



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, MAY 23, 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 6:00 p.m. Work Session to discuss Public Restrooms in Fairbanks, 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  
Bernard Gatewood, Seat C  
Jim Matherly, Seat D  
Jerry Cleworth, Seat E  
David Pruhs, Seat F

Absent: Vacant, Seat B

Also Present: Clem Clooten, Building Official  
Ernie Misewicz, Assistant Fire Chief  
Angela Foster-Snow, HR Director  
Shannon Kumpula, Risk Manager  
Paul Ewers, City Attorney  
Emily Braniff, Deputy City Clerk  
Jim Styers, Fire Chief  
Tammy Misrasi, Communication Director  
Ben Barrio, IT Director  
Margarita Bell, Controller  
Stephanie Johnson, Dispatch Center Manager  
Randall Aragon, Police Chief  
Corey Bolduc, Help Desk Coordinator  
Caleb Hellickson, Systems Administrator

### **INVOCATION**

The Invocation was given by Deputy Clerk Emily Braniff.

### **FLAG SALUTATION**

Mayor Eberhart led the Flag Salutation..

### **CITIZEN'S COMMENTS**

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke to the Clay Street Cemetery maintenance contract award and accused the Mayor of not being transparent. He stated he was very serious about signing up to run for Mayor and suggested that the City return to a City Manager form of government. He suggested that the Chief of Police should be elected by the people and not appointed by the Mayor.

Aldean Kilbourn, 3217 Riverview Drive, Fairbanks – Ms. Kilbourn stated that the Mayor’s decision to turn over the maintenance of the Clay Street Cemetery to Public Works was not a good decision. She stated that Mr. Turney does a lot more for the cemetery than just lawn maintenance and that should have been considered in selecting the maintenance contractor.

Sean Reilly, 1507 21st Avenue, Fairbanks – Mr. Reilly spoke against some of the wording included in Resolution No. 4736 and recommended that the word “disability” be replaced with “absence.”

**Ms. Huntington** agreed with Mr. Reilly and requested that Council make the change.

Hannah Monzingo, 501 Golden Leaf Drive, Fairbanks – Ms. Monzingo shared her disappointment with the City’s decision to turn over the maintenance of the Clay Street Cemetery to Public Works. She stated she received Mr. Turney’s 2015 bid amount, and her family bid \$100.00 less than that amount in the 2016 bid. She stated that Monzingo Mowing was awarded the contract on May 6, 2016 and that they spent \$1,400.00 before the cancellation of the award on May 13, 2016. She stated that her first dealing with the City has made her very uncomfortable.

**Mayor Eberhart** asked Ms. Monzingo how she received the bid amount from Mr. Turney’s 2015 bid. Ms. Monzingo stated she called the City and asked for the information and it was given to her because it was public information.

**Mayor Eberhart** asked which department she called to request the bid information. Ms. Monzingo stated that she called the main line and did not know which department it was.

**Mr. Pruhs** asked Ms. Monzingo how she found out about the bid. Ms. Monzingo replied that a friend told her she should look into the Clay Street Cemetery RFP.

**Mr. Pruhs** asked who her friend was. Ms. Monzingo replied that Mr. Pruhs’ question was not relevant and that she would not reveal who her friend was.

**Mr. Matherly** asked Ms. Monzingo how she was notified that Monzingo Mowing was the low bidder for the 2016 Clay Street Cemetery maintenance contract. Ms. Monzingo stated that she received an email addressed to all three bidders on May 6 alerting them that Monzingo Mowing was the low bidder; she stated that she was not notified of the non-award until May 13.

**Mr. Pruhs** stated that at the Regular Council Meeting of May 9, 2016, he asked Risk Manager Shannon Kumpula if the contract had been awarded yet and she responded that it had not. Ms. Monzingo again stated that she received an email stating that Monzingo Mowing had been awarded the contract on May 6, 2016.

**Ms. Huntington** asked Ms. Monzingo if she had signed the maintenance contract for the Clay Street Cemetery. Ms. Monzingo replied that she had not yet signed a contract.

**Mr. Matherly** asked Ms. Monzingo if she would bid on future City projects. Ms. Monzingo replied that she would shy away from bidding on City projects in the future because of the bad experience she has had.

Jerald Harrison, 723 27th Avenue – Mr. Harrison asked why Mr. Turney was allowed to sit on the panel to help select the Chief of Police. He stated that Mr. Turney bullies, threatens and intimidates and the City bends to his every wish. He asked why the City and the Council could not stand up to Mr. Turney. Mr. Harrison stated that Mr. Turney should not be able to come to Council Meetings and threaten the Council and the Mayor.

Jennifer Jolis, 3705 Quartz Road, Ester – Ms. Jolis introduced Aubree Pierce who is a Vista Volunteer and thanked Ms. Pierce for the service she has given to the Stone Soup Café.

Aubree Pierce, 1701 2nd Avenue, #3, Fairbanks – Ms. Pierce spoke to food security issues in the City of Fairbanks and reported how many residents within a one-mile radius of the Stone Soup Café have gone a day without food. She stated that many residents would like to see a grocery store in South Fairbanks as well as transportation assistance to emergency food programs. Ms. Pierce stated that many people in South Fairbanks have food insecurity issues.

**Mr. Cleworth** asked Ms. Pierce to explain the definition of food insecurity. Ms. Pierce explained that food insecurity is when people are not able to access enough food for a healthy lifestyle.

**Mr. Cleworth** stated that the Catholic Church puts on a weekend soup kitchen, the Fairbanks Food Bank delivers food boxes, and the Stone Soup Café is available to local residents. He asked Ms. Pierce what her ideal vision is of food security. Ms. Pierce stated that her vision is to educate people on how to eat healthy on a budget and teach them the importance of eating locally-grown produce.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated the City should not take over the maintenance on the Clay Street Cemetery and that Public Works' water system is a joke. He stated that the City should pay Mr. Turney and Ms. Monzingo \$5,000.00 each to do the maintenance at the cemetery. He stated that the City put too many trees on Cushman Street and it was a waste of tax dollars.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin spoke to the State of Alaska's (SOA) budget deficit and suggested people should donate their Permanent Fund Dividend (PFD) to the SOA General Fund. He stated that people could go to [www.alaskagd76.com](http://www.alaskagd76.com) to learn more about his proposed plan.

**Ms. Huntington** complimented Mr. Griffin on his proposal and asked what kind of feedback he has received on his plan. Mr. Griffin replied that he has received positive feedback but not a lot of traction in regard to donations.

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

## APPROVAL OF AGENDA AND CONSENT AGENDA

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

**Mr. Pruhs** pulled Resolution No. 4739 and Resolution No. 4740 from the Consent Agenda.

**Ms. Huntington** pulled Resolution No. 4736 from the Consent Agenda.

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

Deputy Clerk Braniff read the Consent Agenda, as Amended, into the record.

## APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of March 7, 2016.

APPROVED on the CONSENT AGENDA.

## SPECIAL ORDERS

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

Applicant: Tanya S L Andrews

**Mr. Pruhs**, seconded by **Mr. Gatewood**, moved to GRANT the Appeal of Denied Application for a New Chauffeur License.

**Mayor Eberhart** asked Ms. Andrews to come forward and explain why she feels the Chauffeur License should be granted.

Ms. Andrews stated she has changed from who she used to be and that she has received treatment for her issues. She stated that she was in an abusive relationship when she fell into legal trouble and that she has been a changed person for the last three years.

**Mr. Cleworth** asked Ms. Andrews if the program that she went to was court mandated or voluntary. Ms. Andrews replied that she went to treatment for a year and that she graduated from the program.

**Mr. Cleworth** asked when she completed the program, and Ms. Andrews stated she could not recall. **Mr. Cleworth** asked about a 2014 charge on her criminal record and whether the charge occurred after her treatment. Ms. Andrews stated that she could not remember the charge but that she has changed from who she used to be.

**Ms. Huntington** asked Ms. Andrews why she did not indicate the 2014 conviction on her application. Ms. Andrews stated she thought the conviction was removed because she attended all her court dates and followed all the processes.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that the City Council should not have the authority to be court, judge and jury in determining Chauffeur License appeals.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that the City is a disgrace by the way it handles Chauffeur License appeals; he added that Ms. Andrews should get the license.

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

**Ms. Huntington** asked City Attorney Paul Ewers how much leeway the Council has in granting the license based on the rules of licensing. Mr. Ewers replied that the Council can consider the case on its merits and on the applicant's explanation of the appeal.

**Mr. Matherly** thanked Ms. Andrews for coming to the Council to appeal the City Clerk denial of the license and that he is happy that the process is in place. **Mr. Matherly** stated that the Council takes the appeals process very seriously as a public safety issue.

**Mr. Pruhs** spoke in favor of granting the Chauffeur License.

**Ms. Huntington** stated that she believes in giving second chances but that she would have liked it if Ms. Andrews had addressed the issue in her application.

**Mr. Gatewood** stated that he would have liked to have seen a longer record of good behavior and that he is not convinced enough time has elapsed for Ms. Andrews to be granted the appeal.

**Mr. Cleworth** shared Mr. Gatewood's concern that not enough time had passed since Ms. Andrews' last conviction, but stated that he would give her a chance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO GRANT THE APPEAL OF DENIED APPLICATION FOR A NEW CHAUFFEUR LICENSE AS FOLLOWS:

YEAS: Pruhs, Matherly, Huntington, Cleworth

NAYS: Gatewood

**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 (stock only) and Restaurant Designation Permit:

Type: Restaurant / Eating Place, License #5266

To: Fushimi / Fushimi, LLC

607 Old Steese Hwy, Ste. E #105, Fairbanks, Alaska

From: Fushimi / Fushimi, LLC

607 Old Steese Hwy, Ste. E #105, Fairbanks, Alaska

**Mr. Pruhs**, seconded by **Mr. Matherly**, moved to WAIVE Protest on the Liquor License Application for Transfer of Ownership (stock only) and Restaurant Designation Permit.

**Mayor Eberhart** 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 (STOCK ONLY) AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Matherly, Cleworth, Huntington, Gatewood, Pruhs

NAYS: None

**Mayor Eberhart** declared the motion CARRIED.

### MAYOR'S COMMENTS AND REPORT

**Mayor Eberhart** spoke to the Work Session on Public Restrooms. He stated that he was away when the Clay Street Cemetery maintenance contract was handled. **Mayor Eberhart** stated that information was obtained through inappropriate channels in regard to the amount of Mr. Turney's 2015 bid. **Mayor Eberhart** stated that no request was submitted to the Clerk's Office. He stated that Chief of Staff Jeff Jacobson and HR Director Angela Foster-Snow advised that Public Works take over the maintenance for 2016 and have it go out for bid in 2017. **Mayor Eberhart** expressed his condolences to the family of Nancy Mendenhall. He congratulated the the Fire Department employees who were recently promoted. He spoke of his Sister City visit to Fanano, Italy and shared his desire to strengthen the relationship between Fairbanks and Fanano. **Mayor Eberhart** encouraged everyone to take a tour down Cushman Street to enjoy the Complete Street project.

### UNFINISHED BUSINESS

- a) Ordinance No. 6009 – An Ordinance Amending Fairbanks General Code Section 50-461(c) Political Activity, to Clarify the Prohibition on Use of City Resources to Support Proposed Legislation. Introduced by Council Member Cleworth. POSTPONED from the Regular Meeting of April 25, 2016; Public Hearing was held on April 25, 2016.

**Mr. Cleworth**, seconded by **Mr. Gatewood**, moved to SUBSTITUTE Ordinance No. 6009, as Amended, for Ordinance No. 6009.

**Mr. Cleworth** explained the history of how the ordinance came about and why he believes it needs to be amended.

Mr. Ewers stated that the language of the ordinance is designed to stop what the court calls "government speech." He stated the ordinance is not a restriction on individual speech.

**Ms. Huntington** stated that she was concerned with the initial version of Ordinance No. 6009, but feels that she could support the as amended version.

**Mayor Eberhart** stated that he wrote a letter supporting a bill that would continue benefits to the families of police or fire fighters killed in the line of duty. He handed out the section of the City Charter relating to the responsibilities of the Mayor and five letters that Mr. Cleworth wrote to the legislature while he served as City Mayor. **Mayor Eberhart** explained why he was and should continue to be able to send the letter; he clarified that the letter was written on behalf of the Administration, not the City Council. He stated that the Mayor is elected to advocate on behalf of the City and that the Council should not restrict his ability to do so. He stated the ordinance imposes a restriction on all employees and elected officials at the City of Fairbanks.

**Mr. Pruhs** stated that he had requested that the Mayor write the letter supporting the bill Mayor Eberhart mentioned. He thanked the Mayor for expeditiously sending it. He stated that sometimes elected officials have to do things at a moment's notice and that the proposed ordinance is micro-management.

**Mr. Cleworth** stated that the Council should be able to communicate as a body when backing ballot propositions or proposed changes to law. He stated that opinions can be shared in Council meetings but that they should not be shared using City resources.

**Mr. Pruhs** gave an example of how he has used City resources; he stated that if the ordinance passes, he would no longer be able to do so.

**Mayor Eberhart** stated that having the Clerk write a follow-up letter to legislators was, in his opinion, rather rude. He stated that the letter he wrote was his opinion as the Mayor of the City of Fairbanks and that his hands and the hands of all employees should not be tied by the Council.

**Mr. Matherly** stated that the Council is a body and that opinion pieces should come from the team, not any one member. He stated that he did not see the ordinance as stifling anyone, just clarifying that issues needs to be discussed and debated before making an official statement on City letterhead.

**Mr. Gatewood** stated that he did not want to pass anything that would hamstring any of the Council Members. He stated that when the Mayor sends a letter believing that it only represents his own position, people may interpret it to represent the whole City and the Council. He stated that the Council should be able to play as a team and communicate with each other to create a consensus when the need to act is not urgent.

**Ms. Huntington** shared her appreciation for the information that the Mayor provided to the Council Members; she stated that she may now not be able to support the ordinance.

**Mr. Cleworth** stated that using City resources is what he takes issue with.

**Mayor Eberhart** stated that the ordinance is overreaching by the Council; he urged the Council to come up with a better solution to Mr. Cleworth's issue.

**Mayor Eberhart** called for objection to the SUBSTITUTING Ordinance No. 6009, as Amended, for Ordinance No. 6009 and, hearing none, so ORDERED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6009, AS AMENDED AS FOLLOWS:

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

- b) Ordinance No. 6010 – An Ordinance Amending Fairbanks General Code Chapter 46, Article IV, Division 3 Littering, by Adding a Violation for Failing to Remove Pet Excrement and Adding a Reference in Chapter 6 Animals. Introduced by Council Members Cleworth and Pruhs. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 6010.

**Mr. Gatewood**, seconded by **Mr. Matherly**, moved to SUBSTITUTE Ordinance No. 6010, as Amended, for Ordinance No. 6010.

**Mayor Eberhart** called for objection to the SUBSTITUTING Ordinance No. 6010, as Amended, for Ordinance No. 6010 and, hearing none, so ORDERED.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney thanked Mr. Cleworth and Mr. Pruhs for drafting Ordinance No. 6010 and requested that cat feces be addressed in the ordinance. He stated that there is a problem with animal feces in the downtown area and spoke to the seriousness of the parvo disease.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that he does not live in the City limits but that he has had issues with people allowing their pets to use his lawn as their restroom. He spoke to what he does to dogs that use the bathroom in his yard.

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

**Mr. Matherly** stated that he understands that parvo is a serious disease transmitted by animal feces and that it is time for the City to address the issue.

**Mr. Pruhs**, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 6010, as Amended, to increase the fine from \$50.00 to \$100.00.

**Mr. Pruhs** stated that if police officers have to write citations, the fine should be more than \$50.00.



A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6010, AS AMENDED, BY INCREASING THE FINE FROM \$50.00 TO \$100.00 AS FOLLOWS:

YEAS: Pruhs, Huntington, Matherly, Gatewood  
NAYS: Cleworth  
**Mayor Eberhart** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6010, AS AMENDED, AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth  
NAYS: None  
**Mayor Eberhart** declared that MOTION CARRIED and Ordinance No. 6010, as Amended, ADOPTED.

### NEW BUSINESS

- a) Resolution No. 4734 – A Resolution Awarding a Contract to HC Contractors, Inc. for the Rickert Subdivision Roadway Improvements Project ITB 16-01. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4735 – A Resolution Awarding a Contract to HC Contractors, Inc. for the Gateway Subdivision Improvement Project ITB 16-12. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4736 – A Resolution Designating Signing Authority to the Chief of Staff in the Absence or Disability of the Mayor. Introduced by Mayor Eberhart.

*There was no motion to APPROVE Resolution No. 4736; however, the intent to APPROVE is clear. A roll call vote was taken to APPROVE Resolution No. 4736 and the vote was unanimous in the affirmative (see page 10).*

**Ms. Huntington**, seconded by **Mr. Cleworth**, moved to AMEND Ordinance No. 4736 by striking the words “or disability” in all three occurrences.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4736 BY STRIKING THE WORDS “OR DISABILITY” IN ALL THREE OCCURRENCES AS FOLLOWS:

YEAS: Pruhs, Gatewood, Huntington, Cleworth, Matherly  
NAYS: None  
**Mayor Eberhart** declared the MOTION CARRIED.

**Mayor Eberhart** spoke to Mr. Reilly's request to strike the word "his" from Resolution No. 4736.

**Mr. Cleworth** stated that taking "his" out of the resolution is irrelevant because signing authority changes with changes in leadership, and similar resolutions are introduced often.

A ROLL CALL VOTE WAS TAKEN ON THE APPROVAL OF RESOLUTION NO. 4736 AS FOLLOWS:

YEAS: Gatewood, Pruhs, Matherly, Huntington, Cleworth

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Resolution No. 4736, as Amended, APPROVED.

- d) Resolution No. 4737 – A Resolution Urging the Borough Assembly to Amend the Rules Governing Board of Adjustment Hearings to Allow for Oral Arguments by the Parties. Introduced by Council Member Huntington.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Resolution No. 4738 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the 2016 FMATS Sidewalk Improvement Project. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- f) Resolution No. 4739 – A Resolution Awarding a Contract to AlasConnect, LLC for Information Technology Services RFP 16-02. Introduced by Mayor Eberhart.

**Mr. Pruhs**, seconded by **Mr. Cleworth**, moved to APPROVE Resolution No. 4739.

**Mr. Pruhs** spoke in support of Resolution No. 4739 and thanked IT Director Ben Barrio for all the work he did on the RFP.

**Ms. Huntington** stated it has been hard to make a decision on the issue and that she appreciates the services the IT Department has provided for the City.

**Mr. Cleworth** thanked Mr. Barrio for his service and asked him to pass thanks on to Applications Manager Keith Anderson for writing the letter to the Council regarding outsourcing the IT Department.

**Mr. Matherly** stated that he has agonized over whether to outsource the IT Department because it affects people, not just a budget number. He stated that the decision is a double-edged sword for the Council. He thanked Mr. Barrio for his honest assessment of the issue.

**Mr. Gatewood** stated that he has reservations about outsourcing the IT Department because he is concerned that it may end up costing the City more money in the long run.

**Mayor Eberhart** stated that he has not taken a position on whether the City should outsource the IT Department. He spoke to the dwindling staff in the IT Department and commented that AlasConnect has 35-40 employees which may make them more capable of serving the City. **Mayor Eberhart** spoke kindly of Mr. Anderson and stated that he appreciated his well thought out letter. He stated that the staff of the IT Department will receive a six month severance package and that they will all be given interviews for possible employment with AlasConnect.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4739 AS FOLLOWS:

YEAS: Matherly, Cleworth, Huntington, Gatewood, Pruhs

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Resolution No. 4739 APPROVED.

- g) Resolution No. 4740 – A Resolution Designating the Fairbanks City Council as the Local Regulatory Authority under Alaska Statute Title 17, Chapter 38, Regulation of Marijuana. Introduced by Council Member Pruhs.

**Mr. Pruhs**, seconded by **Mr. Gatewood**, moved to APPROVE Resolution No. 4740.

**Mr. Pruhs** explained why it is important for the City to have regulatory authority over marijuana licensing. He asked Mayor Eberhart to encourage City staff to expedite Pakalolo Supply Company's marijuana license application on the next Regular Council Meeting agenda.

**Mr. Cleworth** asked City Attorney Paul Ewers whether the Borough would be the regulating authority for licenses within City limits if the City did not become an authority in marijuana licensing.

Mr. Ewers stated that the City will treat marijuana licenses the same way as liquor licenses but that the State dropped the ball and did not originally notify the City of the Pakalolo license. He stated that City Clerk Danyielle Snider has sent out the response forms to appropriate City departments and that the approval process is underway.

**Mr. Pruhs** stated that it is such a new industry that everyone is figuring things out as they go.

**Ms. Huntington** asked if other cities are proceeding in the same manner as the City of Fairbanks.

**Mr. Pruhs** stated that some municipalities are not setting up regulatory authority laws and are just leaving it up to the State to approve.

**Mayor Eberhart** asked Mr. Pruhs to clarify what he meant when he requested that the licensing process be expedited by City staff.

**Mr. Pruhs** stated that the license application has been received at the Fairbanks North Star Borough (FNSB) and that there has already been public comment on the license because the owner was issued a zoning permit.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4740 AS FOLLOWS:

YEAS: Matherly, Gatewood, Pruhs, Cleworth, Huntington

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Resolution No. 4740 APPROVED.

- h) Ordinance No. 6011 – An Ordinance to Amend Chapter 10, Article III International Building Code, by Adopting the 2015 International Building Code with Local Amendments. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

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

ADVANCED on the CONSENT AGENDA.

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

ADVANCED on the CONSENT AGENDA.

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

ADVANCED on the CONSENT AGENDA.

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

ADVANCED on the CONSENT AGENDA.

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

ADVANCED on the CONSENT AGENDA.

## DISCUSSION ITEMS

FMATS Policy Committee – **Mr. Pruhs** stated there was a recent meeting but that he would report at a future because he is so new to the Committee.

Polaris Work Group – **Mr. Pruhs** stated the Polaris Work Group met and that he stepped down as the chair; he stated that Trina Bailey with Senator Lisa Murkowski's Office has been assigned as the new chair of the group.

## COMMUNICATIONS TO COUNCIL

a) Memo to Approve the Appointment to City Council Seat B

**Mr. Matherly**, seconded by **Ms. Huntington**, moved to APPROVE the Appointment of June Rogers to Council Seat B.

**Ms. Huntington** spoke in support of Ms. Rogers being appointed to Seat B on the Council.

**Mr. Gatewood** stated he whole heartedly accepts the Mayor's recommendation to the Council and asked the Mayor if it was okay for her to come up and introduce herself.

**Mayor Eberhart** asked Ms. Rogers to introduce herself to the Council and the public.

Ms. Rogers stated she was born and raised in Fairbanks and that she is happy to continue to reside in the City. She shared the importance of putting down roots in the community and spoke to her involvement with the arts. She stated she is honored that the Mayor asked her to fill Mr. Walley's seat and that she looks forward to participating in the future.

**Mr. Matherly** stated he was in Ms. Roger's Cub Scout Troop many years ago and that he has a long history with her and her family. He spoke in support of her appointment.

**Mayor Eberhart** asked Ms. Rogers to speak to her relationship to Bill Rogers, Engineer II for the City of Fairbanks.

Ms. Rogers stated that Mr. Rogers is her husband and together they own McCafferty's Coffee Shop in downtown Fairbanks. She stated that both she and Mr. Rogers have a vested interest in energizing the downtown area.

**Mr. Pruhs** complimented the Mayor on his wise selection for Seat B.

**Mr. Cleworth** welcomed Ms. Rogers to the Council. He asked Mr. Ewers to speak to the legalities of Ms. Rogers voting on issues that may concern Mr. Rogers' employment.

Mr. Ewers stated that Ms. Rogers is qualified to serve because she would serve as a policy maker, not part of the Administration. He explained that Ms. Rogers may have to recuse herself from voting on some budgetary issues that would directly affect Mr. Rogers' income. He stated

that he has spoken with the City Clerk, and if Ms. Rogers is confirmed, he and Ms. Snider plan to address the issue during her new Council Member orientation.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT OF JUNE ROGERS TO COUNCIL SEAT B AS FOLLOWS:

YEAS:           Huntington, Matherly, Gatewood, Pruhs, Cleworth

NAYS:           None

**Mayor Eberhart** declared the MOTION CARRIED.

- b)     Fairbanks Diversity Council Meeting Minutes of April 12, 2016

ACCEPTED on the CONSENT AGENDA.

- c)     Chena Riverfront Commission Meeting Minutes of April 13, 2016

ACCEPTED on the CONSENT AGENDA.

- d)     Reappointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

#### **COUNCIL MEMBERS' COMMENTS**

**Mr. Gatewood** congratulated Ms. Rogers for her appointment to City Council Seat B and shared that he looks forward to working with her.

**Ms. Huntington** welcomed Ms. Rogers to the Council and thanked fellow Council Members for pushing through so many items in such a short amount of time. She thanked the Council for passing Resolution No. 4737 because it may help allow for public input at Board of Adjustment hearings.

**Mr. Matherly** spoke to the moment of remembrance that was held at the Fairbanks Police Department (FPD) and thanked all law enforcement officers for their service. He shared his prayers for the family of Joseph Balko who passed away at a high school track meet. He welcomed Ms. Rogers to the City Council.

**Mr. Cleworth** requested that someone look into what kind of trees were planted along Cushman Street. He spoke to the bid war for the lawn maintenance contract at the Clay Street Cemetery and stated that the Code refers the issue to the Mayor, not the Council. He stated the only time the Council gets involved is if there is a bid protest for a large contract award; he added that the Clay Street Cemetery bid was not that large.


**Mr. Pruhs** echoed Mr. Matherly's condolences for the Balko Family. He wished Ms. Huntington a safe trip and congratulated Deputy Clerk Braniff for making it through her first meeting.

**ADJOURNMENT**

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

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

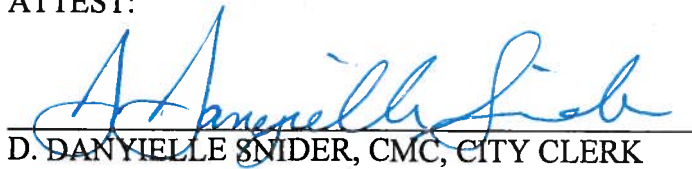
**Mayor Eberhart** declared the meeting adjourned at 10:02 p.m.



---

JOHN EBERHART, MAYOR

ATTEST:



---

D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB