limited to: Juneteenth, WEIO, Intertribal PowWow, Golden Days, International Friendship Day, AFN, MLK, Festival of Native Arts	FDC Members	Ongoing
	Identify and utilize FDC member liaisons with diverse community groups	Increase communication and awareness between FDC and diverse community groups	FDC Members	Ongoing
	Periodically hold moderated Courageous Conversations and other public forums	Gauge public concerns	Diversity Council	Ongoing

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

Goal	Tasks	Desired Results	Responsibility	By When?
6. Diversity Promotion. Promote diversity related activities in the Fairbanks community in order to increase cross-cultural community involvement.	Actively support Fairbanks Police Department's community oriented policing (COP) initiative by being present at COP events and endorsing the COP initiative at every opportunity. FDC will submit Resolution of support to the Fairbanks City Council.	FDC demonstrates support and implementation of Community Oriented Policing effort.	Diversity Council Police Chief	Ongoing support Resolution approved 9/13/16
	Identify opportunities to promote FDC message and talking points at open venues such as City Council and Assembly meetings, School Board Meetings and Corporate Share Holder Meetings.	FDC issues and priorities are shared in deliberate manner with community stakeholders. Promote diversity messages and current initiatives to wider, cross-cultural audience.	Edu/Outreach/Media /Communications Committee & City PIO	In progress
	Develop partnerships with external agencies in order to motivate people of different and diverse backgrounds to apply for positions at the City of Fairbanks.	The City of Fairbanks will reach a more diverse pool of prospective applicants who are interested in public service. City workforce diversity will be more reflective of the community. Monthly HR updates	Mayor's Office Human Resources	Ongoing
	Implement or promote a Fairbanks-wide diversity day celebration.	Improve public awareness of diversity and diversity related issues.	Edu/Outreach/Media /Communications Committee	Ongoing
	Plan and host a community wide diversity forum event/Courageous Conversations	Improve public awareness of diversity and diversity related issues.	Edu/Outreach/Media /Communications Committee	Ongoing
	Recognize local work places that promote diversity. Recognition will be based on objective criteria. Recognition will come from nominations by other organizations and work places and will be reviewed by a committee of the FDC.	Improve public awareness of diversity and diversity related issues.	Diversity Council	Not started Ongoing
	Representation of FDC members on City interview boards	Increased diverse pool of employees and/or employees having greater awareness of diversity issues	FDC members Human Resources	Ongoing

CITY OF FAIRBANKS DIVERSITY ACTION PLAN (AMENDED)

FDC Committees:

Education & Outreach / Media & Communications Committee (Trina, Jeff, Shirley, Jo Ann, Angela, Ana, Rosalind, Travis)

Objectives: Build awareness of Diversity Council activities and concerns with community, employees and City Council; Develop communications plan and work with FDC committees to communicate key messages to all City stakeholders

Policy & Procedure Committee (Shirley, Rita, Doug, Jo Ann, June, Kelvin, Marna)

Objectives: Review City-wide policies and procedures and pending legislation to ensure welcoming and inclusive language. Review City of Fairbanks Ordinances and Resolutions while in legislative process and provide comment and guidance regarding diversity related issues to the City Council and City staff.

Accessibility Committee (Doug, Ana, Jo Ann, Jeff, Rita, Montean, Amber)

Objectives: Develop continuous improvement and awareness of accessibility and access barriers in the City.

Introduced by: Council Member Therrien
Council Member Pruhs
Council Member Norum
Permanent Fund Review Board Approval: January 23, 2017
Introduced: February 6, 2017

ORDINANCE NO. 6041

AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SECTIONS 2-260 AND 2-261 REGARDING THE AUTHORIZED INDEX LANGUAGE AND ASSET ALLOCATIONS IN THE CITY PERMANENT FUND INVESTMENT POLICY

WHEREAS, the City Council established the investment policy of the City Permanent Fund by terms codified in Fairbanks General Code (FGC) Sections 2-260 and 2-261; and

WHEREAS, the City's Permanent Fund Investment Manager, Alaska Permanent Capital Management (APCM), recommends increasing the ten percent limitation of the BAA rated securities to fifteen percent to allow BAA rated securities at levels similar to that of the fixed income benchmark while continuing to protect the overall investment grade of the fixed income securities held in the permanent fund; and

WHEREAS, APCM recommends extending the "or substantially similar" language used for the international equities to domestic equities. This will allow APCM to incrementally adjust the portfolio's strategic asset class exposure based upon assessment of current market conditions and/or valuation. The language provides an appropriate level of risk control to ensure the exchange traded funds (ETFs) and/or mutual funds selected provide adequate exposure to asset classes specified in the strategic asset allocation designed to meet the City's long term investment goals. It allows APCM to purchase ETFs and/or mutual funds with potential to incrementally enhance returns and reduce risk relative to the strategic asset allocation benchmark; and

WHEREAS, APCM recommends changes to the asset allocation to enhance asset preservation of the Fund; and

WHEREAS, the PFRB supports and recommends these changes.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. Fairbanks General Code Section 2-260 Permanent Fund Investment Policy, Procedure and Governance, is amended as follows [new text in **underline bold** font; deleted text in ~~strikethrough~~ font]:

Sec. 2-260. Permanent fund investment policy, procedure and governance.

(a) *Purpose of fund.* The purpose of the permanent fund is to maximize income for capital and operating expenses of the city and preserve in trust assets of the city for present and future generations of city residents. The principal goal shall be to preserve principal and maintain purchasing power.

(b) *Investment policy.* The investment policy of the city is to allow only the following investment vehicles.

(1) Obligations of or obligations insured or guaranteed by the United States or agencies or instrumentalities of the United States;

(2) Bonds or other taxable yield U.S. dollar denominated debt instruments of this state, its agencies, municipalities, any other state, or corporation which at the time of investment have an investment grade rating of a nationally recognized rating agency; if the rating of a bond becomes less than investment grade and has a maturity greater than one year, it must be sold in an orderly manner within 90 days of down grading;

(3) Bank certificates of deposit which are insured or secured as to the payment of principal and interest;

(4) Corporate obligations of investment grade quality as recognized by a nationally recognized rating organization. If, after purchase, these obligations are downgraded below investment grade, they shall be sold in an orderly manner within 90 days of down grading. In no circumstance shall any bond be purchased after January 1, 2009 with a yield to maturity that exceeds 600 basis points above a comparable duration treasury note/bond at the date of purchase.

(5) Short term investment funds (STIF) which are limited to investments set forth in subsections (b)(1)-(4) of this section or the Alaska Municipal League Investment Pool as set forth in state statute; and

(6) Domestic equities, which taken as a whole, attempt to replicate the Standard & Poor's 500 Index, **or a substantially similar index**, including both mutual funds and exchange traded funds (ETF's).

(7) International equities, which taken as a whole, attempt to replicate the FTSE Developed ex North America Index or Morgan Stanley Capital International Europe, Australasia and Far East (MSCI EAFE) or a substantially similar index, including both mutual funds and exchange traded funds (ETF's).

(8) Equities, which taken as a whole, attempt to replicate the universe of domestic real-estate investment trusts, including both mutual funds and exchange traded funds (ETF's).

(9) Domestic equities, which taken as a whole, attempt to replicate the S&P 400 MidCap Index, **or a substantially similar index**, including both mutual funds and exchange traded funds (ETF's).

(10) Commodities, which taken as a whole, attempt to replicate a broad based commodity index, such as the Dow-Jones UBS Commodity Index,

including mutual funds, exchange traded funds (ETF's) and exchange traded notes (ETN's).

(11) Emerging markets equity index funds, which taken as a whole, attempt to replicate the FTSE Emerging Market Index or Morgan Stanley Capital International Emerging Markets Index (MSCI EMERGING) or a substantially similar index, including both mutual funds and (ETF's).

(12) International Bond index funds, which taken as a whole, attempt to replicate Barclays Global Aggregate ex-USD Float Adjusted RIC Capped Index, including both mutual funds and ETF's.

(13) U.S. Treasury Inflation Protected Securities (TIPS), and/or mutual funds or ETF's which attempt to replicate the Barclays Capital U.S. Treasury Inflation Protected Securities Index.

(c) *Limitations.* The following investment practices are prohibited and shall constitute limitations to fund investments:

(1) Options and futures may not be purchased or sold; complex derivatives and complex structured notes which provide for uncertain payment dates and amounts are prohibited without the express, written consent of the city council, as are practices which involve the use of leveraging through reverse repurchase agreements;

(2) Investments in U.S. dollar denominated obligations of corporations shall be limited to a percentage level as provided for by the city council from time to time. Investment grade to be defined by at least one nationally recognized rating service. The investment in the lowest level of investment grade securities is to be limited to no more than ~~ten~~ 15 percent of the marketable debt securities;

(3) No investment shall be made in any one individual security or issuer in excess of five percent of the total investment portfolio, measured by market value, except for obligations of the U.S. government and its agencies.

(4) No investments, cumulatively, shall be made in any one industry in excess of 25 percent of the total investment portfolio except for obligations of the U.S. and its agencies without quarterly disclosure to the Review Board for consideration.

(5) Effective January 1, 2009, no commercial residential mortgaged backed securities (MBS, etc. but not to exclude securities issued by a U.S. government agency) and no further commercial mortgage backed securities (CMBS, etc.) may be purchased.

(d) *Transactional records.* The board shall maintain on file within the offices of the city, monthly reports which indicate the following:

(1) All transactions affecting the investment account, to include purchases and sales of securities, transfers of cash into and out of the account, interest or dividends received by the account; and

(2) A listing of all assets held in the investment account, including identification of the security, original purchase price, and current market price.

(e) *Fund performance evaluation.* The city council and the board may have an objective performance evaluation of the investment program every year. The board may retain a performance measurement consultant whose contractual purpose will be to provide objective measurement of the performance of investment managers and the portfolio against appropriate indices, universes and/or benchmarks as recommended by the consultant and adopted by the city council and the board. Portfolio performance may be reviewed by the consultant at least semiannually with the city council and the board. Such consultant may not manage in any capacity any portion of the portfolio.

(f) *Custodian bank.* The city council and the board shall retain a bank custodian to hold all investment cash and securities in the name of the city's permanent fund. The custodian shall render monthly reports to the city council and the board regarding assets held at both book and market values, and individual transactions which have taken place. The bank shall have adequate fidelity insurance. A written contract will be entered into between the city and the custodian bank.

(g) *Investment managers.* The city council and the board shall retain one or more professional investment managers to design portfolios and invest funds in accordance with the written investment policies adopted by the city council. The investment managers must be registered financial advisers with both the United States Securities and Exchange Commission and the state and may not serve in any multiple role as investment manager or securities broker custodian. They must agree to serve as a fiduciary to the fund and carry professional liability insurance in the minimum amount of \$5,000,000.00. A written contract must be entered into between the fund and the investment managers.

(h) *Fiduciary status; conflict of interest.* The board shall be considered to have the responsibility of a fiduciary to the fund and shall be indemnified by the city in any action brought against them collectively or individually while acting in this capacity. No board member may act on behalf of the board in any manner involving the investments of the portfolio or its management pursuant to this policy, except as specifically authorized by the city council in writing.

(i) *Prudent investor rule.* The city council, the board, the staff, the investment managers and the bank custodians shall exercise the judgment and care under the circumstances then prevailing which an investor of ordinary prudence, discretion and intelligence exercises in the management of large investments entrusted to it, not in regard to speculation, but in regard to the long-term

investment of funds considering the probable safety of capital as well as probable income.

(j) *Balance available for appropriation.* The city council may only appropriate from the permanent fund as follows: In any fiscal year, an amount not to exceed four percent of the five-year average fund market value, to be computed using the five prior years' year end audited market value, for the city operations, and an additional 0.5 percent solely for capital needs.

SECTION 2. Fairbanks General Code Section 2-261 Permanent Fund Asset Allocation Plan and Performance Measurement Targets is amended as follows [new text in **underline bold** font; deleted text in ~~strikethrough~~ font]:

Sec. 2-261. Permanent fund asset allocation plan and performance measurement targets.

(a) The target for equities is ~~45%~~ **60%** of the portfolio with an allowable range of ~~30%~~ **45%** to ~~60%~~ **75%**. The target for fixed income is ~~55%~~ **40%** of the portfolio with an allowable range of ~~40%~~ **25%** to ~~70%~~ **55%**.

(b) Within the overall guidelines for equities and fixed income investments, the asset allocation targets and ranges are as follows:

Asset Class	Target % Weighting	Range %
Equities - Overall	45 <u>60</u>	30-60 <u>45-75</u>
Large Cap Equity	22 <u>24</u>	15-50 <u>15-35</u>
Mid Cap Equity	3 <u>9</u>	0 - 15 <u>15</u>
Small Cap Equity	2 <u>6</u>	0 - 10
International Equity	9 <u>10</u>	0 - 20 <u>20</u>
Emerging Markets Equity	4 <u>5</u>	0 - 10
Real Estate Equity	5 <u>6</u>	0 - 15 <u>15</u>
Fixed Income - Overall	55 <u>40</u>	40-70 <u>25-55</u>
US Bonds meeting Ordinance Criteria	40 <u>25</u>	30-70 <u>15-55</u>
International Bonds	5	0 - 10
U.S Treasury Inflation Protected Securities	5	0 - 10
Cash/1-3 month Treasuries	5	0 - 10
Commodities	0	0 - 20 <u>20</u>

* * * * *

Section 3: That the effective date of this Ordinance will be the _____ day of February 2017.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J Ewers, City Attorney

Introduced by: Council Member Therrien
Council Member Pruhs
Council Member Norum
Permanent Fund Review Board Recommendation: January 23, 2017
Introduced: February 6, 2017

ORDINANCE NO. 6042

**AN ORDINANCE MODIFYING THE ANNUAL GENERAL
FUND TRANSFER FROM THE PERMANENT FUND**

WHEREAS, Section 8.8 of the City Charter created a Permanent Fund from the proceeds of the sale of municipal real property and utility assets; and

WHEREAS, Fairbanks General Code (FGC) Section 2-260(a) states that the purpose of the Permanent Fund is “to maximize income for capital and operating expenses of the city and preserve in trust assets of the city for present and future generations of city residents.” The principal goal of the Permanent Fund is “to preserve principal and maintain purchasing power”; and

WHEREAS, Charter Section 8.8(b)(2) states that the City Council may only appropriate from the Permanent Fund in any fiscal year an amount not to exceed four percent of the five year average fund market value for City operations and an additional 0.5 percent for capital needs; and

WHEREAS, the City’s Permanent Fund investment manager, Alaska Permanent Capital Management, reports that the current 4% annual appropriation to the General Fund results in a 60%-65% likelihood that the Permanent Fund will fall below the \$113 million principal amount; and

WHEREAS, the Permanent Fund Review Board supports and recommends a reduction in the annual transfer to the General Fund to be phased in over a five-year period, while retaining the current 0.5 percent transfer to the Capital Fund.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. The maximum annual transfer from the Permanent Fund to the City’s General Fund will be reduced from 4.0 percent to 3.5 percent by decreasing the transfer amount by 1/10 of a percent every year for five years as follows:

- 2018 - 3.9 percent of the average five prior years' year end audited market value*
- 2019 - 3.8 percent of the average five prior years' year end audited market value
- 2020 - 3.7 percent of the average five prior years' year end audited market value
- 2021 - 3.6 percent of the average five prior years' year end audited market value
- 2022 - 3.5 percent of the average five prior years' year end audited market value

*This change will result in a decrease of \$116,811 to the 2018 estimated transfer.

Section 2: That the effective date of this Ordinance shall be the ____ day of February 2017.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J Ewers, City Attorney

**Fairbanks North Star Borough / City of Fairbanks
CHENA RIVERFRONT COMMISSION
MINUTES
December 14, 2016**

The Fairbanks North Star Borough/City of Fairbanks Chena Riverfront Commission (CRFC) met on Wednesday, December 14, 2016 with Vice-Chair Olson presiding. The following Commission members were in attendance: Julie Jones, Lee Wood, Kelley Hegarty-Lammers, Bob Henszey, Gordy Schlosser, and Ian Olson.

Also present were: Kellen Spillman; FNSB Community Planning Deputy Director; Stacy Wasinger, Planner II, FNSB Department of Community Planning; Brittany Smart, Special Assistant to Mayor Kassel; Andrew Ackerman, City of Fairbanks; Donna Gardino, FMATS; Ann Worhatch, FNSB Public Works; Bryn McElroy, TVWA; Bert Bell, property owner of CU2017-009 and Laura McLean, FNSB Recording Clerk.

1. CALL TO ORDER

Olson called the meeting to order at 12:02 p.m.

2. APPROVAL OF AGENDA

*A motion was made by **Hegarty-Lammers**, seconded by **Jones**, to approve the Agenda for December 14, 2016. There were no objections. The agenda was approved as presented.*

3. APPROVAL OF MINUTES OF November 9, 2016

*A motion was made by **Henszey**, seconded by **Jones**, to approve the minutes for November 9, 2016. There were no objections. The minutes were approved as presented.*

4. COMMUNICATIONS TO THE COMMISSION

McLean stated that Plager is out of state. Attempts to contact her telephonically for this meeting were unsuccessful. **McLean** also communicated that Buki Wright e-mailed that he may be late for this meeting.

Olson communicated that there are several Commissioner appointments that are up for renewal. **McLean** clarified that all renewals have been approved by the Assembly.

Olson also commented that the Parliamentary Procedure training which was scheduled for December 19, 2016 has been postponed until February 1, 2017. More information will follow.

5. PUBLIC COMMENTS

None

6. NEW BUSINESS

a. Riparian Zone Restoration Projects – Mitch Osborne, USFWS Habitat Restoration Biologist

Mitch Osborne, USFWS Habitat Restoration Biologist, addressed the Commission. He gave a very informative presentation regarding Riparian Zone Restoration Projects that he is working on. Upon conclusion of his presentation, Osborne made himself available for questions.

Olson inquired if the USFWS keeps records of areas along the river that need to be monitored for erosion. **Osborne** replied that they do map these areas, however, due to staff shortages, they tend to address the most significant areas first.

Hegarty-Lammers stated that Osborne is driven by public requests and questioned if publically owned lands are included. **Osborne** responded that the money that he receives can only go to private and local government lands. He cannot work on Federal land or State land projects.

Olson thanked Osborne again for his time and presentation.

- b. RZ2016-001: A request by Galen L. King to rezone approximately 4.82 acres from Rural Estates 2/Airport Noise Sensitive Area (RE-2/ANSA) to Rural Residential/Airport Noise Sensitive Area (RR/ANSA) or other appropriate zone

Spillman addressed the CRFC. He introduced Stacy Wasinger, a Planner with the FNSB Department of Community Planning. **Wasinger** gave a brief presentation and explanation of this particular request.

Spillman noted that there are a number of zoning violations on these properties at this time. The rezone will resolve a lot of the non-compliance issues.

Olson inquired if the Commission would be comfortable making a recommendation regarding this rezone. **Hegarty-Lammers** proposed that Spillman include in his staff report that the CRFC had no objections to this rezone request based on the fact that both zones protect the setback along the river.

Jones inquired what the timeline was for this item to go before the Assembly. **Wasinger** stated that it is scheduled for the January 10, 2017 Planning Commission meeting. Depending on the action at this meeting, this item could go before the Assembly in February. **Jones** inquired if this meets the guidelines of this Commissions' Process for Project Review. **Spillman** commented that he feels that this did meet the requirements for this Commission to review.

Olson suggested that it be noted in the staff report for this request that this Commission noted no conflicts and that the setbacks seem to serve the goals of the CRFC Plan. **Hegarty-Lammers** was in agreement with this.

- c. CU2017-009: A request by Renee Rember for conditional use approval of a veterinary clinic in the Multiple-Family Residential/Professional Office (MFO) zone on Lot 2, Herman Subdivision

Wasinger addressed the Commission regarding this request and gave a brief presentation and explanation of this particular request.

It was questioned where animal waste will be disposed of. **Wasinger** responded that it will be disposed off-site. That is part of their daily operational procedures.

Hegarty-Lammers queried if this will be part of the Conditional Use permit. **Spillman** replied that the Department of Community Planning has not made a recommendation yet.

Wood queried what would happen to deceased animals. **Wasinger** replied that they will be disposed of off-site as well. The owner has identified specific organizations that will handle this.

Schlosser commented that there is a very good fence along the river and it is level with the yard. There is also space to walk along the outside of the fence, approximately two feet, and then it drops down to the water. This area is covered with vegetation. Schlosser commented that as far as he is concerned, it would be pretty hard to develop the space between the fence and the river.

Olson commented that it is possible to see into the fenced yard from the Janel Thompson Park which is adjacent. He suggested slatting within the fencing to obscure the animals within the fence. Slatting within the fencing along the river was also suggested.

Hegarty-Lammers inquired of the owner why a rezone was not pursued rather than this Conditional Use permit application. **Bert Bell**, property owner, stated that he was not sure why a rezone was not requested. **Spillman** clarified that rezones are more complicated than a Conditional Use permit and that in most zones animal clinics are Conditional Uses because of the wide variety of uses that they can serve.

It was questioned what the dog park nearby was zoned as. **Spillman** replied that it is zoned Outdoor Recreational.

Wood expressed that she does not support this type of commercial development in the area.

The Commission took time to discuss their ideas for a recommendation to the Planning Commission.

MOTION: A motion was made by **Jones**, seconded by **Hegarty-Lammers**, to extend this meeting for 10 minutes.

VOTE: All were in favor. There was no opposition.

The Commission was able to come up with the following motion after much discussion.

MOTION: A motion was made by **Henszey**, seconded by **Hegarty-Lammers**, to forward a recommendation that in considering the application, the "Planning Commission consider visual buffer, biological waste, and Title 18 for the population of dogs in the dog yard."

VOTE: All were in favor. There was no opposition.

d. CRFC Project list for 2016

This item was postponed by the Commission to the February meeting.

e. Project Recommendations Working Group

This item was postponed by the Commission to the February meeting.

f. 50th Anniversary of the Chena River flood (1967)

This item was postponed by the Commission to the February meeting.

7. UNFINISHED BUSINESS

None

8. STAFF AND LIASION COMMENTS

None

9. COMMISSIONERS COMMENTS

Jones volunteered to provide materials for the 50th Anniversary of the Chena River flood (1967)

Hegarty-Lammers commented that she would like to see a discussion regarding the Rules for Project Review process.

10. AGENDA SETTING FOR February 8, 2017 COMMISSION MEETING

a) CRFC Project list for 2016

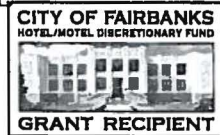
- b) Project Recommendations Working Group
- c) 50th Anniversary of the Chena River flood (1967)
- d) DOT upgrade for Phillips Field Road
- e) CRFC funds in Land Management
- f) Ruth Barnette Fish Hatchery
- g) Rules for Project Review Process
- h) CRFC Pocket Plan

11. ADJOURNMENT

The meeting was adjourned at 1:45 pm after a motion by Schlosser, seconded by Henszey.



HOTEL/MOTEL DISCRETIONARY FUND COMMITTEE
 MINUTES – DECEMBER 19, 2016, 12:00 PM
 FAIRBANKS CITY COUNCIL CHAMBERS
 800 CUSHMAN STREET, FAIRBANKS, ALASKA



The Hotel-Motel Discretionary Fund Committee convened at 12:00 p.m. on the above date to conduct a Distribution Meeting at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Council Member June Rogers (Seat F) presiding and with the following members in attendance:

Members Present: Kathryn Fitzgerald, Seat A
 Ron Woolf, Seat B
 John Nobles, Seat C
 Randi Carnahan, Seat D
 Vivian Stiver, Seat E

Absent: None

Also Present: D. Danyielle Snider, City Clerk
 Michelle Gutierrez, Deputy City Clerk I
 Margarita Bell, City Controller

CALL TO ORDER

Chair Rogers called the meeting to order.

APPROVAL OF MEETING MINUTES

a) Regular Meeting Minutes of December 14, 2016

Chair Rogers pointed out that the word “Distribution” should be changed to “Presentation” in the first paragraph on page one.

Mr. Nobles, seconded by Ms. Stiver, moved to APPROVE the Regular Meeting Minutes of December 14, 2016, as Corrected.

Chair Rogers called for objection and, hearing none, so ORDERED.

NEW BUSINESS

a) Announcement of Discretionary Fund Awards for 2017 Distribution

Each member read their individual allocations into the record; the distribution of funds was as follows:

Name of Organization	Award Amount
Fairbanks Youth Litter Patrol, Inc.	\$ 10,000.00
Alaska Dog Mushers Association	\$ 18,000.00
Iron Dog, Inc.	\$ 11,667.00
Fairbanks Curling Club	\$ 7,667.00

Name of Organization (continued)	Award Amount (continued)
Alaska International Senior Games, Inc.	\$ 8,650.00
Fairbanks Children's Museum	\$ 9,000.00
Tanana-Yukon Historical Society	\$ 7,833.00
Friends of Creamer's Field	\$ 8,000.00
Pioneer Memorial Park, Inc.	\$ 10,833.00
Fairbanks Community Band, Inc.	\$ 6,500.00
World Eskimo-Indian Olympics	\$ 15,000.00
Yukon Quest International, Ltd	\$ 29,667.00
Fairbanks Red Hackle Pipe Band	\$ 2,883.00
Fairbanks Community Museum	\$ 13,250.00
Greater Fairbanks Chamber of Commerce	\$ 12,667.00
Festival Fairbanks, Inc.	\$ 22,500.00
Clay Street Cemetery Commission	\$ 9,700.00
Fairbanks Youth Soccer Association	\$ 8,333.00
Fairbanks Arts Association	\$ 55,583.00
Alaska Songbird Institute	\$ 2,267.00
TOTAL	\$ 270,000.00

Ms. Bell distributed a copy of the final distribution for each organization.

NEXT MEETING (WRAP-UP) – Thursday, January 5, 2017 at 5:30 p.m.

Chair Rogers invited everyone to attend the January 5 wrap-up meeting. She spoke to the struggles of non-profit organizations in Fairbanks and spoke to the passion and commitment of those who work for the organizations.


Ms. Stiver stated that she was happy to see new organizations apply this year.

Ms. Fitzgerald stated that she is happy the Discretionary Fund exists.


ADJOURNMENT

Ms. Stiver, seconded by **Mr. Woolf**, moved to ADJOURN the meeting.

Chair Rogers called for objection and, hearing none, declared the meeting ADJOURNED at 12:13 p.m.



 June Rogers, Chair



 D. Danyielle Snider, City Clerk

Transcribed by: DS