

CORRECTED



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, OCTOBER 10, 2016
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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

Council Members Present: Joy Huntington, Seat A
June Rogers, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D (telephonic)
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Chief of Staff
Donna Gardino, MPO Coordinator
Angela Foster-Snow, HR Director
Eric Jewkes, Deputy Police Chief
Jim Styers, Fire Chief
Brad Johnson, Deputy Police Chief
JB Brainerd, Deputy City Attorney
Valerie Therrien, Council Member Elect
Jerry Norum, Council Member Elect

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation.

CITIZEN'S COMMENTS

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney expressed interest in the Fairbanks Diversity Council continuing on after Mayor Matherly takes office. He thanked Mr. Gatewood for being the most respectable Council Member in his memory. He spoke in favor of the police using non-lethal ballistics rather than lethal weapons.

Jerald Harrison, 723 27th Avenue, Fairbanks – Mr. Harrison spoke to conspiracy theories that surround government. He spoke negatively about Mr. Gatewood because Mr. Gatewood had

stated at a previous meeting that he would be concerned if the Fairbanks Police Department (FPD) were to hire an officer from Ferguson, Missouri.

Scott McCrea, 2965 Westgate Place, Fairbanks – Mr. McCrea spoke to various charters that have come and that will be coming to Fairbanks. He stated that the aurora borealis have increased the number of international visitors to the Fairbanks area. He gave an update on European travel companies making Fairbanks a destination.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger congratulated the City for completing the Rickert Subdivision project. He expressed hope that the City would upgrade the whole Southside. He asked how much the Bjerremark Subdivision signs cost. He asked if all City subdivisions would get similar signage and spoke of the need for public restrooms downtown.

Floyd Terry, P.O. Box 73514, Fairbanks – Mr. Terry spoke to empty buildings in Fairbanks. He spoke to the lack of parking in the downtown area when he tried to attend some First Friday events. He spoke to all of the crimes that are reported in the newspaper in the public safety report. He stated that something needs to be done to fix the problem of homeless youth.

Brittany Smart, Fairbanks North Star Borough (FNSB) Representative – Ms. Smart spoke to the Air Quality Conference that took place and shared that the Borough had hoped that more elected officials and citizens would have been involved. She stated the new air quality numbers were released and spoke to how violators will be cited and fined. She stated that the FNSB supports the FMATS Green Street Policy resolution.

Darleen Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert spoke to the gentleman that froze to death outside of a local church. She stated that the City needs to stop talking about a treatment center and just build one. She stated that addiction is a disease and that there are plenty of vacant buildings that the City could use for a detox center.

Ms. Rogers asked Ms. Herbert if she was aware of the Opioid Task Force meetings. Ms. Herbert stated she knows about the meetings; she stated that just meeting to talk does not fix the problem. **Ms. Rogers** stated the meetings are the last Wednesday of the month at 10:00 a.m.; she invited Ms. Herbert to attend.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Pruhs pulled Resolution No. 4763 from the Consent Agenda.

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

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

MAYOR'S COMMENTS AND REPORT

Mayor Eberhart stated that the Fairbanks Police Department does have non-lethal weaponry and all officers are trained how to use non-lethal force. He stated that the City has asked the Alaska Mental Health Trust for funding for a homeless/housing coordinator that would work in the Mayor's Office. **Mayor Eberhart** thanked everyone who ran in the local election. He announced the return of Chief of Staff Jeff Jacobson. He stated that driving under the influence is a serious offense, but that Mr. Jacobson's totally out of character with many extenuating circumstances. **Mayor Eberhart** asked Mr. Jacobson to say a few words.

Mr. Jacobson stated he is sorry for his actions on August 18, 2016. He expressed gratefulness that no one was injured as a result of the decisions he made that night. He stated that it has been a life-changing journey and that he is thankful to be back at the City.

Mayor Eberhart spoke to the activities of the Mayor's Office since the last regular Council Meeting. He stated that the administration has decided to have AML/JIA do an independent investigation into the allegations against Police Chief Randall Aragon.

NEW BUSINESS

- a) Resolution No. 4762 – A Resolution in Support of Fairbanks Metropolitan Area Transportation Systems' Green Streets Policy. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4763 – A Resolution Supporting Relocation of the Wetlands Conservation Tract in the Northside Business Park Subdivision, Second Addition. Introduced by Council Members Pruhs and Rogers.

Mr. Pruhs, seconded by **Ms. Rogers**, moved to APPROVE Resolution No. 4763.

Mr. Pruhs asked Ms. Lefebvre to come forward. He explained that Ms. Lefebvre came to a Council meeting and shared her concern that a homeless camp has taken residence on her property. He stated that the City of Fairbanks cannot apply resources to clean up private property, but that there are many calls to the Fairbanks Police Department (FPD) to investigate issues. **Mr. Pruhs** stated that FPD goes out to the property and directs everyone to leave but the homeless individuals end up back on Ms. Lefebvre's property.

Sarah Lefebvre, 2009 McCullam Avenue, Fairbanks – Ms. Lefebvre thanked Mr. Pruhs and Ms. Rogers for helping her come up with a solution to the problem. She spoke to the details of the wetland relocation whereby allowing them to move the homeless camp out.

Mr. Cleworth asked Ms. Lefebvre if she has spoken with the Corps of Engineers (COE) about the problem. Ms. Lefebvre replied that she has had contact with them and that they attended an onsite eviction supervised by FPD.

Ms. Rogers stated she believes it to be a win-win situation. She stated that there is genuine concern for the homeless people that have taken up residence on the property, and she thanked Ms. Lefebvre for her kindness.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4763 AS FOLLOWS:

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington, Cleworth
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4763 APPROVED.

COMMUNICATIONS TO COUNCIL

- a) Board of Plumber Examiners Meeting Minutes of June 10, 2016.

ACCEPTED on the CONSENT AGENDA.

- b) Appointment to the Chena Riverfront Commission.

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood stated he would keep it short since it is not his last time to comment as a Council Member. He stated that he has enjoyed his time as a Council Member but that he is also glad it is coming to an end. He stated he would have more to say at the next meeting.

Ms. Rogers warned every one of phone scams designed to trick the elderly population, and she shared an incident that happened to her.

Ms. Huntington acknowledged all those who ran in the election and thanked citizens who voted. She welcomed Mr. Jacobson back to City Hall. She suggested that Council Members visit with FPD and speak with employees to see what is going on in the department.

Mayor Eberhart stated that the Public Safety Commission will meet at FPD at 11:30 a.m. on Tuesday, October 11.

Mr. Matherly thanked the Council for allowing him to attend telephonically. He congratulated everyone who participated in the election and wished good luck for the final ballot count.

Mr. Cleworth welcomed Mr. Jacobson back as Chief of Staff. He stated he appreciates all the candidates who ran for office. He applauded everyone who was willing to put their name out there; he stated that he has been on the losing end of elections before and that it is not fun. **Mr. Cleworth** stated that in historical Spokane there are no street signs, no yield signs, and no street lights, but it seems to work very successfully. He asked if Rickert and Gateway subdivisions were going to have pavement by the time snow flies.

Mr. Jacobson stated that he has spoken to the Engineering Department and that they do plan to have pavement laid in the near future. He stated that the water table was so high over the summer that they were not able to fix all of the sewer line issues. He stated that they plan to do a temporary paving job before winter strikes.

Mr. Cleworth spoke to the death of the gentleman Ms. Herbert mentioned. He stated that the man had recently been released from the hospital after receiving treatment for heart issues. He stated that he would like Acting Police Chief Brad Johnson and Deputy Police Chief Eric Jewkes to come forward, but requested that Mr. Pruhs be allowed to make his comments first.

Mr. Pruhs spoke to the purchase of the Interior Gas Utility. He commended HR Director Angela Foster-Snow for her stabilizing influence at the City in such stressful times. He welcomed Mr. Jacobson back to City Hall. **Mr. Pruhs** stated that Mr. Gatewood is an exceptionally knowledgeable person who he will miss serving on the Council.

Mr. Cleworth stated he received a complaint that he would like to pass on to FPD about transients making a camp over by Walden Estates. Mr. Jewkes stated that he has heard about it and has looked into it. He explained that the camp is on private property and did not appear to be an issue.

Mr. Cleworth spoke to the FPD using non-lethal weapons and asked why Tasers are only effective sometimes. Mr. Jewkes stated that Tasers have inherent flaws but can also be very effective. He stated the issue is that Tasers need to have contact with a person's skin in two different places to create the current in the body. Mr. Jewkes stated that during the winter months in Fairbanks, people are often wearing heavy winter clothing so an officer cannot make contact with the skin. **Mr. Cleworth** asked about the weapons that shoot beanbags; Mr. Jewkes explained the pros and cons of the beanbags. He stated it is a tool FPD has used and can continue to use.

Mr. Johnson stated that FPD does not want officers to place themselves in jeopardy simply to deploy a less lethal weapon. **Mr. Cleworth** asked Mr. Johnson if he knew anything about the weapon Mr. Turney spoke of in his public testimony. Mr. Johnson stated that the weapon Mr. Turney used as an example is the very newest on the market and that it is still undergoing testing. Mr. Johnson stated that FPD is always looking for new alternatives. **Mr. Cleworth** asked Mr. Johnson to do some research and let the Council know what he finds.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Negotiations.

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

Mayor Eberhart called for a five minute recess.

EXECUTIVE SESSION

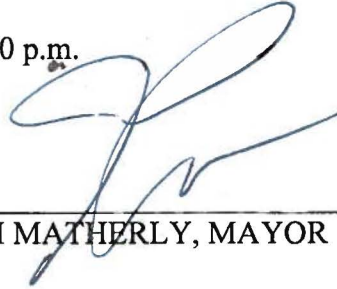
a) Labor Contract Negotiations

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

ADJOURNMENT

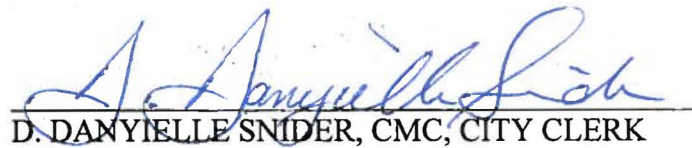
Mayor Eberhart called for objection to ADJOURNING the meeting and, hearing none, so ORDERED.

Mayor Eberhart declared the meeting adjourned at 9:00 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB