



FAIRBANKS CITY COUNCIL
AGENDA NO. 2016-06
REGULAR MEETING MARCH 21, 2016
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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 14, 2015
 - *b) Regular Meeting Minutes of January 11, 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 Application for Transfer and Restaurant Designation Permit. Public Testimony will be taken and limited to five minutes.

Type: Beverage Dispensary, License #1912

To: Eastern Treats / Bulgar Corp.
535 2nd Avenue, Fairbanks, Alaska

From: Gold Rush Saloon / Downriver, Inc.
3399 Peger Road, Fairbanks, Alaska

- b) The Fairbanks City Council will convene as a Board of Adjustment to consider whether to appoint a hearing officer for the appeal in the matter of the following decision of the Fairbanks North Star Borough Department of Community Planning (GR2016-082):

An administrative determination regarding grandfather rights for the property located at 1041 Pedro Street (Lot 16, Block 139, Weeks Field), owned by Dale and Marie Nielsen.

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Resolution No. 4689 – A Resolution Honoring Warren B. Cummings by Dedicating and Renaming Fire Station One in His Honor. Introduced by Mayor Eberhart. POSTPONED from the Regular Meeting of January 11, 2016.

10. NEW BUSINESS

- *a) Resolution No. 4723 – A Resolution in Support of Senate Bill 91 Relating to Comprehensive Criminal Justice Reform. Introduced by Mayor Eberhart.
- *b) Resolution No. 4724 – A Resolution Adopting a City of Fairbanks Records Retention Schedule. Introduced by Mayor Eberhart.

- *c) Resolution No. 4725 – A Resolution to Apply for Funding from the United States Department of Transportation for a Transportation Investment Generating Economic Recovery (TIGER) Grant. Introduced by Mayor Eberhart.
- *d) Resolution No. 4726 – A Resolution Consenting to and Supporting the Location of the Family Centered Services of Alaska Residential Psychiatric Treatment Center to be Funded by Proceeds of Bonds to be Issued by the Alaska Industrial Development and Export Authority. Introduced by Council Member Pruhs.
- *e) Ordinance No. 6007 – An Ordinance Amending Fairbanks General Code Chapter 14 Article IX Commercial Refuse Collector. Introduced by Council Members Cleworth and Matherly.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

- *a) Board of Plumber Examiner Meeting Minutes of December 15, 2015
- *b) Fairbanks Diversity Council Meeting Minutes of February 9, 2016

13. COUNCIL MEMBERS' COMMENTS

14. CITY CLERK'S REPORT

15. CITY ATTORNEY'S REPORT

16. EXECUTIVE SESSION

17. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 14, 2015
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 John Eberhart presiding and with the following Council Members in attendance:

- Council Members Present: Joy Huntington, Seat A
Perry Walley, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F
- Absent: None
- Also Present: Clem Clooten, Building Official
Margarita Bell, Grants Administrator
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Stephanie Johnson, Dispatch Center Manager
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Pat Smith, Development Manager
Randall Aragon, Police Chief
Verg Scott, Public Works General Foreman
Bob Pristash, Engineer IV
Shannon Kumpula, Purchasing Agent/Risk Manager
Jim Styers, Fire Chief
Amber Courtney, PIO/Communications Director
JB Brainerd, Deputy City Attorney
Brad Johnson, Deputy Police Chief

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation. **Mayor Eberhart** asked the Council if there was any objection to moving the Reading of the Bill of Rights to be heard before Citizen's Comments. No Members objected.

READING OF THE BILL OF RIGHTS

A group of students from Denali Elementary School read aloud the Bill of Rights in honor of Bill of Rights Day.

CITIZEN'S COMMENTS

Lance Roberts, P.O. Box 83449, Fairbanks – Mr. Roberts spoke to the Alaska Labor Relations Agency (ALRA) decision and expressed hope that the Council would choose appeal the ruling. Mr. Roberts recommended that Resolution No. 4704 be pulled and killed because making the streets smaller will restrict the flow of traffic in the City; he added that citizens need increased mobility. Mr. Roberts stated that Cushman Street worked out well and that he appreciates that it is one way the whole length of the downtown area.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger spoke to the lack public restrooms within City limits. Mr. Buberger stated that there are no public restrooms because the Council does not like inebriated people. He commented that he does not think the City is broke and if it is, police officers' pay should be docked ten percent—not increased. Mr. Buberger shared his disappointment that the City spent money on fancy street lights downtown but not a cent on public restrooms. He stated that, personally, he does not have a problem with the lack of public restrooms because he is comfortable going wherever and whenever he needs to go.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney thanked Thad Keener for bringing his students to read the Bill of Rights; he reminded elected officials to listen to their message. He thanked Mathew Wade for taking his North Pole Elementary School class to the North Pole City Council meeting to read the Bill of Rights. Mr. Turney spoke to the Fairbanks Four case and shared his disgust that the Four cannot sue the Fairbanks Police Department (FPD). He stated that he would like to see a review of FPD on procedures that were used in the Fairbanks Four case. He stated that he hopes the Mayor will take the badge of any of officer still on the force who dealt with the case. Mr. Turney wished everyone a Merry Christmas.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Cleworth pulled Resolution No. 4704 and the Memo Regarding the Appeal of the PSEA v. City ALRA Decision & Order from the Consent Agenda. **Mr. Pruhs** pulled the Memo Delegating a Lead Spokesperson for Labor Negotiations 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 spoke to the Fairbanks Four settlement agreement and stated that he does not know what it entails. He stated he proposed an independent review of the Fairbanks Four case at

the last Finance Committee meeting. **Mayor Eberhart** stated that he wants to be sure that best practices are being used at FPD. He reported that he has been in touch with Native leadership groups and that he has asked for meetings to discuss the investigation. He spoke to the issue of public restrooms and stated that the porta-potty placed at Golden Heart Plaza last summer and was very well received. **Mayor Eberhart** stated that he has been in talks with Festival Fairbanks about the possibility of a future restroom downtown. He stated that he has never received so many complaints relating to snow removal than he has this year; he stated that Borough Mayor Kassel has had the same issue. **Mayor Eberhart** asked the General Foreman of Public Works, Verg Scott, and Human Resources (HR) Director/Acting Chief of Staff Angela Foster-Snow to come forward to give a staff report on the snow removal issue.

Ms. Foster-Snow distributed an update on the 2015 winter snow removal schedule. Ms. Foster-Snow spoke to the handout regarding staffing, fleet and the unusually heavy snow fall.

Mr. Scott stated that he was asked after the last Council Meeting what has changed at Public Works in regard to snow removal. He stated nothing has changed other than his direct supervisor parting company with the City. He stated that he has a good crew who does fast maintenance turnaround; he spoke to the few catastrophic equipment failures that have recently occurred. Mr. Scott stated his crew is working six days a week and that temporary staff had to be hired to help deal with November's heavy snowfall.

Mr. Cleworth stated that when Michael Schmetzer was in charge at Public Works that snow removal was something near and dear to him. He stated that Mr. Scott got hit very hard with an unseasonable amount of snowfall on his first year out of the gate. **Mr. Cleworth** asked Mr. Scott if he could get the blades out to clear the roadway and then have a crew come back later to pick up the snow.

Mr. Scott stated that the snow removal trucks were dispatched to go out ahead of the garbage trucks because the garbage trucks could not navigate through many subdivisions. He stated that leaving the snow berms and coming back later to pick them up doubled the amount of complaint calls logged. Mr. Scott stated that there have been many issues of citizens putting snow in the roadway and that there is no enforcement on the issue.

Mr. Pruhs stated that Fairbanks received three months of snow in a one-month period. He thanked Mr. Scott for his communication with the Council and welcomed him to his position.

Mayor Eberhart asked Mr. Scott how many of the big snow blowers Public Works has. Mr. Scott stated they have six but that four of them were out of operation in the last week. Mr. Scott stated many of the parts have been received to make repairs but that one of the snow blowers had a catastrophic motor failure that cost \$40,000.00 to repair.

Mr. Cleworth asked Mr. Scott where the snow blowers came from; Mr. Scott stated they came from Kodiak in Idaho. Mr. Scott stated that the crank shaft on the newest machine broke clean in half after only 120 hours of service.

Mayor Eberhart thanked Mr. Scott for the information and asked that Ms. Foster-Snow stay to continue speaking on another matter. He asked Ms. Foster-Snow to share her observations as to

why so many City Employees are resigning. Ms. Foster-Snow shared that the last three individuals who left high-level positions had nothing negative to say during private exit interviews. She requested that Council Members encourage employees to make complaints to HR if they hear of issues. Ms. Foster-Snow stated that the City is a wonderful place to work and that HR is trying very hard to recruit and retain quality employees.

Mr. Gatewood asked the format of the exit interview; Ms. Foster-Snow replied that there is a standard questionnaire that is given to departing employees; she stated that for higher-level employees, she sometimes asks different questions. She stated that she is working with IT to try to establish an online interview process for those who prefer not to participate in a face-to-face exit interview. Ms. Foster-Snow stated that the last few people that left indicated that they received offers of employment they could not refuse. **Mr. Gatewood** stated that an unprecedented amount of staff has left the City. He stated recruitment is very important and commented that hiring from within does not always guarantee a successful applicant.

Ms. Huntington stated that she is thankful that the Council and City is openly exploring the issue and not just sitting scratching their heads wondering what the problem is. She asked Ms. Foster-Snow to elaborate on the employee survey that was conducted. Ms. Foster-Snow stated that former Chief of Staff Jim Williams conducted the survey and results showed that the high cost of health care is of major concern to City employees. Ms. Foster-Snow stated she is working closely with Finance to gather quotes from other insurance companies. Ms. Foster-Snow stated that there is an employee who stops in every week to ask about comparison quotes.

Mr. Cleworth stated that unions can allocate increases however they choose and that the International Brotherhood of Electrical Workers (IBEW) bargaining unit has consistently elected to allocate all increases to wages. **Mr. Cleworth** stated that wages are not accurate because IBEW members appear to have inflated salaries due to the allocation.

Ms. Foster-Snow stated that the IBEW has made some decisions on allocations; she asked Chief Financial Officer Carmen Randle to speak to those changes. Ms. Randle stated that on December 29, 2015, the IBEW bargaining unit voted to reallocate \$5.22 per hour, per employee to health care.

Mr. Pruhs acknowledged that health care cost is a major issue. He expressed appreciation for the information provided by Ms. Foster-Snow and Ms. Randle.

Mr. Matherly asked Ms. Foster-Snow to elaborate on departing employees' communication with Council Members. Ms. Foster-Snow stated that she would like the opportunity to address employees' concerns; she stated that if departing employees approach Council Members, she would like Council Members to encourage them to speak with HR. Ms. Foster-Snow stated that some staff may be more comfortable with the Council because they have been with the City longer than she has.

Mayor Eberhart recognized Ms. June Rogers for her community involvement and for the Lifetime Achievement Award in the Arts that will be given to her next month in Juneau. Ms. Rogers shared that she really appreciates all of the well wishes from everyone. Ms. Rogers stated

she loves Fairbanks and that she will be retiring in January. She stated that even after retirement she will continue to volunteer in the Arts.

Mayor Eberhart presented Amber Courtney with a City of Fairbanks gold pan and thanked her for her dedicated service. He spoke to the many activities the Mayor's Office has been involved in since the last Regular Council Meeting. He wished everyone a Merry Christmas and Happy New Year.

UNFINISHED BUSINESS

- a) Ordinance No. 5997 – An Ordinance Amending the 2015 Operating and Capital Budgets for the Eighth Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 5997.

Mayor Eberhart called for Public Testimony.

Lee Despain, 352 Driveway Street, Fairbanks – Mr. Despain stated that former Police Chief Zager gave the City of Fairbanks a “hail Mary” offer that would reduce FPD's workweek 36 hours. He stated that the Police Department is already overworked at a 40-hour work week. Mr. Despain stated that someone would have to be a shyster to ask for a shortened work week when the department is so far behind. He stated officers will still want to be paid for hours worked even if no overtime is budgeted.

Frank Turney – Mr. Turney shared his disgust with FPD for threatening the City Council members with crimes and arrests. He shared his dissatisfaction with future litigation because it only feeds lawyers. Mr. Turney stated he wished they could have settled the Rice-Despain case because it cost the tax payers a lot of money. He stated that the Mayor needs to do something about an officer threatening a Council Member.

Gordon Depue, 1158 Coppet Street, Fairbanks – Mr. Depue stated that he is a retired old man and a former policeman. He stated that Ordinance No. 5997 is patently ridiculous; he commented that cutting four hours out of a work week then paying for extra overtime does not make sense. Mr. Depue stated that there will be a 30-40% increase to insurance premiums for everyone until ObamaCare goes away. He stated that the State will not be handing out a lot more money. He stated that union members seem to think that they should get raises every year.

Victor Buberger – Mr. Buberger thanked Police Chief Randall Aragon for the work he has been doing in the community. Mr. Buberger stated that FPD officers should take a 10% pay cut and recommended getting rid of all unions within the City. Mr. Buberger stated he has never received paid time off or employer-funded health care. He stated he was self-employed for 37 years and that if officers want health care they should have to purchase it themselves.

Ron Dupee, 672 Hillcrest Drive, Fairbanks – Mr. Dupee stated that he has been a police officer at the City of Fairbanks for over ten years. He stated he has been a part of three separate contract negotiations, all of which have had some kind of dispute. He reminded Council Members that the

ALRA has ordered retroactive payment back to August 25, 2014. Mr. Dupee stated that the issue is not whether the Council likes the terms of the contract but whether or not they will abide by the ruling of the ALRA. Mr. Dupee asked the Council to take their time in determining whether to appeal the decision because recruitment is at an all-time low. He stated that the FPD is losing highly skilled officers because morale is so low and the benefit packages are lacking when compared with other agencies. Mr. Dupee stated that he heard a Council Member speaking of the significant amount of back pay that would be owed to FPD employees; he reminded the Council that they had the opportunity to fund the contract a year ago. He stated that during contract negotiations in 2014, the City had a surplus budget of over four million dollars and the Council chose to move three million of it into the Permanent Fund.

Joan Busom, 301 7th Avenue, Fairbanks – Ms. Busom stated that she understands that the appeal has been submitted to the Court and asked the Council to postpone voting on the ordinance until the appeal has been heard. She stated that she is very concerned with the financial future of the City if the PSEA contract is funded.

Karen Lavery, 551 2nd Avenue, Fairbanks – Ms. Lavery stated that she owns property downtown; she voiced her desire for Ordinance No. 5997 to be defeated. She stated that the legal process needs to continue until a ruling is made. Ms. Lavery stated that funding the contract would put undue stress on the budget. She shared her disappointment that some have sunk to a level of making veiled threats on Council Members.

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

Mr. Matherly read aloud letters from former City Finance Directors Ron Woolf and Jim Soileau relating to Ordinance No. 5997. He pointed out the recent editorial in the News Miner with a headline of “Council broke its own rules” and stated that the article used the term “shenanigans” to describe Council Members’ behavior. **Mr. Matherly** stated that he is the member who reconsidered his vote on the PSEA contract and clarified that rules were suspended, not broken. He spoke against putting the City in a bad financial state by funding the PSEA contract.

Mr. Gatewood asked City Attorney Paul Ewers for guidance on what would happen if the ordinance is adopted and the appeal is granted.

City Attorney Ewers stated that there is a possibility that the adoption of Ordinance No. 5997 and Ordinance No. 5998 would make the appeal moot. He stated that the courts could still make a decision for the long-term.

Ms. Huntington, seconded by **Mr. Pruhs**, moved to DIVIDE THE QUESTION by separating Item 10 of the fiscal note (Fire Department 1.1% package increase) from the rest of Ordinance No. 5997.

Mr. Gatewood asked Ms. Huntington to explain the reasoning behind the motion. **Ms. Huntington** stated she brought up the issue at the last Finance Committee meeting because she did not think that the FFU and PSEA decisions should be made together.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO DIVIDE THE QUESTION BY SEPARATING ITEM 10 OF THE FISCAL NOTE (FIRE DEPARTMENT 1.1% PACKAGE INCREASE) FROM THE REST OF ORDINANCE NO. 5997 AS FOLLOWS:

YEAS: Huntington, Pruhs

NAYS: Matherly, Gatewood, Cleworth, Walley

Mayor Eberhart declared the motion to DIVIDE THE QUESTION FAILED.

Mr. Cleworth shared his disappointment that this budget amendment was on the agenda as it has come up many different times. He stated that the Permanent Fund is protected by the City Charter and that only 4.5% of it can be used for General Fund purposes each year. He stated that the Council does not have the authority to tap into the Permanent Fund for the purpose of funding labor contracts and that only City voters can vote to use those funds. **Mr. Cleworth** stated that the minimum balance of the General Fund is protected by ordinance and that using General Funds to pay for day-to-day operations is not a fiscally sound practice. He stated that he appreciated all of the input that citizens have offered in regard to the ordinance. He stated that when he was the Mayor he had hoped that negotiations with the AFL-CIO would be a template for how all unions collectively bargained. **Mr. Cleworth** stated that he read the proposed PSEA contract in 2014 before he was back on the Council and commented that he was saddened to the point that he came down and publically testified against it. He stated that on the medical portion of the package alone it would cost the City \$600,000.00 across the board. He stated that he was shocked that the decreased hourly work week was proposed and thought it to be unmanageable. **Mr. Cleworth** stated that he did not understand how the police could ask to work fewer hours per week while requesting an increase to staffing. He stated he feels that the Fairbanks Fire Union (FFU) increase is inappropriate. He stated that the package already allows for each employee to have six weeks of vacation and he does not see how there could be additional leave. He spoke to the \$1.2 million liability that the City is on the hook for if the ordinance passes. **Mr. Cleworth** stated he did not understand why the 1.1% increase to FFU is being included in Ordinance No. 5997. He stated that he believes unions should be treated equally; he indicated that passage of Ordinance No. 5997 would be regressive and that the impacts would be massive.

Ms. Huntington asked Mayor Eberhart to explain why the 1.1% FFU increase was included in Ordinance No. 5997.

Mayor Eberhart stated that the FFU collective bargaining agreement ended in May of 2015 and that their health care portion was not funded. He stated that the Council and the FFU are at an impasse and no negotiations are underway. He stated that the new Fire Chief could possibly break the ice and make contract negotiations move forward again. He spoke to how long it may take Chief Styers to familiarize himself with the labor issues and indicated that it could leave the employees without a cost of living increase for almost a whole year. **Mayor Eberhart** gave a brief breakdown of how and why the City is where it is with the PSEA. He urged the City Council to approve the contract and allow the City to move forward with all union negotiations. He stated that the PSEA contract would be tightly managed. He stated that it is time to make FPD an attractive place to work; he added that it is time to stop demoralizing FPD employees.

Mr. Gatewood asked Mayor Eberhart to explain what he meant by saying the contract would be tightly managed.

Mayor Eberhart stated that reducing the work week to 36 hours means that supervisors will have to keep a tight rein on overtime.

Mr. Gatewood stated that while the idea of a reduced work week sounds great it may create a tracking nightmare for supervisors. He stated that the cost of overtime was not calculated in the fiscal note and so it is an unknown. He stated that overtime has never really been managed from a fiscal standpoint and that he is unclear as to how it will be managed in the future.

Mr. Pruhs stated that hearing Mr. Gatewood's comments helped him remember why he voted against the contract last year. He stated that the Finance Department passed out fiscal notes that reflected a \$300,000.00 line item for overtime for FPD under the 36-hour workweek, the same that was requested and budgeted for in 2013 and 2014. He stated that he could not vote for a contract that was presented by the PSEA as an overtime reduction while the Finance Department estimated that it would cost the City the same dollar amount for overtime.

Mr. Cleworth stated that overtime for Dispatch and FPD has been discussed for decades. He stated that if a crime happens an officer needs to get on scene right away even if their shift is about to end; he indicated that there is no real way to manage overtime. **Mr. Cleworth** stated that Dispatch is minimally-manned already and that a reduced work week would put great pressure on the Dispatch Manager. He stated that he does not see how it would be possible to manage a 36 hour work week and mitigate overtime in an emergency services department.

Mr. Walley spoke to the great debate that happened the first time the PSEA contract came up for a vote. He shared his appreciation for all City employees and for how hard they work. He stated that the \$3 million dollar transfer to the Permanent Fund was done in order to assure financial security in the future. **Mr. Walley** stated that a 1.1% increase for all City employees equates to a \$250,000.00 budget increase in wages alone. He shared his sadness that the funding of this contract is still being discussed.

Mr. Cleworth stated that after the PSEA contract was defeated the Council immediately offered a 4% increase that they rejected. He stated that the Council has tried to come up with a practical solution without bankrupting the City but that no offer seems to be acceptable to PSEA.

Ms. Huntington stated she is trying to understand how the Council got to the point they are at with the PSEA. She stated that from one standpoint the contract was a creative approach but that it has now become a very divisive issue. **Ms. Huntington** thanked Mr. Dupee for his public testimony. She asked if there would be a way to set aside funds to cover the cost of the judgment in the event the court orders the City to fund the contract.

Ms. Randle stated that the Council can commit funds at any time while the issue is pending.

Mr. Pruhs stated that another way to set aside funds is to reserve the amount of the PSEA judgment in the 2016 budget.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5997 AS FOLLOWS:

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

Mayor Eberhart called for a five minute recess before discussing the 2016 budget.

- b) Ordinance No. 5998 – An Ordinance Adopting the 2016 Operating and Capital Budgets. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5998.

Mayor Eberhart called for Public Testimony.

Trina Bailey, P.O. Box 73464, Fairbanks – Ms. Bailey addressed the value of the work that police officers do. She stated that officers provide a service for the community that one cannot put a price on. She shared how important it is for officers to show up at her daughter’s school if there is a dangerous incident. Ms. Bailey shared her disappointment that during the discussion on the last ordinance that the value of human life was never considered. She stated that she wanted officers to be able to respond to calls relating to racial tension, terrorism and community safety. She stated that she is a City resident and a member of the Fairbanks Diversity Council (FDC) and that it is an honor to serve with the Council. Ms. Bailey stated that a person can know the cost of everything and the value of nothing; she stated that she does not want the City to get caught in that trap. She stated that community policing has been a very healing project. She stated that minorities are disproportionately prosecuted and are also disproportionately high in the list of City cold cases. Ms. Bailey stated that the community needs closure for the unsolved murders and that skimping on resources to support law enforcement is not going to make that happen. She requested that the Council fund the two cold case officers to create a more cohesive community partnership.

Amber Courtney, 249 Illinois Street, Fairbanks – Ms. Courtney shared that she requested that two patrol officers be funded at the last City Council meeting. She stated that on social media she sees a great need to fund those positions. She stated that it is hard for her to respond to the public because there are only enough officers to respond to high priority crimes. Ms. Courtney stated there are 2,400 events per month that require officer response. She provided a breakdown of how a staff of 30 patrol officers translates in reality. She urged the Council to add two new patrol officers to FPD in 2016 and added that no price can be placed on safety.

Rita Davis, 1026 Evergreen Street, Fairbanks – Ms. Davis stated that she is present to speak about the unsolved homicide of her niece, Mahogany Davis. She shared that her family has been in agony for 13 years and that they deserve answers. She stated that the City needs these cold case officers and that the Council needs to quit debating money and hire the officers. Ms. Davis congratulated FPD for finding the murderers of John Kavairlook, but stated that her niece’s case got pushed further down on the list when all the resources went to solving the other case.

Frank Turney – Mr. Turney stated he empathized with the families who have lost loved ones to unsolved homicides. He spoke to home invasions and stated that each person should arm themselves in their home for emergency purposes. Mr. Turney stated that Governor Walker cut the budget for the State Troopers cold case officers and that he did not agree with it. He recalled the murder of Trisha Warren in 1995 and expressed his appreciation to Detective Merideth for solving her murder. Mr. Turney questioned whether there is federal grant money available to aid in solving the unsolved homicides.

Reverend Joe Blackburn, 3350 Liberty Court, North Pole – Rev. Blackburn encouraged the City Council to approve two new cold case investigators. He stated that these officers would not be working on crimes that are about to happen but would focus on the unsolved cases in the hope to put to rest the pain of the families left behind. Rev. Blackburn stated that there are several unsolved murders and that the number will only increase if FPD continues to work on a skeleton crew. He reiterated the importance of having officers working solely on cold cases and emphasized the need to let families put loved ones to rest. He stated that each crime that is not solved gives license to the person who committed the murder to commit more crimes.

June Rogers, 1908 Esquire Avenue, Fairbanks – Ms. Rogers stated she did not know where the funds would come from to pay for the two new officers but that she has faith that the Council will find a solution. She shared her concern that the cold cases are just getting colder and that it is not acceptable to consider them “out of sight, out of mind.” Ms. Rogers shared that each year she takes a silk poinsettia to the shrine at the Post Office for John Wallis and that it is so sad that he died in such a tragic way. She shared her gratitude that Bobby’s Restaurant keeps the shrine going all year round. She stated that she is disturbed by the number of deaths that have happened during incarceration. Ms. Rogers stated that she cannot believe the amount of money that is devoted building jail facilities while there is such a lack of money spent to help keep people out of jail. She stated that a good method for getting projects done is to decide what needs to be accomplished then find the funding to make it happen. She spoke against measuring a person’s worth with money. Ms. Rogers shared that she has confidence that the Council will come through with a practical solution.

Tonya Brown, P.O. Box 84872, Fairbanks – Ms. Brown asked how much a police officer or fire fighter position is worth and recalled addressing those issues when she was a City Council Member. She stated that she recalled situations in other cities that were so understaffed that people were calling 9-1-1 and having to leave a message with a response time of 24-48 hours. Ms. Brown stated that staffing is a critical issue and that fire and police officers have a hard job that not very many people want to do. She stated that the Council needs to find funding solutions that work and that money is not the only issue. She stated that Fairbanks also needs to find a way to fund School Resource Officers (SRO’s) and come into the 21st Century.

Victor Buberger – Mr. Buberger stated that he does not understand how the City can give the police a raise and hire new officers because it is too costly. He shared that the City probably does need cold case officers and questioned why Detective Meredith has made no progress on the cases that already exist. Mr. Buberger stated that at FPD 30% of the staff are related to one another and questioned whether the intent is to hire more relatives. He stated that he was born in Compton, CA where family members could not work in the same law enforcement agency.

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

Mr. Gatewood asked if Police Chief Randall Aragon would be able to answer some questions or provide a staff report. He asked Chief Aragon to explain in what capacity the two cold case officers would be used if hired. He asked if they would be dedicated solely to cold cases.

Chief Aragon stated that the vision for the two cold case officers is to work only on the 14 unsolved homicides dating back to 1983. He explained that FPD spent 4,000 man hours on the John Kavairlook case and that when there is a serious case like that, every detective in the division assists immediately. Chief Aragon reported that when a homicide happens, all detectives are deployed to the scene then are sent back to their regular duties as leads start materialize. He stated that he requested six officers in addition to the two cold case officers.

Mr. Gatewood asked for clarification on when cold case officers would return to their regular duties following a homicide.

Chief Aragon stated that they would return to regular duties within a few days after leads were established. He stated that they would work up to two days on a new case.

Mr. Gatewood asked if the only thing that would cause the cold case officers to leave their duties is a new homicide.

Chief Aragon replied affirmatively.

Mr. Pruhs asked Chief Aragon if he is hoping to increase the police force by two officers or if he plans to promote from within.

Chief Aragon clarified that he is requesting two additional positions on the force and, if those are granted, two individuals would be promoted from within and replaced through recruitment.

Ms. Randle stated that two SRO's were lost during the financial crisis at the school district in 2015.

Mr. Cleworth asked if there is still an officer who works commercial vehicle enforcement.

Chief Aragon stated that there are four officers who perform all traffic duties and two officers who work DUI's. Chief Aragon asked Deputy Chief Brad Johnson to come forward to help answer Mr. Cleworth's questions.

Deputy Chief Johnson stated that there is one officer trained to handle commercial vehicle enforcement and two grant-funded DUI officers.

Mr. Cleworth asked why there are two Deputy Police Chiefs on the payroll.

Chief Aragon stated that FPD works as a business with an operations section and a support section. He stated that per the union contract he can have as many deputies as he would like. He

explained that Deputy Chiefs Eric Jewkes is in charge of operations and Deputy Chief Johnson manages field operations and support. Chief Aragon stated that everything his department does is for best practice according to a standard.

Deputy Chief Johnson stated that about 10 years ago there were two Deputy Chiefs who split duties in a similar manner: Miller and Kendrick.

Mr. Cleworth stated that the Council is trying to be accommodating to the requests but need to find a way to pay for it. He reminded the officers of the loss of revenue due to a lack of citation issuance and commented that the Council hopes to increase revenue. **Mr. Cleworth** stated that Grants Administrator Margarita Bell is working on grant funding but that the whole City is struggling for funding.

Mr. Pruhs asked who at FPD tracks year-to-date overtime.

Chief Aragon stated that he and his Administrative Assistant Yumi McCulloch track overtime and they meet with Ms. Randle once a month to go over the numbers.

Mr. Matherly stated that he has spoken with Detective Merideth a few times about the cold cases and that Merideth said sometimes the District Attorney's (DA) Office declines cases. **Mr. Matherly** asked what happens to a case when the DA stands in the way.

Deputy Chief Johnson stated that any case an officer puts together can be rejected by the DA and that cold cases are particularly problematic because the more time that passes, the less likely it will be solved. He stated that with the current caseload at the department no time is spent on the cold cases; he stated that the DA is also underfunded and buried in current case work which takes priority.

Mr. Cleworth asked if cold case officers would be pulled away from their regular duties in the event that another murder like the John Kavairlook case occurred.

Chief Aragon stated that all detectives are dispatched to the scene of a murder then return to their duties once leads are established. Chief Aragon stated that he would make sure that cold case officers were not working current cases for an extended period of time.

Mr. Cleworth asked if detectives would be pulled off their duties to investigate a robbery.

Chief Aragon replied that it would depend on the seriousness of the robbery. He explained that if someone was shot and killed they would pull the cold case detectives but if it was just a hold-up they would not be dispatched. Chief Aragon stated that he would personally be in charge of whether to dispatch cold case officers, and he would leave it up to the deputies in his absence.

Ms. Huntington stated that it should be left up to the Chief and that the Council is getting off base concerning funding of the positions. She stated that the Council needs to trust that Chief Aragon would allocate duties appropriately.

Mr. Cleworth stated that everyone has different priorities and that he seeks an explanation up front before voting on the ordinance. He gave a brief history of promises that have been made in the past and not fulfilled.

Mayor Eberhart pointed out that the budget ordinance includes two cold case officers and it still has a surplus.

Mr. Cleworth stated that conservative Councils make sure that people receive paychecks and used the City of Detroit as an example of poor fiscal management. He stated that he is the one who requested the work session on City cold cases then it became a political issue.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to AMEND Ordinance No. 5998 by funding only one cold case officer, increasing traffic violation revenues to \$270,000.00, and by increasing vehicle forfeiture revenues to \$450,000.00.

Mr. Pruhs asked the reason for the numbers proposed by Mr. Cleworth.

Mr. Cleworth explained that he would like to propose a partnership with the police department and fund one officer. He stated that he would like to see increased revenue similar to that of 2014. He stated that it is important that FPD knows their feet will be held to the fire.

Ms. Huntington shared her appreciation for the motion and stated that she supports a cold case officer; she echoed Ms. Bailey's concern for maintaining a safe community.

Mr. Walley asked how much revenue has come in year-to-date from vehicle forfeitures and traffic violations.

Ms. Randle stated that \$243,068.00 has been received for traffic violations and \$373,385.00 has come in for vehicle forfeitures.

Mr. Matherly asked what would happen if Cleworth's proposed revenues do not come in.

Mr. Cleworth stated that the Council could cross that bridge in the future if that happens.

Mr. Pruhs stated that he would like to see the reserve account at \$1.2-\$1.5 million in case the Council is forced to fund the PSEA contract. **Mr. Pruhs** spoke to his ideas for slashing the budget in order to create the reserve.

Mr. Cleworth shared his appreciation for Mr. Pruhs' ideas for cutting the budget. **Mr. Cleworth** stated that if a mistake is made in the meeting that it can always be amended down the road.

Mr. Gatewood stated that he likes what Mr. Pruhs has to say and if they take his recommendation and then adjustments can be made as needed down the road.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998 BY FUNDING ONLY ONE COLD CASE OFFICER, INCREASING TRAFFIC VIOLATION

REVENUES TO \$270,000.00, AND BY INCREASING VEHICLE FORFEITURE REVENUES TO \$450,000.00 AS FOLLOWS:

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

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5998, as Amended, by reducing IT account #5599 by \$235,000.00.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, BY REDUCING IT ACCOUNT #5599 BY \$235,000.00 AS FOLLOWS:

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

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5998, as Amended, by reducing Public Works account #5005 to \$776,000.00.

Mr. Cleworth spoke against reducing the Public Works budget because it is needed for roads and snow removal.

Mr. Walley echoed Mr. Cleworth's sentiments on not reducing the Public Works budget.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, BY REDUCING PUBLIC WORKS ACCOUNT #5005 TO \$776,000.00 AS FOLLOWS:

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

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5998, as Amended, by reducing Public Works account #7501 to \$175,000.00.

Ms. Randle clarified that the funds being discussed are moneys that are transferred into the Capital Fund to pay for equipment requests. She stated that the transfer would affect both the General Fund and the Capital Fund.

Mr. Cleworth stated he does not think taking money out of the Public Works budget for equipment is a wise move.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, BY REDUCING PUBLIC WORKS ACCOUNT #7501 TO \$175,000.00 AS FOLLOWS:

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

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5998, as Amended, by reducing FPD account #7501 to \$180,000.00.

Mr. Cleworth stated that he believes that reducing available Capital funds for FPD is a terrible idea because the police need equipment. He stated that FPD has always had a ten-year rotating vehicle replacement policy and that it is dangerous to steer away from that practice.

Ms. Randle asked for clarification as to whether it is Mr. Pruhs' intent to also reduce the FPD Capital Fund line item by a corresponding amount.

Mr. Pruhs replied affirmatively.

Mayor Eberhart asked Ms. Randle for an average of the City's annual budget surplus.

Ms. Randle stated that in her best estimation, the 2015 budget surplus should be around \$1.1 million.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, BY REDUCING FPD ACCOUNT #7501 TO \$180,000.00 AS FOLLOWS:

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

Mr. Cleworth, seconded by **Mr. Matherly**, moved to AMEND Ordinance No. 5998, as Amended, to reduce the Mayor's travel budget to \$10,000.00.

Mr. Cleworth stated that he looked back through 10 years of budget books and that the highest amount budgeted for Mayor's Office travel was \$11,000.00 in 2006. He stated that the average travel for the Mayor and Council over the past 10 years was \$7,000.00 and that it is getting out of hand.

Ms. Huntington spoke to the \$10,000.00 travel budget and stated that all other departments had to tighten their belts so \$10,000.00 seems to be fair. She shared that she would like to hear the Mayor's thoughts on the proposed amendment.

Mayor Eberhart spoke in defense of his proposed travel budget and reminded everyone that it is not just the Mayor's travel, but also includes HR, the Council, the PIO and the Chief of Staff. **Mayor Eberhart** stated that he and the Chief of Staff had several trips relating to the F-35's and that he had to drop everything and fly to Juneau. He stated that per the lobbyist guidance he went to Juneau to lobby to keep the City's contribution to the Public Employees Retirement System (PERS) at 22%.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to AMEND the motion to amend by changing the amount of the Mayor's travel account to \$15,000.00.

Mr. Cleworth questioned the need for some of the travel and shared that traveling to Juneau seems like a waste of money right now. He stated that when he was Mayor he did not spend one cent traveling to Juneau but that he called the Interior Delegates frequently. **Mr. Cleworth** stated that he and Pat Cole lobbied for State funding and received \$5 million for road work; he stated that it cost the City nothing. **Mr. Cleworth** questioned the need for the Mayor to travel to the some of the military discussions because they do not produce much fruit. He stated that he traveled to the AML Conference when he was Mayor, and he found it to be fairly unproductive.

Mr. Gatewood asked if Mr. Cleworth sent a Council Member to Juneau when he was Mayor; **Mr. Cleworth** replied that he did send two Council Members to Juneau when he was Mayor. **Mr. Gatewood** agreed that some of the travel may not be necessary but that the travel could be prioritized. **Mr. Gatewood** stated that he did not know if \$24,000.00 was too much to budget but indicated that it is in the current budget climate.

Mr. Pruhs stated that when he was a new Council Member he went to the AML Conference and he found it to be incredibly boring. He stated that he did enjoy introducing the Mayor and the Chief of Staff to the dignitaries that were present on behalf of the State of Alaska. **Mr. Pruhs** stated that a trip to Anchorage may introduce Fairbanks to the rest of the state and could mine some gems.

Mr. Walley shared that he offered the \$15,000.00 amount at the Finance Committee Meeting a few weeks back. He stated that now that other departments had to take such cuts that the Mayor should make the same kind of sacrifice. **Mr. Walley** stated that the City pays lobbyists to lobby on its behalf and if they cannot do a satisfactory job, they should not be charging the City.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO AMEND BY CHANGING THE AMOUNT OF THE MAYOR'S TRAVEL ACCOUNT TO \$15,000.00 AS FOLLOWS:

YEAS: Huntington, Gatewood, Pruhs, Eberhart

NAYS: Matherly, Cleworth, Walley

Mayor Eberhart declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, TO REDUCE THE MAYOR'S TRAVEL BUDGET TO \$15,000.00 AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

Ms. Randle asked what items specifically will be affected by the reduction to the Public Works Capital budget. She pointed out the five Capital items specified in the 2016 budget documents. She recommended that, in order to keep Public Works projects whole, the Council allocate \$75,000 of the 2016 Permanent Fund transfer to the Capital Fund for Public Works.

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to AMEND Ordinance No. 5998, as Amended, by transferring \$75,000.00 of the Permanent Fund Capital Fund balance to the Public Works Capital budget.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5998, AS AMENDED, BY TRANSFERRING \$75,000.00 OF THE PERMANENT FUND CAPITAL FUND BALANCE TO THE PUBLIC WORKS CAPITAL BUDGET AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5998, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5998, as Amended, ADOPTED.

c) Ordinance No. 5999 – An Ordinance Authorizing Conveyance of Easements Requested by the ADOT for the Noble Street Upgrade and Pedestrian Facilities Projects. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to ADOPT Ordinance No. 5999.

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

Mayor Eberhart called for a five minute recess.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5999 AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No.5999 ADOPTED.

d) Ordinance No. 6000 – An Ordinance Amending the Collective Bargaining Agreement Between the City of Fairbanks and the Public Safety Employees Association to Establish

an Intern Program for Students. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6000.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6000 AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 6000 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4702 – A Resolution Authorizing an Increase in Matching Funds and Execution of the Maintenance Agreement for the Gillam Way Reconstruction Project. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4703 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the Cowles Street Reconstruction Project. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4704 – A Resolution in Support of Fairbanks Metropolitan Area Transportation Systems’ Complete Streets Policy. Introduced by Council Member Cleworth.

Mr. Matherly, seconded by **Mr. Pruhs**, moved to APPROVE Resolution No. 4703.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to AMEND Resolution No. 4704 by adding the language, “allows for policy exemptions due to fiscal constraints,” after the words “snow storage,” in the sixth whereas.

Mr. Walley stated that Mr. Cleworth brought the issue up and the policy reflects his proposed amendment but that the resolution itself did not get updated.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4704 BY ADDING THE LANGUAGE, “ALLOWS FOR POLICY EXEMPTIONS DUE TO FISCAL CONSTRAINTS,” AFTER THE WORDS “SNOW STORAGE,” IN THE SIXTH WHEREAS AS FOLLOWS:

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

A ROLE CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4704, AS AMENDED, AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth, Walley
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4704, as Amended, APPROVED.

DISCUSSION ITEMS

Hotel/Motel Discretionary Fund Committee – Mr. Matherly informed the Council that the Committee will meet on December 15, 2015.

COMMUNICATIONS TO COUNCIL

- a) Chena Riverfront Commission Meeting Minutes of September 9, 2015
ACCEPTED on the CONSENT AGENDA.
- b) Chena Riverfront Commission Meeting Minutes of October 14, 2015
ACCEPTED on the CONSENT AGENDA.
- c) Fairbanks Diversity Council Meeting Minutes of November 10, 2015
ACCEPTED on the CONSENT AGENDA.
- d) Re-appointment to the Fact Finding Commission
APPROVED on the CONSENT AGENDA.
- e) Memo Delegating a Lead Spokesperson for Labor Negotiations

Mr. Matherly, seconded by **Mr. Walley**, moved to APPROVE the Memo Delegating a Lead Spokesperson for Labor Negotiations.

Mr. Pruhs stated that it is time to change up the lineup and choose a new labor negotiator.

Ms. Huntington spoke to the amount of discussion as to who the lead negotiator should be. She stated that the decision was not taken lightly and a change may possibly be a good thing for the community.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MEMO DELEGATING A LEAD SPOKESPERSON FOR LABOR NEGOTIATIONS AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the Memo APPROVED.

f) Memo Regarding Appeal of PSEA v. City ALRA Decision & Order No. 305

Mr. Pruhs, seconded by **Mr. Matherly**, moved to APPROVE the Memo Regarding the Appeal of PSEA v. City ALRA Decision & Order No. 305.

Mr. Cleworth stated that he was advised by Mr. Ewers to take a roll call vote rather than pass the memo on the Consent Agenda.

Mr. Pruhs stated that the Council's job is to do the best for the City of Fairbanks and that he concurs with the appeal City Attorney Ewers has filed.

Ms. Huntington stated she would like to better understand the legality of the ALRA decision.

Mr. Ewers summarized the basis of the appeal he filed in the court.

Mayor Eberhart asked if the whole bill would become due at one time if the Superior Court upholds the ALRA decision.

Mr. Ewers replied affirmatively but pointed out that there would still be an option to appeal to the Supreme Court.

Ms. Huntington asked for an estimate on what the appeal process may cost.

Mr. Ewers explained that since the appeal is being taken care of in-house the costs are fixed because his wages are already budgeted.

Mayor Eberhart asked what the total bill may be if the City loses the case.

Mr. Ewers stated that attorney fees on an appeal are usually nominal and that an administrative appeal is not a giant undertaking; he stated that he does not have an exact dollar amount. He stated that, in theory, the City could save \$1 million if it prevails.

Ms. Huntington asked if there was an expected timeframe for the appeal process.

Mr. Ewers stated that the briefing will be 90 to 120 days and then the court will have it for around the same amount of time before they make a judgment.

Mr. Gatewood asked if the City would go back to the bargaining table if the appeal is granted.

Mr. Ewers replied affirmatively.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MEMO REGARDING THE APPEAL OF PSEA V. CITY ALRA DECISION & ORDER AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the Memo APPROVED.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood spoke to June Rogers' award and congratulated her; he stated she is well-deserving of the recognition. He stated Ms. Rogers has done a lot for the City of Fairbanks and the State of Alaska. He shared that he appreciated the amount of time that went into the meeting.

Mr. Gatewood spoke to the upcoming basketball season and explained the new tradition in honor of Coach Joe Tremarello. **Mr. Gatewood** urged everyone to support all local sports.

Mr. Walley shared that he has to be back to work in three hours. He clarified that his comment earlier in the meeting relating to scary times were in relation to challenging financial times. He stated that the Council made some tough decisions during the meeting and that the City is in good standing. **Mr. Walley** stated that he is receiving complaints about the roads not being plowed and that the City gets blamed for State-maintained roads. He wished everyone a Merry Christmas and Happy Holidays.

Ms. Huntington thanked community members for attending and the Council for the good work they accomplished during the meeting. She explained that nobody should verbally abuse Council Members for the way that they vote. **Ms. Huntington** stated that she will not stand for that kind of behavior and that she will not accept it in the future. She wished everyone a Merry Christmas and Happy New Year.

Mr. Matherly wished everyone a Merry Christmas and extended an invitation to attend the Hotel/Motel Discretionary Fund Committee Meeting the following day.

Mr. Cleworth asked City Clerk Snider if she had finished the Rules of Decorum pamphlet; he requested that the revised version be placed in each Council Member's box for review. He requested that the pamphlet be placed on the next Council Meeting Agenda. **Mr. Cleworth** spoke to Ordinance No. 5998 and asked Mr. Ewers if the Council needs to go back and eliminate Section 2 relating to the decision of the ALRA and the 1.1% FFU increase.

Mr. Ewers stated that if the Council's intent was to not fund those two items, Section 2 of Ordinance No. 5998 should be addressed.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to RECONSIDER Ordinance No. 5998, as Amended.

Mr. Cleworth explained that Section 2 of Ordinance No. 5998 was included to show what the cost would be if the Council adopted the 2015 budget amendment, Ordinance No. 5997. He stated that by not adopting Ordinance No. 5997, Section 2 is moot should be eliminated.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO RECONSIDER ORDINANCE NO. 5998, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to STRIKE Section 2 from Ordinance No. 5998 and retain all the other amendments that were made.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO STRIKE SECTION 2 FROM ORDINANCE NO. 5998 AND RETAIN ALL THE OTHER AMENDMENTS THAT WERE MADE AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

Mr. Pruhs thanked Mayor Eberhart for bringing to light the issue of the potential for litigation in the Fairbanks Four case. He thanked Amber Courtney for her service and stated that she will be sorely missed. **Mr. Pruhs** thanked Mr. Buberger for staying through the whole meeting and, in response to his earlier question, stated that Donna Gilbert was recompensed \$30,000.00 by the State of Alaska for a drainage easement. He stated that the City of Fairbanks paid her \$7,500.00 and that she signed a release agreeing to have the work done independently. **Mr. Pruhs** congratulated the Council on all the work they got done during the meeting and wished everyone a Merry Christmas.

City Clerk Snider stated that the roll call vote to adopt Ordinance No. 5998, as Amended, still needed to be taken.

Mr. Pruhs, seconded by **Mr. Gatewood**, moved to adopt Ordinance No. 5998, as Amended.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5998, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5998, as Amended, ADOPTED.

Mr. Cleworth, seconded by **Mr. Matherly**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Contract Negotiations and the PSEA v. City of Fairbanks ALRA Decision & Order – Potential Litigation.

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

Mr. Matherly requested that the Council skip the recess and go directly into Executive Session.

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

EXECUTIVE SESSION

- a) AFL-CIO Labor Contract Negotiations
- b) PSEA v. City of Fairbanks ALRA Decision & Order – Potential Litigation

The City Council met in Executive Session to discuss AFL-CIO Labor Contract Negotiations and the PSEA v. City of Fairbanks ALRA Decision & Order – Potential Litigation. Direction was given to staff and no action was taken.

ADJOURNMENT

Mayor Eberhart declared the Meeting adjourned at 12:50 a.m.

JOHN EBERHART, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JANUARY 11, 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 John Eberhart presiding and with the following Council Members in attendance:

Council Members Present: Joy Huntington, Seat A
Perry Walley, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Brad Johnson, Deputy Police Chief
Ben Barrio, IT Director
Angela Foster-Snow, HR Director
Pat Smith, Development Manager
Bob Pristash, City Engineer
Shannon Kumpula, Purchasing Agent/Risk Manager
Stephanie Johnson, Dispatch Manager
Jeff Jacobson, Chief of Staff
Jim Styers, Fire Chief
J.B. Brainard, Deputy City Attorney

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation.

CITIZEN'S COMMENTS

June Rogers, 1908 Esquire Avenue, Fairbanks – Ms. Rogers stated that she speaks on behalf of the Fairbanks Arts Association, and she is in attendance to thank the City Council for the opportunity to receive bed tax funds. She also thanked the Council for approving the cold case detective position at the Fairbanks Police Department (FPD); she stated that solving the unsolved homicides will bring peace to the community.

Patrice Lee, 676 Hillcrest Drive, Fairbanks – Ms. Lee commended the City Council for their input on monitoring air quality within the City limits. She stated that even though regulations have been put forth the air in the City is not clean. She spoke to the poor air quality in Hamilton Acers and shared that at times the air quality is worse there than in the highly contested area in North Pole. She asked the Council to consider doing something more about the issue. She thanked the Council for their time and future attention to the complex problem.

Shaun Tacke, 4720 Drake Street, Fairbanks – Mr. Tacke spoke to Ordinance No. 6002; he indicated that the ordinance is prohibitive in nature. He gave a brief history of how the marijuana laws came about in Alaska and stated that Alaskans voted for marijuana to be treated the same as alcohol. Mr. Tacke stated he is not present to speak about The Higher Calling rather the knee-jerk reaction to the opening of the club. He stated that if the Council passes the ordinance they will be going against the will of the people which is not acceptable.

Marcus Mooers, 1630 Coyote Trail, Fairbanks – Mr. Mooers shared that he is the owner of The Higher Calling located in downtown Fairbanks. He stated that the ballot measure Alaskans voted on made the use of marijuana legal. He stated the club is providing a service to the community because it gives people a place to consume marijuana rather than in a car or on a street corner. Mr. Mooers stated that the club gives the public a place to smoke their medical marijuana and many of the members of his clubs are veterans and cancer patients. He stated that cannabis clubs would be good for tourism and could create a niche market. He urged the Council to consider the impact of Ordinance No. 6002 to other potential businesses that would bring revenue to the downtown area. Mr. Mooers stated it is not logical to run off a potentially multi-million dollar industry. He responded to those who said they jumped the gun on opening the business by saying he does not provide any cannabis products to patrons. He stated his club is located on private property and that the adoption of Ordinance No. 6002 would strip citizens of their legal right to consume marijuana. Mr. Mooers stated that The Higher Calling has had no police incidents, is a safe place and provides a good service to the community.

Mr. Cleworth stated that the Council received a letter from the Alaska Cannabis Political Action Committee (ACPAC) expressing their belief that The Higher Calling should have waited until the State sent out their regulations.

Mr. Mooers stated that he disagrees and commented that the daycare zoning regulations are too stringent. He stated that he does not advertise a storefront and that the blinds and curtains are drawn because they do not want to influence children or anyone under the age of 21.

Mr. Pruhs asked Mr. Mooers if he was planning to get a retail license.

Mr. Mooers stated he had no intention of applying for a retail license because he would never be granted one being so close to the day care center. He explained that he has a City of Fairbanks business license so he can operate his business legally. Mr. Mooers asked Mr. Pruhs to show him the regulation that says he is not allowed to operate business the way he is currently operating. He explained that he is an American citizen and that it is a free market economy.

Mr. Pruhs stated that it is wonderful that he has opened a business. He stated, however, that operating as a marijuana lounge will require an on-site smoking license from the State of Alaska Alcohol and Marijuana Control Office.

Mr. Mooers stated that Mr. Pruhs is making the rules up as he goes and promoting his personal agenda. He stated that there is no regulation on the books making it illegal to operate a business where people can bring their own marijuana to a private club and smoke it.

Mr. Pruhs asked Mr. Mooers if he could legally operate a club in the State of Alaska where anyone could pay a membership fee and consume alcohol onsite.

Mr. Mooers stated marijuana is not alcohol and that he has no idea if that would be legal.

Mr. Pruhs stated that there is no license to grant Mr. Mooers the permission to operate his business.

Mr. Mooers argued that such a license does not exist.

Mayor Eberhart called a Point of Order and reminded the Council that they may only ask citizens questions during Public Testimony.

Ms. Huntington shared that at one of the AML presentations she attended there was a concern that marijuana clubs may become an ideal place for black market marijuana sales. She asked Mr. Mooers how he would regulate his members and not let them sidestep retail marijuana shops.

Mr. Mooers stated that when a member joins the club they must first sign a membership form which primarily addresses the code of conduct. He explained the code of conduct includes a statement members must agree to that says the buying and selling of marijuana is illegal without a license. Mr. Mooers stated that if a member is caught buying or selling marijuana in the club they are subject to a lifetime ban from the premises. He stated it sounds like people view the club as a seedy den where drug dealers hang out and that is not what The Higher Calling is about. He stated the code of conduct also says the purchase, sale or transfer by donation is not permitted and would also result in a lifetime ban if caught.

Ms. Huntington shared her concern with having a daycare near the location. She stated that marijuana affects everyone differently and she has concern that a member could become erratic or violent causing the safety of the children at the daycare to be in jeopardy. **Ms. Huntington** asked how Mr. Mooers would go about managing a situation like that.

Mr. Mooers stated that the club has two security doors so no children would be able to enter. He stated that never in his life has he seen an individual have a violent reaction to cannabis and all of the members of his club are peaceful. He stated that there are often intoxicated individuals outside on the street that cause a scene and that people should be more concerned with them harming the children at the daycare. Mr. Mooers stated that the club tailored their hours so they would not be open for the majority of the hours that the daycare operates. He stated that he is working on installing a heating, ventilating and air conditioning (HVAC) system to clean the exhausted air.

Megan Mooers, 1630 Coyote Trail, Fairbanks – Ms. Mooers stated she is the co-owner of The Higher Calling and thanked the City Council for their service to the community. She shared her desire for the cannabis industry to flourish in Fairbanks. She stated that private cannabis clubs are not currently regulated under AS 17.38 and that the state legislature has not yet addressed the issue. Ms. Mooers stated that the Marijuana Control Board (MCB) tried to regulate private clubs but they had to change it by the advice of their legal counsel. She stated that The Higher Calling did not jump the gun because they are not regulated by Ballot Measure 2. She stated that their business is a private social club and that there are many private social clubs in Fairbanks. Ms. Mooers stated that banning private clubs infringes on the rights of citizens and which is a direct violation of AS17.38. She stated that banning consumption will be bad for business and will send a message to other cannabis businesses that may be looking at opening in Fairbanks.

Alice Pharr, P.O. Box 10251, Fairbanks – Ms. Pharr stated that she believes it is an infringement of her civil rights to ban the consumption of marijuana. She stated the club is a private club and that some members need the club because of medical issues. She stated that there has been a strong need for a club of this type in Fairbanks and that everyone who comes to it is impressed with how comfortable and inviting it is. Ms. Pharr stated she has heard a number of people indicate that the adoption of Ordinance No. 6002 will hurt Fairbanks' tourism industry. Ms. Pharr stated that some members come to the club because they have landlords who will not let them smoke in their home and that clubs should not be under regulation of Ballot Measure 2.

Mr. Matherly thanked Ms. Pharr for her testimony and asked if she had a definition of how many clubs should be allowed in a community.

Ms. Pharr asked if there was a rule of how many bars or clubs could be in a community.

Mr. Matherly responded that there are regulations on how many alcohol establishments can be in a community.

Mr. Pruhs stated that at this time Fairbanks allows for 27 bars or clubs in City limits.

Ms. Pharr stated that she thinks that it would be odd to regulate how many clubs could be in a community.

Blake Cooper, 2114 Eagan Avenue, Fairbanks – Mr. Cooper challenged the Council to prove that marijuana is being sold at The Higher Calling. In regard to air pollution, he stated that he has come up with is a charcoal air filter that cleans the air before it reaches the outdoors. He suggested that rather than making marijuana clubs illegal if the Council would consider licensing them so the City could make some money. Mr. Cooper stated people will have clubs in their homes; he stated that The Higher Calling will generate tourism because it is open to the public. He stated that people will flock to the City and bring their tourist dollars; he commented that bringing revenue to the City should be a priority. He stated that banning the club is against the will of the people and it is wrong.

Charity Gadapee, 1576 Madeline Street, North Pole – Ms. Gadapee stated she works for Explore Fairbanks and that she is present to update the Council on summer tourism. She stated that just shy of 132,000 visitors came to the Morris Thompson Cultural and Visitors Center in 2015. Ms.

Gadapee shared that there is a tourism conference scheduled for January 27, 2016, at the Westmark Hotel and invited everyone to attend.

Ms. Huntington asked Ms. Gadapee if she believes tourists will come to Fairbanks specifically to partake in cannabis. She asked if there is cause for concern in declining tourism marijuana clubs are banned.

Ms. Gadapee stated that she does not have any background, knowledge or information on marijuana and tourism. She stated that the tourism conference is dedicating a session to the updated marijuana regulations.

Simone Tregrove, 2114 Eagan Avenue, #1, Fairbanks – Ms. Tregov stated that she moved to Fairbanks to study but that her decision to stay was partially based on the legalization of marijuana. She spoke in favor of The Higher Calling and spoke to the stereotypes that the media gives people who smoke marijuana. She stated she did not understand why the club would need a license but that if that is the case, one should be created for them to obtain. Ms. Tregrove shared the importance of everyone being able to go to a safe place to smoke marijuana.

Mystiek Lockery, 1458 Lacey Street, Fairbanks – Ms. Lockery spoke to the statement that the City of Fairbanks made when they said they would not oppose marijuana businesses. She stated that Ordinance No. 6002 proposes doing just that: banning a marijuana club. She shared that the club opened in November of 2015 and there have been no police calls or problems since its opening. Ms. Lockery stated that the club is not in the business of marijuana but is a club that members can come to and bring their own marijuana. She urged the City Council to fail the ordinance. She stated that bars are limited in numbers within the City but that social clubs should not be regulated in the same way. Ms. Lockery stated that if tourists purchase marijuana from one of the legal marijuana shops that they will need a place to smoke it and that the club provides a community service. She stated that if someone had an adverse reaction they would not be let out on the street; she stated that the staff would take care of them until they were okay.

Dawn Cogan, 605 Betty Street, Fairbanks – Ms. Cogan stated that she speaks on behalf of Mothers Against Drunk Driving (MADD) and in favor of Ordinance No. 6002. She stated that she does not think Fairbanks need another location that will encourage people to drive impaired. Ms. Cogan voiced her concern for how people are transporting themselves to and from the establishment. She stated she is not in favor of establishments like The Higher Calling.

Suki Merica, 1117 20th Avenue, #3, Fairbanks – Ms. Merica stated that she began using marijuana when she was 22 years old and that she uses it for medical purposes. She stated that she has severe back problems and that marijuana helps relax her back and sleep. Ms. Merica stated she does not want to be looked at like a criminal because she is a college student with a 3.67 grade point average (GPA). She stated that she has been the designated driver for The Higher Calling and that she has been driven home by a patron of The Higher Calling. She stated that she is not breaking the law, but is advocating for the law.

Stephanie Sandberg, 1185 Chena Ridge Road, Fairbanks – Ms. Sandberg stated that the clearest evidence that The Higher Calling is not illegal is the discussion on Ordinance No. 6002. She stated the ordinance is an attack on the marijuana industry and it is anti-small business. Ms. Sandberg

stated that in a few months retail shops will be open with lounges attached and that the ordinance is spiteful in nature. She stated that she will be paying close attention to how Council Members vote and that she will campaign against those who vote in favor of the ordinance. She stated it is hypocritical of Council Members to vote for this ordinance because they allow bars on every corner.

Marcey Luther, 138 3rd Avenue, Fairbanks – Ms. Luther stated that she is a neighbor of The Higher Calling and that the problems that she has in her neighborhood have nothing to do with cannabis. She stated the problems she sees have to do with homelessness, vagrancy and alcohol abuse. She reported that since The Higher Calling opened, there has been no increase in criminal activity in the area. Ms. Luther stated that some of the biggest hotels in town are within walking distance of the club and there will likely be tourists that will want to use the club after purchasing legal cannabis. She stated that marijuana is part of Fairbanks' culture and that the City should be leading by example for the rest of the country. She stated that alcoholism is a bigger problem than marijuana and that there were two murders that occurred at local bars in the past year.

Kathryn Dodge, 665 8th Avenue, Fairbanks – Ms. Dodge spoke to the resolution pertaining to the non-attainment area. She stated she did not see the purpose of splitting the non-attainment area and that one monitor in Fairbanks does not prove that the air is clean. She stated there are hot spots on Dale Road, in Hamilton Acers and in North Pole. Ms. Dodge stated that some people are getting sick as a result of unclean air. She asked the Council to think very hard about voting for the resolution.

Barbara Sunday, P.O. Box 72474, Fairbanks – Ms. Sunday stated that Fairbanks air is not clean and that she may have to move away because of it. She spoke to the importance of City departments having a travel budget and to the importance of obtaining the Society of Human Resources Management (SHRM) certification. She stated that SHRM keeps Human Resources (HR) employees abreast of what is happening with HR laws. Ms. Sunday stated SHRM helps businesses make sure they do not do anything illegal and ensures that employees are treated fairly. She stated that the City of Fairbanks is lucky to have a Mayor who is an attorney and who is SHRM certified. She stated that she is no longer an employee of the City but that she is a concerned citizen and a local business owner. She pleaded with the Council not to cut travel budgets.

Ms. Dawn Cogan introduced Troop 1001 boy scouts who are working on their communication merit badge.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that he has been around marijuana since 1959 but has not smoked in 12 years. He stated that he quit smoking marijuana because his house caught on fire and he experienced a lot of lung damage. He shared that he is tempted to go back to smoking marijuana to see if it helps him medically. He stated that he has operated motorboats, airplanes, heavy equipment and other types of vehicles all while under the influence of marijuana. Mr. Buberger stated he used to smoke 25 to 30 cigarette-sized marijuana joints a day and they had no effect on him operating motorized vehicles. He asked why there are no public restrooms in Fairbanks but there is a budget for fancy new street lights. He stated that he heard some of the side streets on Cushman have to be redone because of drainage issues and improper handicap ramps. Mr. Buberger stated he wanted to know how much the City has spent on the Cushman project and the cost of the future repairs. He stated if the City can afford the cost of

the Cushman Street project then they can certainly afford to install some public restrooms around town. He stated he hopes that tourists starting using the restroom in the street.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney urged the Mayor and the City Council to do an independent review of FPD in relation to the Fairbanks Four case. He suggested that the Fact Finding Committee be called upon to do the investigation rather than handpicking someone who will give a slanted report. He spoke to people bringing their dogs downtown to use the restroom on the street and neglecting to clean up after them. Mr. Turney stated that it seems the Council hates freedom and loves regulation. He stated that if Ms. Huntington is so concerned about children, she should speak to the school board about the medicating of children at school. Mr. Turney spoke to the studies done on the differences in impairment between driving under the influence of marijuana versus alcohol. He stated that cannabis users do not become impaired. He stated that he has never been to The Higher Calling and that the ordinance is about arrogance and power. Mr. Turney again spoke to the Fairbanks Four case and expressed hope that a fair and independent party would be selected to review the case. He stated that when he came to Fairbanks in 1982 the Natives would call him “White Cloud” because he used to hand out marijuana cigarettes to people on the riverbank who were drinking.

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. Cleworth pulled Resolution No. 4710 from the Consent Agenda.

Mr. Gatewood pulled Resolution No. 4709 from the Consent Agenda.

Mr. Matherly pulled Ordinance No. 6002 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.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of September 21, 2015.

APPROVED on the CONSENT AGENDA.

b) Regular Meeting Minutes of October 5, 2015.

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 New Chauffeur License:

Applicant: Diane Moore Dillard

Mr. Pruhs, seconded by **Mr. Matherly**, moved to GRANT the appeal for a new Chauffeur License.

Mayor Eberhart called for Public Testimony.

Diane Dillard, 1250 Raymond Avenue, Fairbanks – Ms. Dillard stated that she is from Twin Hills, Alaska and that she is visiting family in town. She stated that she would like to earn some money so that she can relocate to Fairbanks. She stated that she would like to drive a cab because she knows the area.

Mr. Matherly asked if the only issue Ms. Dillard encountered in the application is the residency requirement.

Ms. Dillard replied affirmatively.

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

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

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

NAYS: None

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):

Type: Beverage Dispensary, License #4232

To: Kodiak Jack's / JSR, Inc.
537 Gaffney Road, Ste. 2, Fairbanks, Alaska

From: Kodiak Jack's / JSR, Inc.
537 Gaffney Road, Ste. 2, Fairbanks, Alaska

Mr. Matherly, seconded by **Mr. Walley**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership.

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 AS FOLLOWS:

YEAS: Gatewood, Walley, Pruhs, Matherly, Huntington, Cleworth
NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

- c) 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):

Type: Beverage Dispensary, License #3969
To: BoomTown Grill and Bar / JSR, Inc.
537 Gaffney Road, Ste. 1, Fairbanks, Alaska
From: BoomTown Grill and Bar / JSR, Inc.
537 Gaffney Road, Ste. 1, Fairbanks, Alaska

Mr. Matherly, seconded by **Mr. Gatewood**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership.

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 AS FOLLOWS:

YEAS: Huntington, Matherly, Gatewood, Pruhs, Cleworth, Walley
NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Eberhart welcomed everyone to the New Year and asked City Engineer Bob Pristash to come forward and speak to Mr. Buberger's public testimony regarding the Cushman Street project. **Mayor Eberhart** asked how much cost overrun there was on the project. Mr. Pristash stated the project costs were about 8% over the projected amount. **Mayor Eberhart** asked what the standard cost overrun on a construction project was; Mr. Pristash replied an urban project typically overruns by 15%. **Mayor Eberhart** asked Mr. Pristash if there are issues with improper drainage on Cushman Street. Mr. Pristash stated he has not heard of any issues relating to improper drainage, and he is current on all of his emails. He stated that he has also not heard anything about handicap ramps being improperly installed. Mr. Pristash stated that the Americans with Disabilities Act (ADA) requires certain slope requirements for sidewalk ramps and that there are no problems he is aware of in regard to the new ramps that were installed; he stated that intersections also have metal detectors for visually impaired individuals. He stated that some of the recycled asphalt will be replaced next summer.

Mayor Eberhart spoke to the independent review of the Hartman/Fairbanks Four case that was brought up by Alaska Native leadership. He stated the review was discussed in the Finance Committee and that information will be coming out in the future as to how to proceed.

Mayor Eberhart stated that a new Chief of Staff has been hired by the City and invited Jeff Jacobson to come forward to introduce himself.

Mr. Jacobson stated that he was born in Palmer and moved to Ketchikan as a child. He stated he moved to Fairbanks during his freshman year of high school and eventually graduated from Lathrop High School. Mr. Jacobson stated he earned his bachelor's degree in elementary education and taught for 27 years at North Pole Middle School. He stated that in 2010, Mayor Hopkins asked him to serve as his Chief of Staff, and he worked there until recently. Mr. Jacobson stated he was on the North Pole City Council for eight years and served as Mayor of North Pole for nearly eight years during the time he was teaching at the middle school. He shared his excitement to work for the City of Fairbanks and his enthusiasm to meet all the staff and Council Members.

Mayor Eberhart listed the many activities and events his office had been involved in since the last Regular Council Meeting.

UNFINISHED BUSINESS

- a) Resolution No. 4689 – A Resolution Honoring Warren B. Cummings by Dedicating and Renaming Fire Station One in His Honor. Introduced by Mayor Eberhart. POSTPONED from the Regular Meeting of October 5, 2015.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4689.

Mr. Pruhs asked for an update on the legal status of Chief Cummings' medical claims.

Mr. Ewers stated that the issue has not yet been finalized but that he does not foresee any obstacles.

Mayor Eberhart stated that the cost for the lettering that will be placed on the building would be about \$3,700.00.

Mr. Cleworth asked Mr. Ewers if it is a done deal; he requested that Mr. Ewers give a timeframe if the issue is not a done deal.

Mr. Ewers stated that it is not yet finalized and that he does not know when it may be.

Mr. Walley, seconded by **Mr. Pruhs**, moved to POSTPONE Resolution No. 4689 to the March 21, 2016 Regular City Council Meeting.

Mr. Matherly asked what the Council is waiting on by continuing to postpone Resolution No. 4689.

Mr. Ewers stated that several state, federal and union agencies have to sign off on Mr. Cummings' case before the workers' comp claim can be closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4689 TO THE MARCH 21, 2016 AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED.

Mayor Eberhart called for a five minute recess before proceeding with the meeting.

NEW BUSINESS

- a) Resolution No. 4705 – A Resolution in Support of the State of Alaska’s Request to the EPA to Divide Fairbanks North Star Borough PM2.5 Non-Attainment Area. Introduced by Council Member Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4706 – A Resolution Allocating Discretionary Funds from Hotel/Motel Tax in the Amount of Two Hundred Seventy Thousand Dollars (\$270,000.00). Introduced by Council Member Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4707 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security to Purchase an Aerial Platform. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4708 – A Resolution to Apply for and Accept Funding from the Walmart Foundation for Community Policing. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Resolution No. 4709 – A Resolution to Apply for Funding from the Alaska Department of Environmental Conservation for a Brownfield Assessment. Introduced by Mayor Eberhart and Council Member Pruhs.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to approve Resolution No. 4709.

Mr. Gatewood asked for the reasoning behind the resolution.

Mr. Pruhs stated that the City is discussing whether to buy the note for the Polaris Building. He stated that the resolution would allow the City to accept grant money for environmental testing to document and report what is onsite to see if there are any existing hazards.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4709 AS FOLLOWS:

YEAS: Walley, Matherly, Gatewood, Pruhs, Cleworth, Huntington
NAYS: None
Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4709 APPROVED.

- f) Resolution No. 4710 – A Resolution Awarding a Contract to [CONTRACTOR] for the Waste Water Treatment Plant Generators Replacement Project RFP-15-19 in the Amount of \$XXX,XXX.XX. Introduced by Mayor Eberhart.

Mr. Gatewood, seconded by **Mr. Walley**, moved to APPROVE Resolution No. 4710.

Mr. Walley, seconded by **Mr. Gatewood**, moved to SUBSTITUTE Resolution No. 4710, as Amended, for Resolution No. 4710.

Mr. Cleworth asked how many responses to the RFP were received by the City and who prepared the RFP.

Mr. Ewers stated Development Manager Patrick Smith did the work on it and that there were four or five respondents.

Mr. Smith stated that the resolution would award about three quarters of the project to Fullford Electric in the amount of \$842,000. He spoke to the match of Golden Heart Utilities (GHU) and to the total cost of the project. He stated that the bulk of the remaining funds would be used to make a direct purchase of the generators through a separate RFP.

Mr. Cleworth asked Mr. Smith to clarify the source of the grant funds.

Mr. Smith stated the funds were grant funded through the Alaska Division of Homeland Security under the category of pre-disaster mitigation. Mr. Smith stated that GHU is providing matching funds so there are no City funds involved.

Mr. Cleworth asked if GHU initiated the project.

Mr. Smith stated the project was initiated after a vulnerability assessment that was conducted on City-owned facilities about two years ago.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE RESOLUTION NO. 4710, AS AMENDED, FOR RESOLUTION NO. 4710 AS FOLLOWS:

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

Mr. Cleworth stated that people sometimes forget that the utility is technically still owned by the City of Fairbanks. He explained that the utility company had an opportunity some years ago to take complete ownership of the utility but that since the City can apply for grant dollars to help maintain the property they did not opt to do so. **Mr. Cleworth** stated it is a great thing that they are putting a new generator in because if they let it fall into disarray the City would have to take back ownership and maintain the utility on its own.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION 4710, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4710, as Amended, APPROVED.

- g) Ordinance No. 6001 – An Ordinance Amending Fairbanks General Code Chapter 14, Article X Towing Vehicles to Require Towing Company Clean Up After a Motor Vehicle Accident. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

- h) Ordinance No. 6002 – An Ordinance Amending Fairbanks General Code Chapter 46 Offenses by Adding a New Section to Prohibit Marijuana Clubs. Introduced by Council Member Pruhs.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 6002.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to POSTPONE Resolution No. 6002 to the June 6 Regular City Council Meeting.

Mr. Matherly stated he spoke with Mr. Mooers and Mr. Tacke and that he would like to see what comes out of Juneau before the City Council makes a decision. He stated that he would like to respect the will of the people.

Mr. Pruhs echoed **Mr. Matherly's** comments that he would like to see how Juneau regulates before the City of Fairbanks decides to how to regulate. He stated that he received a call from the landlord of The Higher Calling asking if he needed to find a new tenant; **Mr. Pruhs** said he told him that the Council discussion would be postponed until the end of the legislative session.

Mr. Gatewood stated that he appreciates all of the public testimony that he is not in favor of marijuana outside of the medical aspect. He stated it showed some foresight to start a club for tourists to come and smoke marijuana. **Mr. Gatewood** stated that he gets concerned when people say it is the will of the people; he clarified that it is the will of some of the people. He shared his concern with the club's proximity to a school or daycare, and he encouraged the marijuana industry to respect that there should be limitations.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6002 UNTIL THE JUNE 6 REGULAR CITY COUNCIL MEETING AS FOLLOWS:

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

DISCUSSION ITEMS

Golden Heart Parking Services (GHPS) Board – **Mr. Cleworth** stated that the Golden Heart Parking met recently. He stated that when he rejoined the group, the organization had been terribly mismanaged. He stated that over the past eight months the books have been cleaned up and the financial statements are looking healthy. **Mr. Cleworth** stated that it is the City’s facility and that it is the City’s responsibility to take care of it. He stated that GHPS cannot be subsidized by the City and looking back in the books it was hard to tell if that was happening. He stated the garage is in a much better financial state now, and it looks good going forward.

Hotel/Motel Discretionary Fund Committee – **Mr. Matherly** stated the Bed Tax presentations have been completed and the funds have been disbursed. He thanked everyone involved and shared what a fun committee it is to serve on, helping out local non-profit organizations.

COMMUNICATIONS TO COUNCIL

- a) Chena Riverfront Commission Meeting Minutes of November 12, 2015
ACCEPTED on the CONSENT AGENDA.
- b) Board of Plumber Examiner Meeting Minutes of October 6, 2015
ACCEPTED on the CONSENT AGENDA.
- c) Hotel/Motel Discretionary Fund Meeting Minutes of November 19, 2015
ACCEPTED on the CONSENT AGENDA.
- d) Hotel/Motel Discretionary Fund Meeting Minutes of December 15, 2015
ACCEPTED on the CONSENT AGENDA.
- e) Hotel/Motel Discretionary Fund Meeting Minutes of December 18, 2015
ACCEPTED on the CONSENT AGENDA.
- f) Public Safety Commission Meeting Minutes of January 13, 2015
ACCEPTED on the CONSENT AGENDA.

g) Public Safety Commission Meeting Minutes of April 14, 2015

ACCEPTED on the CONSENT AGENDA.

h) Public Safety Commission Meeting Minutes of July 14, 2015

ACCEPTED on the CONSENT AGENDA.

i) Re-appointments to the Building Code Review and Appeals Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood spoke to youth sports—especially basketball—and shared that he believes that at its core, Fairbanks is a basketball town. He encouraged everyone to support high school and UAF athletics.

Mr. Walley spoke to the cost overruns on the Complete Cushman Street project and explained that some projects come in under budget and some come in over budget. He stated that it was a long, tedious project and that an 8% cost overrun is not terrible; he commended everyone involved in the project.

Ms. Huntington thanked her mother for attending the meeting and thanked everyone for coming in for public testimony. She stated she was happy to be a part of the press conference about the Fairbanks Four and that the Mayor and Chief of Police did a great job during the interview. **Ms. Huntington** shared that there will be a Public Safety Committee meeting the following day and that she will have a report ready at the following Council Meeting.

Mr. Matherly wished everyone a Happy New Year and shared that it is an honor for him to serve the City. He stated that sometimes the News Miner gives the City Council a bad rap but that when groups come together the Council will listen. **Mr. Matherly** stated he is excited about his upcoming Mayoral race. He stated he had no update on Mr. Marlow on the Polaris Building. He wished his 97-year-old grandmother a happy birthday and gave a brief background of her life.

Mr. Cleworth echoed Mr. Gatewood's statements about supporting local sports. He spoke to the Citizen's Guidelines pamphlet that was distributed to the Council asked that they review it. He spoke to asset forfeiture and shared that it is wrong to seize peoples' money without cause. **Mr. Cleworth** requested that Chief Aragon review FPD's policy on asset forfeiture and give the Council an update on the policy. He stated that he would like to know the parameters of the investigation, who is conducting it, and what the goals of the investigation are. He stated there is a Fact Finding Commission as Mr. Turney pointed out, and he recommended using that group because they work at no cost to the City. **Mr. Cleworth** thanked the Council for approving Resolution No. 4705 and thanked everyone who came out to testify to it. **Mr. Cleworth** stated that air quality is important, and it helps retain the military in Fairbanks. He stated clean air is a step in the right direction and the individuals who are causing a problem are on the Department of Environmental Conservations' (DEC) radar.

Mr. Pruhs echoed Mr. Gatewood's statement that Fairbanks is a basketball town and commented that Mr. Gatewood is a resident expert in youth sports. He spoke to the issues at the Noyes Slough and the need to clean it out; he shared the possibility of putting a bike path with lights next to it. **Mr. Pruhs** stated that there should be annual audits of what is in FPD's evidence room; he added that a list of what is in it should be distributed out to Council Members.

CITY ATTORNEY'S REPORT

City Attorney Ewers stated that he spoke with the MCB regarding Ordinance No. 6002 and that The Higher Calling is illegal under state law. He stated that the City not shutting the business down does not make it legal.

Mr. Matherly, seconded by **Mr. Walley**, moved to go into Executive Session for the purpose of discussing AFL-CIO, IBEW, and FFU Labor Contract Negotiations.

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

Mayor Eberhart called for a five minute recess.

EXECUTIVE SESSION

- a) AFL-CIO Labor Contract Negotiations
- b) IBEW Labor Contract Negotiations
- c) FFU Labor Contract Negotiations

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

ADJOURNMENT

Mayor Eberhart declared the meeting adjourned at 10:46 p.m.

JOHN EBERHART, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK


Transcribed by: EB

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor John Eberhart
City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Transfer of Liquor License Ownership, Location, Name Change and Restaurant Designation Permit

DATE: March 15, 2016

An application has been received from the State of Alaska Alcohol and Marijuana Control Office for transfer of ownership, location, name change and restaurant designation permit for the following applicant:

License Type: Beverage Dispensary, License #1912
 D.B.A.: Eastern Treats
 Licensee/Applicant: Bulgar Corp
 Physical Location: 535 2nd Avenue, Suite 106, Fairbanks, Alaska

From: Gold Rush Saloon / Downriver, Inc.
 Location: 3399 Peger Road

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Bulgar Corp	535 2nd Avenue, Ste 106 Fairbanks, AK 99701	907-750-9161	12/17/2015 – Alaska	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 (%)
Ivan Gyaurski	03/11/1986	535 2nd Avenue, Ste 106 Fairbanks, AK 99701	907-750-9161	Director/100%

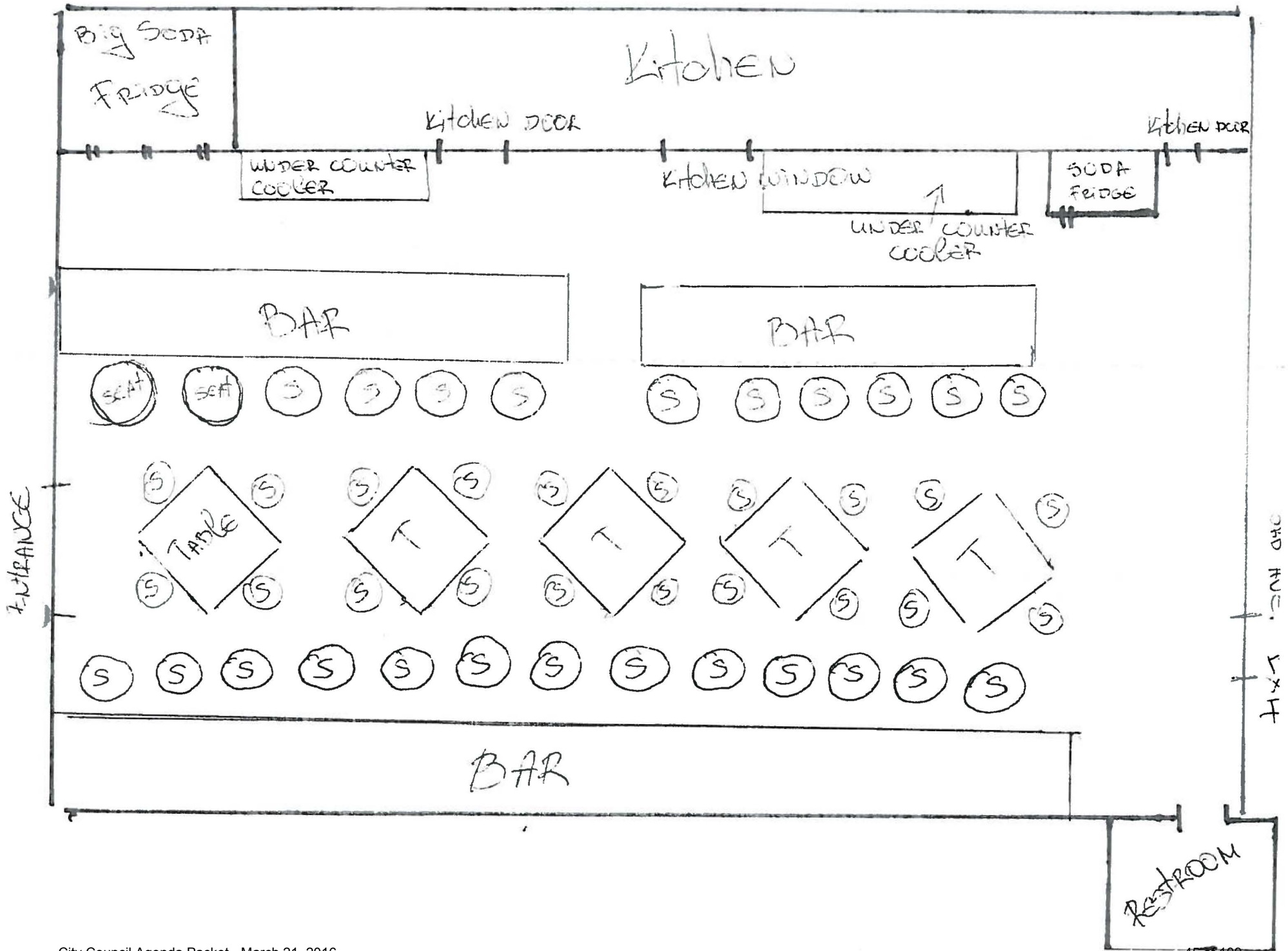
Pursuant to FCG Sec. 14-178 the Council must determine whether or not to protest the liquor license action after holding a public hearing; public notice requirements of FGC Sec.14.168(2) have been met.

Please note that the new location falls under FGC Section 14.178(b)(6) which addresses new or transferred licenses into the downtown core area. I have attached that code section for your reference. Also attached is supporting documentation for the transfer provided by Mr. Gyaurski.

There are **no departmental objections** to this transfer.

Sec. 14-178. - City council review of license issuance, renewal or transfer.

- (b) The city council may protest the issuance, transfer or renewal of a license if it determines any of the following conditions exist:
 - (6) The business is for locations within the downtown Fairbanks area bounded by Barnette Street, extended from the north bank of the Chena River to Fifth Avenue, down Fifth Avenue to Hall Street, thence down Hall Street across the Wendell Street Bridge, thence along the north bank of the Chena River downstream to Barnette Street, extended to the point of beginning. The only alcoholic beverage license applications for new licenses or transfer of existing licenses to locations within the boundaries specified in this subsection which the city will not protest are those which the applicant can demonstrate will contribute to the revitalization of the downtown area. All such applicants will have a heavy burden in introducing evidence that their license will contribute to such revitalization.



Eastern Treats *MENU*

Chicken Doner Kebab
Large 13.00
Small 7.00

Beef Gyro 10.50

Add. Taxes 3.00

Stuffed Chicken wings 13.50
(bacon, cream-cheese, and smoked gouda cheese)

Spicy Stuffed wings 13.50
(bacon jalapenos cream-cheese and smoked gouda cheese)

Sarma 13.00
(vine leaves stuffed with pork loin, mushroom, bacon, and smoked gouda cheese)

Moussaka 10.00
(ground beef, potatoes, ground pork onions, tomatoes, herbs and spices, baked with an youghurt-egg topping)

Duck Soup (bowl) 7.00



RIVER CITY INVESTMENTS, LLC

February 18, 2016

Fairbanks City Council
800 Cushman Street
Fairbanks, AK 99701

Dear Fairbanks City Council Members:

I submit this letter to you concerning the liquor license transfer application of Ivan Gyaurski d/b/a Eastern Treats, located at 535 2nd Avenue, Fairbanks, AK 99701, commonly known as the Co-Op Plaza.

I understand there will be a community meeting concerning the transfer of this license. I am in favor of granting the transfer of the alcoholic beverage license to the Mr. Gyaurski at this establishment.

Mr. Gyaurski currently owns and successfully operates The Crepery, also located in the Co-Op Plaza. Since his arrival to the Co-Op in August 2014, Mr. Gyaurski has helped to make the mall a very successful and attractive shopping and eating establishment, and is instrumental in ensuring that those entering the property are not nuisances or belligerent. He is our 2nd Avenue “watch dog” and has no qualms in escorting inebriated individuals off the premises, making all the tenants in the building feel safe and secure. His positive, upbeat and hardworking business ethics and attitude have helped to revitalize the Co-Op Plaza, and in effect, the entire downtown area.

I agree wholeheartedly that he will continue in this vein should you approve this requested liquor license transfer.

Eastern Treats will be all-ages kid-friendly dining space. The menu is planned to be “family-friendly”, and any alcoholic beverages served will be to enhance the dining experience. This will not be an alcohol-only establishment.

Mr. Gyaurski will not be an absentee owner; he currently lives in the penthouse apartment on site himself, and has a direct stake in the quality of the neighborhood.

City Council members, it is my opinion that by granting the alcoholic beverage license transfer to Ivan Gyaurski d/b/a Eastern Treats, your action will serve to add to the continued economic vitality of the downtown core Fairbanks area.

Deepest regards,

Lisa D. Williamson
Co-Op Plaza Property Manager
River City Investments, LLC
907-388-3264 – cell

711 Gaffney Road, Suite 100, Fairbanks, Alaska 99701
Mailing : PO Box 70707, Fairbanks, Alaska 99707
Office: (907) 456-7653 * Fax: 1-888-613-7747



March 10, 2016

Dear Mr. Gyaurski:

Thank you for contacting the Downtown Association about your effort to bring a liquor license (beer and wine) into Eastern Treats restaurant in the Co-Op Plaza. We can best serve our members when we know their unique needs.

As you know, downtown Fairbanks was once home to many bars. Reclaiming downtown for a range of other uses that better suit the community of Fairbanks was the right thing to do in the 1990s and would still be the right thing to do today. To protect against that density of bars ever taking over downtown again, Fairbanks city code was amended to place a food service “burden” on liquor licenses seeking to locate downtown. This is also the right approach, and one we support.

As you are also aware, the portion of the Co-Op building Eastern Treats now occupies was unoccupied and unused for nearly two years. Before that restaurants came and went. Supposing those restaurants’ profitability (and longevity) might have been improved by a liquor license, we are intrigued by your willingness to assume the requirements of city code pertaining to the purchase and use of a liquor license in Eastern Treats.

The Downtown Association has no specific knowledge that would compel us to not recommend granting a beer & wine liquor license to Eastern Treats. To the best of our belief, Eastern Treats can be reasonably expected make a good faith effort to fully comply with all state liquor service laws as they may apply to their requested license.

We have confidence that Eastern Treats will support downtown’s revitalization, as has The Crepery, awarded the Downtown Association’s 2015 *Business of the Year Award* for your commitment to quality, in-demand products and customer service.

Thank you again for contacting us. Please keep me informed of progress in this matter.

Sincerely,

David van den Berg
Executive Director



March 10th, 2016

To whom it may concern,

Eastern Treats has become a fun and popular place for locals and visitors to gather for delicious food and sometimes paint parties. In the case of special events, friends come to Eastern Treats for amazing food and fun conversations. Sometimes we are doing an activity in the evenings such as making and enjoying paintings. Because this fosters positive interaction between all participants and building new friendships, it attracts lots of attention from those who are visiting from outside of Alaska. When we are having a good time in the evenings, often times guests are in the mood to have a glass of wine or beer. I believe this kind of environment and activity adds value to the local setting. I believe a little bit more offerings on the drinks menu will encourage even more guests, both locals and visitors to come through the door and connect with each other.




10 MAR 2016

Makara Sernett
206-349-2666
hello@playwithpigments.com
Playwithpigments.com

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor John Eberhart and City Council Members
FROM: D. Danyielle Snider, CMC, City Clerk 
SUBJECT: Board of Adjustment Appeal (Dale Nielsen, GR2016-082)
DATE: March 16, 2016

Attached is a memo from Borough Clerk Nanci Ashford-Bingham regarding a Board of Adjustment appeal by Dale Nielsen on an administrative determination of the Department of Community Planning.

The appeal is in regard to grandfather rights of a property on Lot 16, Block 139, Weeks Field Subdivision (located at 1041 Pedro Street).

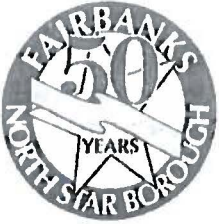
One of the reasons for the notification is so that you are aware of the parties to the appeal. As noted in Ms. Ashford-Bingham's memo, *ex parte* contact with interested parties or members of the public is prohibited.

Per FNSB Code, administrative determinations of grandfather rights are appealed to the Board of Adjustment, and the City Council will sit as the Board of Adjustment for all decisions regarding land within the City of Fairbanks. The Code also allows for the City Council to delegate an appeal to a hearing officer if they so desire. On past occasions, the Council has assigned the City Attorney (or the Deputy City Attorney) to serve as the hearing officer for the appeal. If the Council opts to conduct the appeal hearing, the matter will be placed on the agenda for consideration at a future Council Meeting date specified by the body.

This appeals process differs from appeals concerning decisions of the FNSB Planning Commission and is outlined in FNSBC 2.21.150 and 18.56.025 (attached).

The Borough Clerk has recommended that you hear the appeal near the end of April as there are changes to related FNSB Code sections being considered by the Assembly in late March.

If you have any questions, please contact me or the City Attorney.



Fairbanks North Star Borough

Borough Clerk

809 Pioneer Road * PO Box 71267 * Fairbanks, Alaska 99707-1267 * (907)459-1401 FAX 459-1224

MEMORANDUM

TO: Board of Adjustment Members

FROM: Nanci Ashford-Bingham, MMC *NAB*
Borough Clerk

DATE: January 12, 2016

SUBJECT: Board of Adjustment Appeal Regarding the Department of
Community Planning Administrative Determination
of GR2016-082

An appeal was filed with the Borough Clerk's Office on January 11, 2016 by Dale Nielsen regarding the Department of Community Planning's administrative determination of GR2016-082 (Located 1041 Pedro Street).

Per FNSB Code, the Fairbanks City Council shall be the board of adjustment for all decisions regarding land within the City of Fairbanks. The code also allows for the city council to delegate an appeal to a hearing officer if they so desire.

Administrative determinations of grandfather rights are appealed to the Board of Adjustment. *Appeals shall be heard de novo.* The Board of Adjustment shall uphold or reverse the determination and adopt specific findings of fact after considering the oral and written statements of the applicant, the public, and the department of Community Planning. This appeal process is detailed in FNSBC 2.21.150 and 18.56.025. (Attached)

Please be advised that ex parte contacts shall be prohibited. Board members shall be impartial in all appeal matters, both in fact and in appearance. *No board member shall receive or otherwise engage in ex parte contacts with the appellant, other parties adversely affected by the appeal, or members of the public concerning the appeal.*

As you are aware, the preparation process can be quite lengthy. I will continue to keep you updated on the status of the appeal.

Also, the applicant provided notice they would be out of state for approximately 3-4 weeks in February.

cc: René Broker, Borough Attorney
Danyielle Snider, City Clerk, City of Fairbanks, for distribution to Board & City Attorney

FNSB CODE - Chapter 2.21

2.21.150 Procedure.

A. Notwithstanding any language to the contrary, all boards and commissions shall follow, as a minimum, the procedural rules set forth in this section. A board or commission may adopt other rules but those rules may not conflict with this section. In all matters of procedure not covered by this or other code sections or rules adopted by the board or commission, Robert's Rules of Order, as revised, shall be applicable and shall govern.

B. All de novo quasi-judicial hearings by a board or commission involving an appeal from an administrative determination shall be conducted according to the following procedures:

1. Copies of all procedural rules and any written staff report must be available at least five working days prior to the hearing and at the hearing. At least five working days prior to the hearing, staff and the appellant shall exchange copies of all documents intended to be submitted to the board or commission. Staff shall also ensure that the relevant public files are available for inspection and copying by the appellant.

2. At the beginning of the hearing, the chair shall give a brief introduction regarding the matter and inquire as to whether any member needs to make any disclosures required by the code of ethics or disclose any ex parte communications regarding the matter at issue.

3. Testimony must be taken under oath or affirmation. A group oath or affirmation, including appellant and staff, may be given prior to taking any testimony. Relevant testimony and evidence may be submitted at the hearing. To the extent time limits are imposed, those time limits shall not include time spent responding to questions and shall be evenly applied to all parties.

4. All parties shall have the right to present evidence including testimony and exhibits and the right of cross-examination of witnesses. The party bearing the burden of proof shall have the right to first provide testimony and present all relevant witnesses and evidence and shall have the right to rebuttal.

5. If a party seeks to introduce a document not previously copied and exchanged with the other party and the other party objects, the document shall be admitted only if the board finds a good faith reason for its failure to be included in the documentary exchange. A "good faith reason" includes, but is not limited to, the portion of an animal behavior log for the days occurring after the required documentary exchange. If the late admission creates any prejudice to the opposing party, the chair shall provide the opposing party additional time or take other allowable measures to address any resulting prejudice.

FNSB CODE - Chapter 18.56

18.56.025 Affirmative recognition of grandfather rights.

A. An applicant may seek an affirmative recognition of their grandfather rights by submitting an application and affidavit to the department of community planning director or designee describing the nonconforming building(s), structure(s), use(s) or lot(s) that existed prior to the date of the zoning change that caused the nonconformance. The applicant shall be the owner of the property described in the application, the contract purchaser of said property, the holder of an option to purchase said property, or such persons that possess a substantial proprietary interest in the property being considered. The written consent of the owner, or an authorized representative having power of attorney, shall accompany all applications. The application must contain a written positive assertion that said building(s), structure(s), use(s) or lot(s) existed prior to the date of the zoning change. This application may be made at any time. The application may be accompanied by pictures, statements of support, public or recorded documents and other evidence.

B. Within 15 days after the filing of the owner affidavit, the department shall schedule an administrative hearing. Notice of the application and the hearing shall be provided using the procedures set forth in FNSBC 18.54.010(C)(1) and (2). Applications for structural-related grandfather rights that are supported by a borough or other submitted public or recorded document which unequivocally demonstrates that the property qualifies for the grandfather rights requested and lot size determinations are exempt from the requirements of this subsection. Applications for structural-related grandfather rights not supported by unequivocal documentation must be scheduled for hearing.

C. Within 15 days of the hearing the department shall issue an administrative determination of the grandfather rights. If no hearing is required the administrative determination shall be issued within 10 working days of the application. Administrative determinations granting structural-related grandfather rights without a hearing must be mailed to the applicant and owners of nearby lots or land as set forth in FNSBC 18.54.010(C)(2). Administrative determinations may be appealed to the board of adjustment (as designated by FNSBC 18.52.030) within 15 days of the date of the determination. Appeals shall be heard de novo. The board of adjustment shall uphold or reverse the determination and adopt specific findings of fact after considering the oral and written statements of the applicant, the public, and the department of community planning. This decision is appealable to the superior court in accordance with the civil rules. (Ord. 2015-31 § 2, 2015; Ord. 2010-55 § 2, 2011)

Introduced by: Mayor John Eberhart
Date: September 14, 2015

RESOLUTION NO. 4689

**A RESOLUTION HONORING WARREN B. CUMMINGS BY
DEDICATING AND RENAMING FIRE STATION ONE IN HIS HONOR**

WHEREAS, Chief Warren B. Cummings will retire on November 1, 2015, after 43 years of faithful service to the citizens of Fairbanks; and

WHEREAS, on April 1, 1972, Chief Cummings began public service as a recruit firefighter; and

WHEREAS, in July 1995, Chief Cummings assumed command of the City of Fairbanks Fire Department; and

WHEREAS, Chief Cummings led efforts to modernize the City of Fairbanks Fire Department equipment and facilities by implementing over \$27 million in capital projects, to include the Fairbanks Regional Fire Training Center, warm storage facilities, numerous fire and ambulance apparatus upgrades, and the construction of Fire Station One; and

WHEREAS, Chief Cummings' life work was to continuously improve safety and delivery of fire and emergency management services to Fairbanks, culminating with the City of Fairbanks achieving an ISO rating of 1 in 2014, which distinguished the City of Fairbanks Fire Department as one of the best fire departments in the nation; and

WHEREAS, Chief Cummings' dedication and service to the City of Fairbanks is perhaps best reflected in the building that City residents know as "Fire Station 1."

NOW, THEREFORE, BE IT RESOLVED by the Fairbanks City Council, in recognition for his life's work as a public servant to the Fairbanks community, that Fire Station One be renamed the "Chief Warren B. Cummings Fire Station One".

PASSED and APPROVED this 21st day of March 2016.

John Eberhart, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul Ewers, City Attorney

RESOLUTION NO. 4723

**A RESOLUTION SUPPORTING SENATE BILL 91 RELATING TO
COMPREHENSIVE CRIMINAL JUSTICE REFORM**

WHEREAS, Senate Bill 91, an Act relating to comprehensive criminal justice reform, is currently pending before the Legislature of the State of Alaska; and

WHEREAS, the Alaska Legislature is looking at how to manage the state's current fiscal crisis, and facing a multi-billion dollar budget shortfall, it is vital that each state dollar spent is cost effective and targeted in a manner to get the best return on investment; and

WHEREAS, Alaska's corrections spending has grown unchecked for decades, now costing the state over \$300 million each year and hundreds of millions more each time Alaska builds a new prison; and

WHEREAS, despite the extraordinary spending, Alaska's recidivism rate is remarkably high, with two out of three released offenders returning to prison within three years of release; and

WHEREAS, every dollar spent on corrections may result in less available funding for priorities such as education and economic development; and

WHEREAS, too many Alaskans are taken out of the workforce and placed behind bars for involvement in nonviolent or low-level crimes and, while incarceration is sometimes suitable, it is not the only path to public safety; and

WHEREAS, the Alaska Criminal Justice Commission tracked the best research in the field on the most effective ways to change criminal offending behavior and has provided the Legislature with 21 recommendations for statutory changes that will get better results, safely reduce the prison population, and save the state an estimated \$424 million; and

WHEREAS, the comprehensive package of criminal justice reforms contained in Senate Bill 91 will help ensure that more Alaskans remain productive members of society and not become financial burdens on the state; and

WHEREAS, we have seen the Alaska Legislature work aggressively to ensure that state dollars are not wasted, and we recognize that extending that cost-benefit approach to the state's prison system is overdue; and

WHEREAS, on March 8, 2016, the Fairbanks Diversity Council approved the attached resolution supporting Senate Bill 91 and urging the City Council to approve a resolution in support of the bill.

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks City Council applauds Senator Coghill for introducing Senate Bill 91 and urges the Alaska Legislature to pass the bill into state law.

PASSED and **APPROVED** this 21st day of March 2016.

John Eberhart, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul Ewers, City Attorney



RESOLUTION NO. 2016-01

**A RESOLUTION BY THE FAIRBANKS DIVERSITY COUNCIL URGING
THE FAIRBANKS CITY COUNCIL TO SUPPORT STATE SENATE BILL 91
PERTAINING TO COMPREHENSIVE CRIMINAL JUSTICE REFORM**

WHEREAS, the Alaska Legislature is looking at how to manage the state's current fiscal crisis. Facing a multi-billion dollar budget shortfall, it is vital that each dollar spent is cost effective, and targeted in a manner to get the best return on investment; and

WHEREAS, Alaska's corrections spending has grown unchecked for decades, now costing the state over \$300 million each year, and hundreds of millions more each time Alaska builds a new prison. Despite this extraordinary cost, the state is not getting a good return on investment. Two out of three offenders released from Alaska's prisons return within three years. A two-thirds failure rate would not be tolerated in any other area of government spending; and

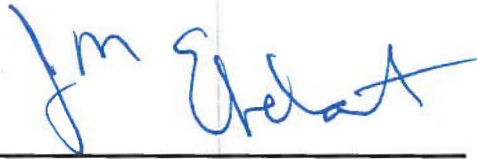
WHEREAS, every dollar the state spends on corrections is a dollar that is unavailable for priorities like education and economic development. Thanks to the Alaska Criminal Justice Commission, we now know that the state can spend less on corrections and actually get better public safety outcomes. The Commission tracked the best research in the field on what works – and what does not work – to change criminal offending behavior, and has provided the Legislature with 21 recommendations for statutory changes that will get better outcomes while safely reducing the prison population and saving the state an estimated \$424 million. We applaud Senator Coghill for incorporating these recommendations into Senate Bill 91, and encourage the Alaska Legislature to pass them into law; and

WHEREAS, public safety is directly related to healthy, vibrant, and economically sound communities. Prison, however, is not the only path to public safety, particularly for low-level crimes. Too many Alaskans are taken out of the workforce for involvement in minor nonviolent crimes. The comprehensive package of criminal justice reforms contained in Senate Bill 91 will help ensure that our workforce can remain productive members of society, and not become financial burdens on the state; and

WHEREAS, we have seen the Alaska Legislature work aggressively to ensure that state dollars are not wasted. The time to extend that cost-benefit approach to the state's prison system is now;


NOW, THEREFORE, BE IT RESOLVED that the Fairbanks Diversity Council supports State of Alaska Senate Bill 91 and urges the Fairbanks City Council to approve a resolution in support of the bill.

PASSED and APPROVED this 8th day of March 2016 by the Fairbanks Diversity Council.



Signed:

John Eberhart, FDC Chair



D. Danyielle Spider, CMC, City Clerk

Attest:

RESOLUTION NO. 4724

**A RESOLUTION ADOPTING A CITY OF FAIRBANKS RECORDS
RETENTION SCHEDULE**

WHEREAS, on April 22, 2002, the City Council approved Resolution No. 3999 directing the City Clerk to maintain a City records management program under the advice of the City Attorney; and

WHEREAS, Resolution No. 3999 temporarily approved the use of the State of Alaska Local Government General Records Retention Schedule until a custom-tailored retention schedule could be finalized and approved; and

WHEREAS, in 2012, the City Clerk's Office began scanning and maintaining records in the Laserfiche records management software program and, since that time, other departments have begun using the program for electronic records management purposes; and

WHEREAS, the purpose of a records retention schedule is to increase the efficiency and accountability of City government through the orderly administration of public records, to safeguard the history of the City of Fairbanks, to increase storage space in City Hall, and to ensure compliance with federal, state and local laws regarding records retention; and

WHEREAS, the City Clerk, with the cooperation and input of all City Departments, has drafted a records retention schedule customized to meet the needs of the City of Fairbanks; and

WHEREAS, the adoption of a records retention schedule will help City staff, on an ongoing basis, to identify which records to destroy and which to maintain, significantly reducing the backlog of records stored in City Hall; and

WHEREAS, the City Attorney has reviewed and pre-approved the attached records retention schedule.

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

PASSED and APPROVED this 21st day of March 2016.

John Eberhart, 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

RECORDS RETENTION SCHEDULE



VERSION 1.0

**ADOPTED BY FAIRBANKS CITY COUNCIL
RESOLUTION No. 4724 ON MARCH 21, 2016**

**CITY OF FAIRBANKS
OFFICE OF THE CITY CLERK
D. DANYIELLE SNIDER, CMC, CITY CLERK
800 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
P (907) 459-6774
F (907) 459-6710**

DDSNIDER@CI.FAIRBANKS.AK.US

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PREFACE

The purpose of the City of Fairbanks Records Retention Schedule is to increase the efficiency and accountability of City government through the orderly administration of public records, safeguard the history of the City of Fairbanks, and ensure compliance with federal, state and local laws regarding records retention.

INTRODUCTION

Management and Preservation of Public Records

Alaska Statute (AS) 40.21 provides “for the orderly management of current state and local public records and to preserve noncurrent public records of permanent value for study and research.” AS 40.21.070 requires local governments to “promote the principles of efficient records management for local public records kept in accordance with state law” and that each governing body will “...as far as practical, follow the program established for the management of state records.” Furthermore, AS 29.20.380(4) states that the municipal clerk will “manage municipal records and develop retention schedules and procedures for inventory, storage, and destruction of records as necessary.”

Definition of a Record

AS 40.21.150 defines a record as any media, regardless of physical form or characteristic, that is “developed or received under law or in connection with the transaction of official business and preserved or appropriate for preservation by an agency or a political subdivision, as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the state or political subdivision or because of the informational value in them...”

Values of Records that Impact Retention

- 1) Administrative/Operational: These records are needed for current operations of the City.
- 2) Financial: These records document fiscal transactions needed for tax and audit purposes.
- 3) Legal: These records document the rights of citizens or employees or pertain to contractual obligations.
- 4) Historical: These records have historical value if they document historical activities, policies, or procedures.

GLOSSARY

<i>Business Essential Records</i>	Records containing information that is essential to the continuing operation or survival of the organization. These records should be managed in a way to ensure their survival in the event of a manmade or natural disaster.
<i>Disposition</i>	The process by which a record is either destroyed or transferred to an offsite location as prescribed by a records retention schedule.
<i>Duplicates</i>	All copies of a record not considered to be the Official Record Copy.
<i>Official Record Copy</i>	A copy of a record that must be retained to fulfill all its legal responsibilities and must be retained for the total retention period cited in the organization’s adopted records retention schedule. An electronic copy may constitute the official copy of non-permanent or non-historical records.
<i>Record Series</i>	A group of similar records filed together by content.
<i>Retention</i>	The length of time that a record needs to be kept.

ADM - GENERAL ADMINISTRATIVE

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
ADM-1	General Correspondence	Consists of original incoming and copies of outgoing letters and memoranda related to the general administration and operation of the agency, often arranged topically according to a file classification system. Includes the following types of correspondence: intra/inter- departmental, legislative, professional association, steering committee, and public. Also may consist of conference/training notes, organizational charts, delegations of authority, inventories, logs, studies, service pin award data, etc.	3 Years*	*General Correspondence of Mayor, Chief of Staff, Clerk, Department Heads, and Boards and Commissions may have archival value and may need to be retained permanently
ADM-2	Reading Files	Copies of outgoing letters, memoranda, and messages. Maintained as a discrete records series, these files are used for various administrative purposes.	3 Years*	*Reading Files of the Mayor, Chief of Staff, Clerk, and Department Heads may have archival value and may need to be retained permanently.
ADM-3	Policies and Procedures			
ADM-3.1	Major	Substantive and binding agency issued policies, procedures, directives, decisions, orders, rules, guidance, agreements, understandings, and manuals that address mission-essential functions for which the city is statutorily responsible. These records document city functions and have archival research value.	Retain Permanently	
ADM-3.2	Routine	Routine city-issued policies, procedures, directives, decisions, rules, organizational charts, and manuals that address internal functions and operating procedures.	C+3 Years	C = Until superseded/obsolete
ADM-4	Reports			
ADM-4.1	Annual, Audit, Management and Operation		Retain Permanently	
ADM-4.2	All Others	"All Others" includes Monthly, Statistical, Performance, Damage and Vandalism, Safety, Monitoring, etc.	3 Years	
ADM-5	Administrative Studies and Special Projects	Includes final reports and backup data regarding major administrative studies and special management projects.	Retain Permanently	Review backup data for archival value.
ADM-6	Department History Files	This series documents the functions and activities of the Department. Consists of promotional media including press releases, news clippings, photographs, videos, audios, CD's, DVD's and other electronic media. Also includes information officer project materials, Department Head speeches, written histories, monographs, brochures, pamphlets, etc.	Retain Permanently	
ADM-7	Transitory and Miscellaneous Administrative Information	Includes telephone logs, correspondence tracking logs, file plans, purchasing logs, property inventories, message books,	C	C = Until administrative need is met

ADM - GENERAL ADMINISTRATIVE Cont.				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
ADM-8	Drafts and Working Papers	This series contains documents, correspondence, reports, memoranda, and other materials in preliminary or developmental form before their iteration as a final product. Drafts may include copies of materials circulated for review for grammar, spelling and content. Working papers may include notes and miscellaneous documents used in compiling and assembling the final product.	C	C = Until administrative need is met
ADM-9	Technical Reference Files	Technical studies, newsletters and publications used in the administration of agency business.	C	C = Until administrative need is met
ADM-10	Equipment Records			
ADM-10.1	Delivery Orders, Correspondence, Usage Reports, General Maintenance and Inventories		L+4 Years*	L = Life of Equipment *Record to be maintained by originating department
ADM-10.2	Warranty Information, Instructions/Operating Manuals, Repair /Maintenance History, etc.		L+4 Years*	L = Life of Equipment *Record to be maintained by originating department
ADM-10.3	Documentation of Equipment Disposal, Destruction or Sale		L+4 Years*	L = Life of Equipment *Record to be maintained by originating department
ADM-11	Automotive Management			
ADM-11.1	Vehicle Records	This series documents each vehicle owned and serviced by the city. May include title; registration; work orders; correspondence; damage /accident reports; checklists; photographs; and inspection, service, maintenance and repair documents.	L+2 Years*	L = Life of Vehicle *If vehicle is involved in fatal accident or litigation, keep file 25 years or until legal counsel recommends disposition.
ADM-11.2	Claim Files	Includes copies of the following: motor vehicle accident reports, certificate of insurance, lost/stolen/damaged property reviews, inspection reports, maintenance records (parts, service, repair estimates, work orders) liability accident notices, registrations, and titles.	L+3 Years	L = Until vehicle is disposed
ADM-12	Officials' Bonds		C+6 Years	C = Expiration of bond Provided an audit has been conducted
ADM-13	Capital Improvement Request Files	This series documents capital improvements to public facilities and infrastructure. A list of projects are nominated and prioritized for funding, subject to City Council budget approval.	C+6 Years	C = Until project is completed. AS 29.35.100 Refer also to item PCG-1 (Procurement Records) and item FIN-1 (General Accounting Records).

BLD - BUILDING				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
BLD-1	Permit Application Files	Permits include: construction, building, electrical, mechanical, plumbing, utility, demolition, and waste water disposal. May consist of applications, copies of permits, maps, site plans/plats, drawings, as-builts, specifications, engineer/architect certifications, accounting data, etc.	Retain Permanently	
BLD-2	Inspection Files	Inspection reports including foundation, framing, electrical, plumbing, fire safety, etc.	Retain Permanently	
BLD-3	Permits Register	Log of all permits issued by the Building Department.	Retain Permanently	Refer to item LIC-3 for non-construction permits.
BLD-4	Landscape Project Files	Consists of records relating to landscaping and tree work including requests, design plans and work orders	Retain Permanently	

CLK - CLERK AND GOVERNING BODY

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
CLK-1	Meeting Files			
CLK-1.1	Official Minutes	The official minutes constitute the official accounts of the proceedings and actions of City Council, City boards and commissions, community councils and special work groups.	Retain Permanently	
CLK-1.2	Backups	Other backup may include notices of meeting, agendas, packets, meeting dockets, roll call, correspondence, complaints, reports, transcripts, legal opinions, financial studies, declarations, recommendations, amendments to council rules, ordinances and resolutions, background papers and audio/visual products.	C	C = Until minutes have been approved
CLK-2	Public Hearing Files	Includes notices of meeting, affidavits of publication, work papers, public testimony registers, written testimony, exhibits and audio/visual materials.	10 Years	
CLK-3	Petitions	Includes initiatives, referenda and recall documentation filed by private citizens or groups requesting City Council action.	6 Years	AS 29.26
CLK-4	Proclamations	Issued/prepared by City Mayor or City Council.	Retain Permanently	
CLK-5	Codes, Ordinances and Resolutions			
CLK-5.1	Adopted	May include charter amendments, code supplements, log of all ordinances/ resolutions with numbers and final decision.	Retain Permanently	Maintain certified copy of all official ordinances in a separate ordinance file. AS 29.20.380
CLK-5.2	Not Adopted	May include lists of all proposed ordinances/resolutions, the proposer, ordinance number and final decision (e.g., tabled, withdrawn, postponed indefinitely).	10 Years*	*Files with historical value should be retained permanently.
CLK-6	Oaths of Office and Appointments	This series may consist of oaths for boards, commissions, committees, councils and elected officials; affirmations, acknowledgements, notices of appointments/resignations; lists of members with terms and dates of appointment; and the code or executive order establishing the entity.	Retain Permanently	AS 29.20.600
CLK-7	Conflict of Interest Statements	Statements by elected/appointed City officers, board/commission members, and employees.	6 Years	AS 29.20.010
CLK-8	Incorporation Files	Files documenting incorporation not found elsewhere on this schedule (petitions, public hearings, etc.). May include information related to investigations, decisions, City logo and official City seal.	Retain Permanently	AS 29.05
CLK-9	Annexation Files			
CLK-9.1	Passed		Retain Permanently	
CLK-9.2	Failed	Includes petitions, correspondence, affidavits of publication, copies of ordinances and related public hearing backup records.	5 Years	

CLK - CLERK AND GOVERNING BODY Cont.

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
CLK-10	Cemetery Master Files	May include diagrams, maps and indices of burial plots, record of lot sales, burial permits, register of interments and minutes of cemetery commission.	Retain Permanently	
CLK-11	Public Records Request Log	Includes written request for public records received; log includes date of request, name of requester and other relevant information.	1 Year	
CLK-12	Records Management Files			
CLK-12.1	File Plans and Records Retention Schedules		Retain Permanently	
CLK-12.2	Records Disposition Certificates		Retain Permanently	
CLK-12.3	Records Transfer Lists (RTL)		Retain Permanently	

EL - ELECTIONS				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
EL-1	Voting Ballots (Completed, Challenged, Rejected, Absentee and Special Needs)	May include applications for absentee/special needs ballots.	C+1 Month	C = Until election is certified. If election is contested, retain longer per AS 15.15.470.
EL-2	Certificates of Election	Copies of election certificates presented to candidates upon verification of election.	4 Years	
EL-3	Certificates of Election Returns (Regular and Special)	Consists of individual machine numbers; polling place designations; date of election; total votes registered by machine, candidate or proposition; and signatures of canvass board judges, City Clerk, City Mayor and City Council members.	Retain Permanently	Certain certificates that are duplicated elsewhere or do not have archival value may be destroyed after administrative need is met.
EL-4	Election Registers and Tally Books	Consists of the following registers: precinct, final voting, questioned voter, special needs voting and absentee voter. May also include special needs voting applications.	4 Years	Retain longer if election is contested per AS 15.15.470.
EL-5	Election Contest and Runoff Information	Contested election and runoff data.	C+1 Year	C = Until election is certified
EL-6	DOJ Preclearance Records*	This series includes request and pre-clearance information for elections.	Retain Permanently	*DOJ = Department of Justice.
EL-7	Declarations of Candidacy	Declarations executed under oath including name, mailing address, office declared, residency length, etc.	4 Years	AS 15.25.030
EL-8	Financial Disclosure Statements	May include APOC financial disclosure report.*	6 Years	*APOC = Alaska Public Offices Commission
EL-9	Affidavits	Documents voters requiring or requesting action or special accommodation during an election.	4 Years	
EL-10	Recount Petitions	Candidate requests for recount of individual machine, precinct or paper ballot tallies. Includes candidate's reason for request.	4 Years	
EL-11	Candidate Lists	Official list of candidates includes: name and address of candidate, order in which they will appear on the ballot, office sought and term of office.	4 Years	
EL-12	Candidate Withdrawals	Certificates of withdrawal include candidate statement concerning reason for withdrawal.	4 Years	
EL-13	Election Officials' Records	May consist of recruitment materials, interest letters, training notes, acceptance forms, oaths and mileage reimbursement requests. Includes absentee voting officials' documentation.	4 Years	
EL-14	Voting District Descriptions and Maps	Descriptions of election precinct boundaries and maps indicating current voting district boundaries and numbers.	Retain Permanently	
EL-15	Campaign Disclosure Information	Information reported to APOC by the city when money is spent on informational campaigns.	6 Years	

ENG - ENGINEERING				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
ENG-1	Plans, Maps and Drawings	Plans, drawings, maps and as-builts including City buildings, streets, utilities, survey/plat, lot plans, and easements.	Retain Permanently	Reference copies may be disposed after administrative need is met.
ENG-2	Construction Project Files	Specifications, contracts, bids, evaluations, performance bonds and correspondence documenting solicitation, selection, award/administration of contracts and professional service agreements. May include field reports, job accounting information, contract modifications, data relative to utilities and project close-out information.	C+6 Years	C = Until project is completed. Refer also to item PCG-1 (Procurement Records) and item FIN-1 (General Accounting Records).
ENG-3	Engineering Field and Benchmark Books	Engineering field measurements, sketches, and diagrams including elevations, distance, benchmarks, easements, drainage, and test data.	Retain Permanently	Reference copies may be disposed after administrative need is met.
ENG-4	Right of Way and Easement Files (Originals)	Grant of easement records for legal permission to conduct work on private property, including constructing, maintaining, operating, and repairing roadways, sidewalks, lighting, traffic signals, signs, and utilities. Also vacation (including section line and deeds of vacation), descriptions of easement areas, diagrams, agreements, plans, memoranda, correspondence and property disposition.	Retain Permanently	
ENG-5	Subdivisions and Land Development Project Files	Records documenting property subdivisions and developer agreements. May include applications, site plan review, check lists, inspections, diagrams, plans, plats, drawings, specifications, covenants, subsurface soils investigations, boundary surveys, memoranda, signed agreements, and other analyses.	Retain Permanently	
ENG-6	Regulatory Compliance Files	Records documenting compliance with state/federal requirements. May include copies of applications for authorization to perform work, requests for preliminary determinations, complaints, notices of violations, plans/maps, notices of public hearings, correspondence and memoranda.	C+6 Years	C = Until project is completed.
ENG-7	Right of Way and Easement Files	Grant of easement records for legal permission to conduct work on private property, including, but not limited to, laying, constructing, maintaining, operating, repairing and servicing water and sewerage pipes, mains, drains, signs and utilities. Also vacations, descriptions of easement areas, diagrams, plans, agreements, memoranda, correspondence and property disposition.	Retain Permanently	Land Mangement may also administer the Official Record Copy.
ENG-8	Traffic Light Records			
ENG-8.1	Maintenance Records	Documents maintenance and servicing of traffic lights. May include intersection/signal diagrams, specifications, schematics, work and repair orders.	3 Years	
ENG-8.2	Reference Materials		L	L = For the functional life of the signal

FIN - FINANCE AND AUDIT

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
FIN-1	General Accounting Records	May include work papers, spreadsheets, summaries, receipts and other data documenting department accounting practices. Includes financial data regarding accounts payable/receivable, grant/contract administration, assessment of fines, payment of license fees, etc.	3 Years*	*Provided an audit or other annual financial statement has been certified.
FIN-2	Department Budget Files			
FIN-2.1	Work Papers	Documents development of department operating and capital budgets prior to presentation to City Council. Includes budget instructions, submissions, backup documentation, cost allocations and annual estimates of revenue and expenditures.	3 Years	
FIN-2.2	Final Approved Budget		Retain Permanently	
FIN-3	Asset Inventories			
FIN-3.1	Fixed	Inventories of owned assets indicating value, location, purchasing information, etc. The Government Accounting Standards Board (GASB) requires municipalities to record infrastructure as part of their fixed assets.	L	L = Life of asset, or until state authorizes disposal of grant funded assets. Backup records dealing with an asset may be disposed per policy according to type (purchase order, grant, correspondence, etc.)
FIN-3.2	Non-Fixed		3 Years	
FIN-4	Financial and Accounting Reports			
FIN-4.1	Annual CAFR* (Audit)		Retain Permanently	*CAFR = Comprehensive Annual Financial Report. See item ADM-4.1 for Audit Reports
FIN-4.2	Audit Work Papers	Includes Annual Report prepared by the Chief Financial Officer summarizing financial condition, activity and balances and balancing/status reports output on a regular or ad hoc basis documenting agency expenditures and financial activity.	CFY+3 Years*	CFY = Current Fiscal Year *Provided an audit or other annual financial statement has been certified.
FIN-5	Sales Tax Registrations and Reports		3 Years	
FIN-6	Ledgers and Journals			
FIN-6.1	General, Revenue and Expenditure		Retain Permanently	
FIN-6.2	Subsidiary		CFY+3 Years*	CFY = Current Fiscal Year *Provided an audit or other annual financial statement has been certified.
FIN-7	Purchasing and Vendor Files	Documentation relating to the procurement and payment of city purchases (commodities, services, travel, fees, permits, etc.).	CFY+3 Years*	CFY = Current fiscal year *Retain grant purchase orders and invoices for 6 years after close of grant
FIN-8	Banking Records	Bank reconciliation and records of bank transactions for revenue and expenditures: deposits, ACH transactions, wire transfers, bank fees, outstanding checks, outstanding deposits, voided transactions (e.g., stopped payments) and check registers	CFY+3 Years*	CFY = Current fiscal year *Provided an audit or other annual financial statement has been certified.
FIN-8.1	Bank Statements		CFY+7 Years*	CFY = Current fiscal year *Provided an audit or other annual financial statement has been certified

FIN - FINANCE AND AUDIT Cont.

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
FIN-9	Revenue Sharing and Safe Communities Files	Municipalities may be allocated money on a formula basis for public roads, public safety departments, equipment, etc. May consist of applications, correspondence and year-end audits/budgets.	3 Years*	*Provided an audit or other annual financial statement has been certified.
FIN-10	Bond Records	Includes cancelled/redeemed bonds/coupons documenting proof of issuance and payments to individual bondholders.	3 Years*	*Provided an audit or other annual financial statement has been certified.
FIN-11	Bond Registers	Includes numeric listing of bond/coupon register.	C+20 Years	C = Until issue called
FIN-12	Bills of Sale	Official documentation of sales transactions between the city and a buyer.	7 Years	
FIN-13	Foreclosure Files	Documents foreclosures and includes delinquency reports, billings, petition of judgment, certified mailings, final judgments, and certificates of redemption.	C+10 Years	C = Until case is closed. Per AS 09.10.030 there is a 10 year statute of limitations on action to recover real property. Certain files may have archival value.

FIR - FIRE AND RESCUE				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
FIR-1	Fire Investigation Files	Record of fire department investigations of suspicious or incendiary fires. May include reports (fire, rescue, investigators, State Fire Marshal, police, casualty, insurance), audio/video evidence, memoranda, diagrams, or other documentation relating to investigation.	C+30 Years	C = Until investigation is closed
FIR-2	EMS Incident Reports	Reports of any incident that involved Emergency Medical Services.	10 Years	
FIR-3	Fire Inspection and Compliance Files	This series documents fire safety inspection before and after building construction is completed. May include building plans used in inspection/approval process detailing fire detection specifications or other Fire Safety Code compliance requirements, certificates of inspection, violation appeals, department responses, surveys and applications for variances.	C*	C = Until building is no longer in use. *Retain building plans until Certificate of Occupancy is issued and plans have no administrative value.
FIR-4	Permits and Licenses Issued	Applications and permits issued by local fire authority. May include open burn permits, permits relating to fireworks, storage/handling of flammable liquids or hazardous substances, model rocket engines, or the sale of fire detection equipment.	C+3 Years	C = Until permit expires
FIR-5	Variances	Variances issued by City Council. Note: Variances may form part of Fire Inspection/Compliance Files (item FIR-3).	L	L = For life of the building or until occupancy classification is legally changed.
FIR-6	Violation and Complaint Files	Record of violations and complaints relating to the Fire Safety Code. May include name, time, address, location of violation/complaint, complaint summaries, investigation reports, disposition and department follow-ups.	C+3 Years	C = Until resolution of complaint
FIR-7	Fire and Rescue Response Dispatch Recordings	Audio recordings of incoming calls and outgoing dispatch instructions.	30 Days	
FIR-8	Fire and Rescue Response Dispatch Cards and Logs	Record of incoming calls received by Dispatch. Data may include type of call (phone, radio, in person) complainant name, address and phone number; name of dispatcher; time of call receipt; dispatch to scene; rescue or engine numbers responding.	3 Years	
FIR-9	Fire and Rescue Alarm Response Recordings	Recording of alarms received detailing box number, location, date and time alarm received.	1 Year	
FIR-10	Fire and Rescue Alarm Response Cards	Record detailing location and appropriate response for alarms from individual boxes. Information may include location, contact names, number of vehicle(s) to respond and standby vehicles.	C	C = Until superseded/obsolete or administrative need is met.
FIR-11	Fire and EMS Training Files	Consists of correspondence, course descriptions, training dates and exam results.	T+6 Years	T = Until termination of employee or volunteer no longer active.

FIR - FIRE AND RESCUE Cont.

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
FIR-12	Fire Prevention Education Programs	Multimedia materials used in fire prevention education including brochures, audio/visual recordings, CD's, posters, pamphlets and other program resources.	C	C = Until superseded/obsolete or administrative need is met.
FIR-13	Fire and Rescue Response Circuit and Radio Box Records			
FIR-13.1	Test Logs	Record of alarm response tests conducted on all circuit, radio and location alarm boxes to ensure proper alarm signals are being received. May also include maintenance records and inspection/testing records for individual alarm systems including systems testing and certification documentation, inspection records, service contracts and reports, permits, diagrams, site information, emergency contact lists and correspondence.	1 Year	
FIR-13.2	Alarm Records		L	L = Life of System
FIR-14	Equipment Inspection Records	Records of inspections for vehicles, mechanical systems, hoses, hydrants, ladders (ground and aerial), mask service information (model, serial number, purchase date, type), cubic feet of tank and service records.	3 Years	
FIR-14.1	Mask Service and Ladder Information		C	C = Until replaced or no longer in service.
FIR-15	Apparatus Accident Files	Department record of accidents involving city fire/rescue vehicles. May include police reports, witness statements, memoranda, diagrams, photographs and related documentation.	3 Years*	*Retain longer if involved in litigation. Consult with legal counsel prior to disposition.
FIR-16	Fire Hydrant Identification Files	Record of individual fire hydrants in service. Data may include identifying characteristics of each hydrant including location, date installed, size of lead, make, number of turns to open, size of main.	C	C = Until hydrant is no longer in service.
FIR-17	Oil Spill Preparedness Files	Includes information related to oil spill drills, incidents and inspections.	6 Years	
FIR-18	Hazardous Materials and Hazardous Substances Right to Know Files			
FIR-18.1	Annual Updates		3 Years	
FIR-18.2	All Other Records	Consists of detailed product/chemical identification listings supplied annually by individual employers that hold, use, or sell products considered hazardous by the USDOL, DOSH. This series may include USDOL forms or material safety data sheets, emergency and hazardous chemical inventory forms, company emergency plans, inspection reports, or other mandated documentation relating to hazardous substances.*	C+7 Years	C = As long as the employer does business in the City. *USDOL = United States Department of Labor *DOSH = Department of Occupational Safety and Health.

FIR - FIRE AND RESCUE Cont.

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
FIR-19	Hazardous Materials Incident Files	Records of hazardous material incidents. May include hazardous incident reports, copies of fire/rescue reports, narratives, and memoranda.	Retain Permanently	
FIR-20	Contingency and Emergency Services Plans		Retain Permanently	

HR - HUMAN RESOURCES MANAGEMENT

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
HR-1	Individual Personnel Files	Official employment history including applications; resumes; personnel actions regarding hire, termination, and promotion; performance appraisals; results from employment tests; insurance and benefits backup; FMLA documentation; letters of commendation/reprimand; training certificates/history; driving records; drug/alcohol tests; etc.*	T+50 Years	T = Termination of employment. Certain information is confidential. *FMLA = Family and Medical Leave Act
HR-2	Service Record Card and Employment History	Work history synopsis including dates of hire/release, position(s) held, salary, and performance data.	50 Years	
HR-3	Recruitment, Selection and Appointment Records	Consists of job applications, transcripts, recruitment notices, examinations, test answer sheets, score sheets, score results, affidavits of publication and correspondence.	C+2 Years	C = Date of Hire. Certain information is confidential.
HR-4	Job Applications (Unsolicited)		1 Year	Certain information is confidential.
HR-5	Master Examination Files	Samples of each test or examination used in the selection and rating process of prospective employees, including answer keys.	C	C = Until superseded/obsolete or administrative need is met.
HR-6	Organization Charts		C	C = Until superseded/obsolete or administrative need is met.
HR-7	Salary Schedules		C	C = Until superseded/obsolete or administrative need is met.
HR-8	Job Descriptions	Description of specific duties for each position.	C	C = Until superseded/obsolete or administrative need is met.
HR-9	Job Class Specifications	Minimum qualifications (knowledge, skills and abilities) required for each job classification or position. May contain necessary education/certifications, examples of duties, salary, category of position and distinguishing characteristics.	C	C = Until superseded/obsolete or administrative need is met.
HR-10	Classification and Reclassification Action Case Files	Department action regarding specific positions/classifications.	C	C = Until superseded/obsolete or administrative need is met.
HR-11	Grievance Case Files	Documents grievances filed by employees against the city. Consists of grievance forms, investigative notes, reports, correspondence and related backup.	C+5 Years	C = Resolution and execution of any stipulations. Relates to "For Cause" employees rather than "At Will" employees. Certain information is confidential.
HR-12	Collective Bargaining Negotiation Files	This records series consists of letters of understanding, tentatively-agreed articles, proposals and counter proposals. This series provides a historical overview of collective bargaining.	C+10 Years	C = Until collective bargaining agreement is approved. Relates to "For Cause" employees rather than "At Will" employees.
HR-13	Contract Interpretation and Arbitration Decisions	Includes exhibits, briefs and arbitrations relating to contract interpretation.	Retain Permanently	Relates to "For Cause" employees rather than "At Will" employees.
HR-14	Unfair Labor Practices Case Files	Consists of the complaint, correspondence, notice of hearing, hearing transcripts and exhibits, witness lists, audio/video recordings, and a copy of the final decision and order. Also includes cases dismissed, withdrawn or settled.	L	L = For the life of the bargaining unit contract. Review prior to destruction for cases that may have historical significance.

HR - HUMAN RESOURCES MANAGEMENT Cont.

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
HR-15	Training Course Files	Consists of nominations, schedules with course information, course evaluations from participants, correspondence and rosters.	3 Years	
HR-16	Training Course Development Files	Course materials including audio/visual products, training aides, research materials, correspondence, and other media related to the development and/or presentation of training presentations.	C	C = Until superseded/obsolete or administrative need is met.
HR-17	EEO Administration Records*	Includes quarterly utilization, compliance and annual reports; affirmative action plans; complaint case files; departmental actions; and employment statistics.	10 Years	Certain information is confidential per AS 18.80.115. *EEO = Equal Employment Opportunity
HR-18	EEO Complaint Case Files*	Consists of records regarding discrimination charges, including documentation of the party making the charge and other employees/applicants in the same or similar positions, and departmental actions. Discrimination charges may be on the basis of race, color, religion, national origin, gender, sexual orientation, social class, age, etc.	C+7 Years	C = Until complaint is resolved. Retention complies with Title VII of the Civil Rights Act of 1964. Certain information is confidential per AS 18.80.115. *EEO = Equal Employment Opportunity
HR-19	Employee Medical Records			
HR-19.1	Official Record Copy	Consists of on-the-job accident/illness/ medical reports, lost time documentation, records used to monitor exposure, correspondence, etc. Includes instances where employees were exposed to blood-borne pathogens, formaldehyde, asbestos, mercury, or other hazardous substances.	Official T+30 Years	T = Termination of employment. Confidential per AS 40.25.120. 29 CFR 1910.1001
HR-19.2	Duplicates		Duplicates T+1 Year	
HR-20	Hazard Communication and Material Safety Data Sheets	Lists of hazardous chemicals present in the workplace and copies of material safety data sheets received with incoming shipments of chemicals and posted in the workplace.	30 Years	Official Record Copy retained by receiving Department. 20 CFR 1910.1200; 1410.450
HR-21	Immigration Reform and Control Act (1986) I-9 Forms	Employment Eligibility Verification forms retained by the employer. All employees hired after November 6, 1986 complete Section 1; employers complete Section 2.	C+3 Years or T+1 Year*	C = Date of hire T = Termination of employment *Retain records for the longer period.
HR-22	Alaska Human Rights Act Records	Records of the age, race, and sex of all applicants for employment and all employees.	2 Years	AS 18.80

IT - INFORMATION TECHNOLOGY

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
IT-1	Website Content, Management and Operations Records	Website related records including web content records which represent information presented on a website; and website administrative records which provide evidence of the management and operations of the website. Records may include: webmaster policies; procedures; notes; content pages, inclusive of the HTML markup; records generated when a user interacts with a site; lists of URL's referenced in the site's hyperlinks; website design records; records addressing usage of copyrighted material; software applications used to operate the site; web snapshots; site maps depicting directory structure/hierarchy; server environment configuration specifications; webpage metrics/statistics; and other development materials used in the creation and maintenance of department sites.	3 Years*	*Review for permanent retention. Backup recordings may be stored offsite for security. Media is rotated according to departmental backup procedures.
IT-2	Automatic Data Processing and Electronic Data Processing Media	Office copies of media used for communicating with data processing equipment or for preliminary input, temporary storage, or output control (which serves as an intermediate means for the production of printouts, Computer-Output Microfiche (COM) or online data).	C	C = Retain until superseded/ obsolete or administrative need is met
IT-3	Computer System Files			
IT-3.1	Backup Media		C*	C = Until superseded/obsolete or administrative need is met. *Backup media is rotated to support daily operations. Once media is no longer usable, it will be destroyed. System related data should be retained until the system is superseded/obsolete.
IT-3.2	Documentation File	Documentation file may include: program/system documentation, wiring records (specifications/drawings of building, cables or computer hardware connections) application software licenses/agreements, data systems and file specifications, security information (access requests, authorizations, logs, passwords), disaster recovery procedures, user guides, usage/inventory reports, and backup procedures.		
IT-4	IT Service Requests	Requests for service from departments. Documents requestor, type of service requested, and IT responses/ actions.	3 Years*	*Requests are maintained in an automated HelpDesk application
IT-5	Executive Personnel Electronic Correspondence (E-mail)		T+5 Years	T = Termination of employee

LGL - LEGAL				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
LGL-1	City Attorney Opinions	Consists of official and informal positions regarding legal issues affecting Departments, the Mayor or the City Council. May include information/action memoranda regarding ordinances and resolutions.	Retain Permanently	
LGL-2	Regulation Files	Includes matters relating to local legislation in which the city has an interest or has been involved.	10 Years*	*Review for historical value.
LGL-3	Litigation Case Files	This series documents city action in civil and criminal cases. Includes briefs, pleadings, investigative materials, court proceedings, transcripts, correspondence, exhibits, photographs and other media.	C+6 Years	C = Until case is closed
LGL-4	Investigation and Matter Files	This series documents investigations that are not prosecuted. Includes work papers, analyses, evidence, final reports, requests for legal opinions, research notes, correspondence, photographs and other media.	C+6 Years	C = Until investigation concludes
LGL-5	Notice to Comply and/or Violation Reports		3 Years	
LGL-6	Vehicle Impound and Forfeiture Files	Records documenting vehicle impounds including impound payments, bill of sale, forfeiture documentation, affidavits of publishing, auction records, release authorization, etc.	T+6 Years	T = Until vehicle is released or sold at auction

LIC - LICENSING				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
LIC-1	Business Licensing			
LIC-1.1	Approved	This series documents licensure and permitting of businesses located within the city limits of Fairbanks. May include copies of Alcohol and Marijuana Control Office applications.	C+3 Years	C = Until permit expires.
LIC-1.2	Denied, rejected or withdrawn		1 Year	
LIC-2	Licenses and Permits (Non-Business)			
LIC-2.1	Approved	Includes special/multi-vendor event permits, occupational licensing, noise variance permits, bicycle licenses, etc.	C+1 Year	C = Until permit expires.
LIC-2.2	Denied, rejected or withdrawn		6 Months	
LIC-3	Permits Register	List of all non-construction permits issued by the City.	30 Years	

LM - LAND MANAGEMENT				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
LM-1	Land Management Case Files	Documents management of lands including files related to acquisitions, sales, leases, management agreements, letters of entry, etc.	C+10 Years	C = Until case is closed. If case files subject to potential litigation, retain until file no longer has legal value. Some files may have permanent archival value.
LM-2	Land Township/Range/Section Files	Includes deeds, easements, entitlement documents, City Council actions and other legal documents.	Retain Permanently	
LM-3	Municipal Entitlement Records	History of land acquired from the State (selection, patent).	Retain Permanently	
LM-4	Property Tax Foreclosure Records	May include parcel inventory files and property acquired through tax foreclosure where repurchase rights have been extinguished.	Retain Permanently	
LM-5	Site Selection Files	Documents site selection for proposed facilities including fire, police, dispatch, public works, training and administrative facilities	Retain Permanently	
LM-6	Property Control Files	Agency copies of controlled property management reports, property tag register, excess property reports, property transfer documents, and related correspondence.	5 Years	

PAY - PAYROLL				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
PAY-1	Payroll Warrant Register	Lists check number, employee name, net amount and financial coding.	T+10 Years	T = Termination of employee
PAY-2	Payroll Journal		3 Years*	*Provided an audit or other annual financial statement has been certified.
PAY-3	Payroll Case Files	These case files document employee salary and may include payroll action forms, PERS enrollment/change forms and IRS data.*	T+10 Years	T = Termination of employee *PERS = Public Employees' Retirement System *IRS = Internal Revenue Service
PAY-4	Payroll Deduction Authorizations	Includes reports and lists.	T+4 Years	T = Termination of employee
PAY-5	Leave Accounting	Timesheets (daily, weekly or monthly records of hours worked) and documentation for accrued/used leave.	3 or 50 years*	*Only destroy after 3 years if the associated data or leave accounting is recorded elsewhere. For questions, contact the State Division of Retirement and Benefits for clarification.
PAY-6	Employer W-2 Copy	Federal withholding tax statement.	Retain Permanently	
PAY-7	Employee Pay Record Cards	Documents gross earnings, deductions and net pay for each employee.	50 Years	
PAY-8	Employee Withholding Exemptions (W-4)		T+4 Years	T = Termination of employee
PAY-9	Garnishment and Payroll Deduction Court Orders		50 Years	
PAY-10	Notification of Pay Step Increases		50 Years	
PAY-11	Payroll Reports	May include the following reports: Federal Insurance Contribution Act, unemployment insurance, summary/special detailed queries, stopped/reissued warrants, overtime and retirement.	T+4 Years*	T = Termination of employee *Never destroy retirement reports
PAY-12	Electronic Federal Tax Payment (EFTPS) Documentation	Documents tax deposits transmitted to the federal government (includes spreadsheets and other backup).	4 Years	
PAY-13	Internal Revenue Service Reports and Reconciliations	May consist of the following IRS reports: 1099R and related reports and 945. May include reconciliations (work papers) regarding tax liability for retirees and their beneficiaries.*	C+4 Years	C = Until due date of appropriate tax return period or date tax is paid, whichever is later. *IRS = Internal Revenue Service 26 CFR 31.6001-1
PAY-14	Savings Bond and 401K Accounting Records		50 Years	

PCG – PROCUREMENT, CONTRACTS AND GRANTS

Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
PCG-1	Procurement Records	This series includes documents related to purchases of goods and services and may include bid specifications, requests for proposal, vendor solicitations, price quotations, bid abstracts, purchase orders/requisitions, contracts/leases, delivery orders, correspondence and tracking logs.	CFY+20 Years	CFY = Current fiscal year. Refer to item PCG-2 (Contract Administration) if a formal contract is required. Refer also to item FIN-7 (Purchasing/Vendor Files).
PCG-2	Contract Administration	Consists of notification of award, original contract, and amendments or renewals, special conditions, fiscal reports, payment logs, progress reports and correspondence. Includes contracts for leased space, contract insurance and bonds.	L+20 Years*	L = Life of contract. *Per AS 09.10.053, the Statute of Limitations is 3 years for causes of action which accrued after August 7, 1997. (SLA 1997 Chapter 26, Sections 3 and 4. Silvers v Silvers, 999 P.2d 786, 790 n.4 (Alaska 2000).
PCG-3	Grant Administration Files			
PCG-3.1	State	Documents receipt of State or federal monies and consists of applications, copies of notifications of grant awards, agreements, special conditions, fiscal reports, closeout documents, reports (audit, status, progress and compliance) and correspondence.	C	C = 6 years after grant closeout. Refer to item FIN-1 (General Accounting Records) for financial documents relating to grants.
PCG-3.2	Federal			
PCG-4	Grant Applications (Not Awarded)	Applications that were not approved or funded.	1 Year	

POL - POLICE				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
POL-1	Complaint Cards	Record of complaints to police/public safety officer. Includes data relating to reporting party; location, time and nature of incident; dispatch information; and disposition.	2 Years	Official Record Copy may be administered in another records series.
POL-2	Police Reports (Major and Minor)	Records complaint, report and follow-up for the following: felonies (which may include property records, arrests, court records, processing, dispositions, consents to search documents, witness statements, and Miranda rights statements), motor vehicle accidents with injuries, missing person cases (unsolved), misdemeanors, abandoned vehicles/structures, breathalyzer use, domestic violence, accidental/unexplained death, escapes, etc.	1 year	
POL-3	Field Interrogation Cards	Name and identifying data regarding persons questioned in the field, location of interrogation, comments, and disposition. May include vehicle information, NCIC checks and other information used for analytical purposes.*	5 Years	*NCIC = National Crime Information Center.
POL-4	Investigation Case Files	Detectives' working papers of cases under investigation. Contains polygraph, surveillance and crime lab reports; latent fingerprints; photographs and other media; and copies from police reports (item POL-2)	Retain Permanently	
POL-5	Arrest Records	Cumulative information for each adult arrested including booking documentation (name, arrest booking/AST number, address, date of birth, sex, occupation, physical description, offense, complaint report and disposition of case), fingerprint cards, photographs (mug shots), processing reports, copies from police report files, investigation reports, witness statements, signed Miranda rights, evidence examination requests, property records, rap sheets, court records, and process and disposition documents.	D or 10 Years*	D = Until person is deceased. *Retain records for the longer period.
POL-6	Outstanding Warrants	Lists of outstanding arrest warrants may include name, date of birth, address, offense code, case number, warrant date, status, and charging section.	C	C = Until superseded/obsolete or administrative need is met.
POL-7	Use of Force Investigations	Investigations on the application of physical or deadly force may include copies from complaint report file, inquiry and findings.	7 Years	Per AS 09.10.070 a tort or civil rights claim against the State for use of force must be filed within two years. Final report will be maintained by Human Resources.
POL-8	Internal Affairs Investigations	Investigations of complaints of alleged officer misconduct may include reports, correspondence, statements, investigation documentation, findings and disposition.	7 Years	Per AS 09.10.070 a tort or civil rights claim against the State for use of force must be filed within two years. Final report in HR file.

POL – POLICE Cont.				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
POL-9	Confidential Informant Files	Information recorded may include number assigned to informant, informant and case officer names, reference to origins of the contact, reports of information supplied by informant, and expenditure/payment records.	C+7 Years	C = Until informant is no longer active
POL-10	Logs and Indices			
POL-10.1	Miscellaneous	May include the following type of logs/indices: radio/dispatch, tape control, patrol, officer/cruiser, detective, arrest booking, mug shot, missing person, Grand Jury, NCIC inquiry, evidence, juvenile arrest, administrative (documenting time in court, educational activities, assisting another officer), overtime, weather, staffing/daily roster, daily assignment, unit, property recovery, radar, weapon, accident and towed vehicle.	5 Years	*NCIC = National Crime Information Center.
POL-10.2	Dispatch Audio Recordings		30 days	
POL-11	Property Records	Individual record of property/evidence taken into custody. May include date, names, addresses, signatures, description, serial numbers, condition, location/bin, complaint report number, comments and disposition.	C+3 Years	C = Until property is disposed of
POL-12	Stolen Property Lists	Received and internally produced lists and printouts of lost, stolen, found, pledged or pawned property.	C	C = Until superseded/obsolete or administrative need is met
POL-13	Criminal Background Checks	Criminal background checks done as a consequence of requests from employers or city requirements. May include polygraph tests, FBI checks, interviewer notes, etc. Examples include school, day care, public safety, or nursing home employees.*	1 Year	FBI = Federal Bureau of Investigation
POL-14	Sex Offenders Information	Data relative to sex offenders that may include name, address, photograph, place of employment, date of birth, crime for which convicted, date of conviction, and court of conviction.	C	C = Until superseded/obsolete or administrative need is met. Per AS 18.65.087 the Alaska Department of Public Safety maintains a central registry of sex offenders required to register under AS 12.63.010.
POL-15	Juvenile Arrest Files	Cumulative information file on each juvenile arrested. May include processing report, cover and face sheet, copies from complaint report files, investigation reports, property records, witness statements, signed Miranda rights, Family Court petitions, court process and disposition documents.	C+6 Years	C = Until child reaches age of majority. Records must be kept separately from adult arrest records.
POL-16	Juvenile Prosecution Case Files	Case files prepared for purposes of prosecution. Includes copies from arrest files.	C+6 Years	C = Until child reaches age of majority
POL-17	Abused/Neglected Child Notification	Reports from the DFYS or the ACS of suspected cases of child abuse, endangerment or neglect. May include cover letters, investigative worker's observations/recommendations, and investigation summaries.*	3 Years	*DFYS = Division of Family and Youth Services *ACS = Alaska Court System.

POL - POLICE Cont.				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
POL-18	Holding Facility Records			
POL-18.1	Prisoner's Personal Property and Inspection Records	Records relating to inspection of security and health and safety systems such as fire detection/suppression, sanitation, security and first aid.	3 Years	
POL-18.2	Meal Records/Food Receipts and Housekeeping Records		A+1 Year	A = Until audit is completed.
POL-19	Traffic Records	Includes summons books (regarding operation, control or maintenance of motor vehicle violations), citations and parking tickets, notices for court appearances, etc.	1 Year	
POL-20	Radar Reports	May include certification of calibration, routine radar check reports, and certification of accuracy for tuning forks.	C+2 Years	C = Until equipment is disposed of
POL-21	Uniform Crime Report (UCR)	Monthly account of offenses and stolen/ recovered property values sent to the Alaska State Troopers or the DMV.*	5 Years	*DMV = Department of Motor Vehicles
POL-22	Crime Statistics	Statistical compilations of crimes committed within the local jurisdiction.	Retain Permanently	
POL-23	Accreditation Files	Standards, goals and objectives, status and progress reports, and other documentation relating to accreditation and review for maintaining accreditation.	C	C = Until superseded/obsolete or administrative need is met.

PW - PUBLIC WORKS				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
PW-1	Snow Plow Files	Records relating to snow plow routes and activity. May include maps, routes, correspondence, logs, crew lists or other information relevant to snow removal.	C	C = Until superseded/obsolete or administrative need is met
PW-2	Tree Files	Records relating to tree planting, maintenance, and removals. May include copies of agreements, removal or planting schedules, correspondence, reports, proposals, pamphlets, maps, grant data, and records on pesticide use including public hearing notices and applicators' certifications.	3 Years	
PW-3	Sanitation Files	Records relating to sanitation functions, truck routes and activity. May include vehicle scale/tonnage reports, maps, routes, correspondence, public notices, manifests, logs and crew lists.	3 Years*	*If records are subject to potential litigation, retain permanently.
PW-4	Underground Storage Tank Records			
PW-4.1	Registration and Certification	Documents registration and State certification.	6 Years*	*If records are subject to potential litigation, retain permanently. AS 46.03.360-450; 18 AAC 75, 18 AAC 78 and 40 CFR 280.
PW-4.2	Maintenance and Repair History		L+6 Years*	L = Life of the tank. *If records are subject to potential litigation, retain permanently. AS 46.03.360-450; 18 AAC 75, 18 AAC 78 and 40 CFR 280.
PW-5	Recycling and Hazardous Waste Records	Record of materials (metal, oil, antifreeze, brake/power steering fluid, asbestos, paint, Freon, other waste) transported to the Borough landfill. Data may include disposal authorizations/certifications, name of resident, address, date, materials delivered and vehicle registration number.	3 Years*	*If records are subject to potential litigation, retain permanently.
PW-6	Work/Repair Requests and Complaints	Requests for work or repairs initiated internally or by a citizen complaint. Data may include name and number of complainant or requestor, location and type of work to be performed, and dates and times of receipt/response.	3 Years	
PW-7	Maintenance Work Orders and Logs	Records of work performed relating to electrical, sewer, gas, street or water systems. Data may include date, time, order number, location, description of work, authorization, names of staff performing work, itemized labor, and equipment and material information.	3 Years	
PW-8	Facility Maintenance Files	Includes all data relating to operation of facility including permits, utility correspondence, bids, proposals, accounting, reports, and enabling legislation.	L	L = Until administrative need is met. Official Record Copies of certain documents may be administered by other departments.
PW-9	Fuel Summaries and Receipts	Fuel summaries record daily, weekly or monthly fuel dispensed. May include grade of fuel, pump locations, meter/stick readings, gallons delivered and total gallons consumed or oil/antifreeze disbursed. Fuel receipts record individual fuel intake. May include vehicle number/type, driver, meter readings, and gallons received.	A+1 Year	A = Until audit is completed.

RM - RISK MANAGEMENT				
Item No.	Records Series Title	Records Description	Retention	Legend, Definitions and Notes
RM-1	Insurance Policies and Endorsements	This series includes insurance proposals, policies and endorsements, bonds, riders, correspondence, financial coding vouchers and billing information.	C+50 Years*	C = Until policy expires. *The City Attorney will review all expired policies prior to destruction to determine if additional retention is required due to pending claims or litigation.
RM-2	Risk Management Claim Files	May include correspondence to/from claims adjusters, private attorneys, accident reports (property damage and personal injury), summary reports, payment orders/verification, pleadings/depositions, and individual claim records.	C+50 Years	C = Until claim is settled and all legal aspects are resolved.
RM-3	Injury and Accident Records	Includes incident/accident reports, medical evaluations, public safety officer reports, time loss documentation, and other data relating to on the job injuries and accidents.	C+50 Years	C = Resolution of accident
RM-4	Workers' Compensation Claims	May include death, permanent total disability, time loss, and no time loss cases. Documents include reports of injury/illness, medical reports, correspondence, legal filings, copies of board decisions/orders, compromise and release agreements, vocational rehabilitation reports/decisions, and Second Injury Fund reimbursements.	C+50 Years	C = Until case is inactive

RESOLUTION NO. 4725

**A RESOLUTION TO APPLY FOR FUNDING FROM THE UNITED STATES
DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION
INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANT**

WHEREAS, the United States Department of Transportation has issued \$500 million in TIGER Grants and is authorized to fund grants from \$5 million up to \$100 million for surface transportation infrastructure projects; and

WHEREAS, the Cushman Street Bridge Replacement is the final project needed to complete the Illinois Street Reconstruction Project, a project of regional significance to the Fairbanks North Star Borough, City of Fairbanks, and the local Metropolitan Planning Organization (“MPO”) known as the Fairbanks Metropolitan Area Transportation System (“FMATS”); and

WHEREAS, the Illinois Street Reconstruction Project reconstructed Illinois Street from 1st Avenue to College Road including the Chena River and Noyes Slough crossings and is complete except for the Chena river crossing, which is being designed under the Cushman Street Bridge Replacement Project to replace the existing 60 year old facility; and

WHEREAS, the cost of construction is currently estimated at \$11 million, and the grant will provide \$5 million with the remaining funds provided by the State of Alaska Department of Department of Transportation as authorized by FMATS;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required for requesting funds on behalf of the City for this grant.

PASSED and APPROVED this 21st day of March 2016.

John Eberhart, Mayor

AYES:
NAYS:
ABSENT
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4725

Abbreviated Title: TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY GRANT

Department(s): FMATS

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	Equipment	Contracts	Personnel	Total
Cushman Street Bridge Replacement Project		\$11,000,000		\$11,000,000
				\$0
				\$0
				\$0
				\$0
				\$0
TOTAL	\$0	\$11,000,000	\$0	\$11,000,000

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
United States Department of Transportation		\$5,000,000		\$5,000,000
State of Alaska Department of Transportation (FMATS)		\$6,000,000		\$6,000,000
				\$0
TOTAL	\$0	\$11,000,000	\$0	\$11,000,000

The operations and maintenance will be provided by the State of Alaska Department of Transportation; however, Public Works provide minimum services such as sweeping and plowing the sidewalks.

Reviewed by Finance Department: Initial mb Date 3/15/2016

RESOLUTION NO. 4726

A RESOLUTION CONSENTING TO AND SUPPORTING THE LOCATION OF THE FAMILY CENTERED SERVICES OF ALASKA RESIDENTIAL PSYCHIATRIC TREATMENT CENTER TO BE FUNDED BY PROCEEDS OF BONDS TO BE ISSUED BY THE ALASKA INDUSTRIAL DEVELOPMENT AND EXPORT AUTHORITY

WHEREAS, the Alaska Industrial Development and Export Authority (the "Authority") proposes to issue its revenue bonds in a principal amount in excess of \$10,000,000 to provide funds to J. R. Cannone, LLC for the acquisition of the property and facilities located at 3101 Lathrop St, Fairbanks, Alaska (the "Project") which is currently known as the Boys and Girls Home of Alaska; and

WHEREAS, under AS 44.88.075(c) ("the Act"), the Authority must obtain the consent of the City of Fairbanks as herein described in order to assist in financing the Project; and

WHEREAS, the Authority has requested that the Fairbanks City Council adopt a resolution consenting to the location of the Project in the City of Fairbanks as contemplated by the Act; and

WHEREAS, it is appropriate and desirable to adopt this resolution consenting to the location of the Project:

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Fairbanks hereby consents to the location of the Project within the City of Fairbanks, as such consent is contemplated by and specified by the Act; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon adoption by the Fairbanks City Council and that the City Clerk is hereby authorized and directed to file a certified copy of this resolution with the Authority pursuant to the Act.

PASSED and APPROVED this 21st day of March 2016.

John Eberhart, City Mayor

AYES:
NAYS:
ABSENT
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 6007

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE CHAPTER
14, ARTICLE IX COMMERCIAL REFUSE COLLECTOR**

WHEREAS, the City Clerk's Office strives to provide consistent and up-to-date services to Fairbanks residents through streamlined licensing procedures; and

WHEREAS, the content of Chapter 14, Article IX has not been amended for decades and is in need of updating; and

WHEREAS, the City Clerk reviews applications and issues licenses and permits to various types of occupations, businesses and individuals on a regular basis; and

WHEREAS, there is only one commercial refuse collector currently licensed with the City of Fairbanks whose license will expire on April 23, 2016; and

WHEREAS, the Clerk's Office is willing and able to determine whether an applicant has met the requirements for licensure or renewal without first bringing each application before the City Council for approval.

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

SECTION 1. That Fairbanks General Code Chapter 14, Article IX Commercial Refuse Collector is hereby amended as follows [new text in **underlined bold** font; deleted text in ~~strikethrough~~ font]:

Sec. 14-361. – License Required; fee; duration.

(a) ~~Required.~~No person shall operate as a commercial refuse collector in the city without first obtaining a refuse collector's license.

(b) ~~Fee, duration.~~The fee for such license shall be as **License fees are** set forth in the city's schedule of fees and charges for services.

(c) Commercial refuse collector licenses will be valid for two years from the date of issuance unless revoked or suspended by the City Clerk's Office.

Sec. 14-362. - Application required.

Any person desiring to engage in business as a commercial refuse collector ~~will~~**shall** make application for such license ~~to through~~ **to** the city clerk ~~to the city council~~ upon forms furnished by the city **clerk**.

Sec. 14-363. - Contents of application.

(a) The application for a refuse collector's license ~~must~~^{shall} contain the following:

(1) The date of the application.

(2) The complete legal name and address of the company to whom the license, if granted, is to be issued.

(3) The nature of the company under which the applicant intends to do business (sole proprietorship, partnership, association, corporation).

(4) The name and address of the owner of the company if a sole proprietorship; or the names and addresses of the partners or members if the company is a partnership or association; or the names, addresses and positions of the corporate officers if the company is a corporation.

(5) The exact name which the applicant will display upon the exterior of the vehicles to be operated under the license. The distinctive color scheme which the applicant intends to apply to the exterior of each vehicle to be operated under the license, including the color scheme of any lettering or numbers to appear on the exterior.

(6) ~~The year for which the license is sought.~~ **A current copy of the company's State of Alaska and City of Fairbanks business licenses.**

(7) The location **and phone number** of the office from which the applicant intends to conduct its business ~~and also the business phone number at which said applicant can be contacted.~~

(8) The location of the garage or yard from which the vehicles **will be operated** ~~are to operate upon the granting of a license.~~

(9) The number of vehicles which will be operated under the license, and the description, including the **year, make, model** ~~(year), VIN engine or serial number, state license plate number, and record owner, of each vehicle, and the amount of bodily injury and property damage insurance coverage on each vehicle, the name of the insurer, and the insurance policy number.~~

(10) The amount of bodily injury, property damage, and uninsured motorist insurance coverage on each vehicle as outlined in section 14-364, the name of the insurer and the insurance policy number.

~~(11)~~ A statement by the applicant ~~as to experience as a commercial refuse collector and a statement by the applicant that he has complied with such~~ **applicable state** certification requirements ~~as may be required by the state by and through the public utilities commission, which are currently embodied in AS 42.05.221 et seq., along with a certified copy of the certificate issued to~~ **the** applicant by the public utilities commission.

~~(12)~~ A statement by the applicant that he agrees to submit to the city clerk **Finance Department** within ten days following the issuance of a commercial refuse collector's license, **and on a quarterly basis for as long as the license remains in effect,** a report containing the names and addresses of all commercial and residential customers within the city ~~presently being served by the applicant, and thereafter shall submit within ten days following the close of each month of operations under the license, a report of any additions to or deletions from such list of customers; a statement by the applicant that he will accept responsibility for payment to the city of all sales taxes due to the city on all payments made to the licensee for the services rendered by the licensee within the city and~~ **The applicant must also affirm that it** ~~a statement that the applicant will maintain~~

adequate accounting records open to the city Finance Department for books of account pertaining to transactions conducted under and by virtue of the refuse collector's license, which books and records shall be open to the mayor for inspection, upon reasonable notification and request.

(132) A statement by the applicant that he will collect and charge such fees only for the collection and hauling of commercial garbage, rubbish and ashes as are authorized in the license; that the applicant will abide by all lawful rules, directives and orders ~~to be issued under and by virtue of this article;~~ and that the applicant will ~~use~~utilize the landfill area designated by the borough, and will pay upon such fees required as provided to dispose for purposes of disposing of all refuse collected under a refuse collector's license.

(b) The application ~~must~~shall be signedsubscribed by the applicant or, where proper, a partner or officer of the applicant; ~~shall set forth the capacity in which the subscriber acts; the name of the company for whom he acts; and, if a corporation, shall bear the corporate seal.~~

Sec. 14-364. – Vehicle registration and proof of insurance.

~~There shall be submitted with the a~~Applications for a commercial refuse collector license must include a copy of current vehicle registration and copies of policies of commercial liability or indemnity insurance providing coverage and protection against loss through personal injury or property damage arising from negligence covering the ~~on the part of the owner or driver of all vehicles to be operated under the license;~~ ~~Such insurance must~~to afford coverage in an amount not less than \$50300,000.00 for all personal injuries sustained in any one accident, coverage in the amount of \$50,000.00 for property damage arising out of any one accident, and \$100,000.00 for all persons injured or who died in any one accident caused by an uninsured motorist per person for personal injury sustained, as further limited by minimum coverage of \$100,000.00 for all personal injuries sustained in any one accident, and to also provide coverage in the amount of \$25,000.00 for property damage arising out of any one accident. Each policy ~~must~~shall further contain a clause, addendum or endorsement providing that the insurer or his local agent will give written notice of the cancellation, revocation, termination or expiration of that policy, such notice to be submitted to the city clerk not later than five days prior to such eventuality.

Sec. 14-365. – Written notice of changes requiredRecommendation to city council.

(a) Before changing minimum insurance requirements for commercial refuse collectors within the city, the city clerk will provide written notice to all existing licensees of the action which the city council proposes to take, and give licensees a reasonable amount of time in which to voice any objections.After completing his review of the application for a commercial refuse collector license and any reports submitted to him, the city clerk shall make his recommendation to the city council.

Sec. 14-366. - Approval of city council; issuance of license; non-transferability.

~~(a)~~Upon an applicant's compliance with the requirements of this article, the city clerk will issue a commercial refuse collector license to the applicant. Commercial refuse collector licenses are not transferrable or assignable.The city council shall take final action on all applications for a commercial refuse collector license submitted for a license, and may approve, modify, limit, deny or approve with restrictions or limitations attached, including designation of

service areas, each application thus submitted to it. Where approved by the city council, the city clerk shall issue a commercial refuse collector's license to the applicant under the seal of the city.

(b) ~~Prior to approving any additional licenses for commercial refuse collection over those then in effect, or before approving any rate changes for commercial refuse collection, or before changing any of the terms and conditions respecting commercial refuse collectors~~ within the city, the city council shall provide written notice, by certified mail, to all existing licensees of the action which it proposes to take, and give such existing licensees a reasonable time in which to voice any objections, such time not to exceed 21 days.

Sec. 14-367. - Effect of issuance.

The issuance ~~securing~~ of a commercial refuse collector's license ~~by an applicant shall in itself constitutes an agreement with~~ by the applicant ~~the city to abide by this article and such license regulations as are promulgated by the city clerk and approved by the city council, and that~~ the ~~such~~ applicant will haul refuse for any person in the city making application; for such service upon proper payment; or upon arrangements satisfactorily made for payment or compensation as provided in this article., ~~it being~~ The intention of this section is to make it incumbent upon all licensed commercial refuse collectors to respond to calls from any person in the city who desires the licensee's service except for just cause shown, and ~~thereupon to perform the service requested within a reasonable period of time, which shall be construed to be not more than three days~~ period. Failure on the part of a licensee to provide ~~so call and perform any proper service as outlined~~ thus requested and authorized in this section will ~~shall be unlawful~~ grounds for suspension or revocation.

Sec. 14-368. - Suspension, and revocation.

(a) A commercial refuse collector's license may be temporarily suspended or permanently revoked; by action of the city clerk ~~council~~, for any of the following occurrences:

- ~~(1) Breach of any condition, limitation or modification imposed by the city council in approving the application for license.~~
- ~~(2) Breach by the licensee of any covenant or agreement undertaken by the licensee under a commercial refuse collector~~ such license, and the breach by the licensee or of any of the terms and provisions of its currently effective tariffs on file with the city council.
- ~~(3) Delinquency in payment to the city of consumer sales taxes.~~
- ~~(4) Any false statement in the application.~~
- ~~(5) Violation of any of the provisions of this article, or of any applicable sections of chapter 66 or of any~~ the license regulations.
- ~~(6) Failure to give regular service to customers.~~
- ~~(7) Failure to maintain minimum insurance requirements, as outlined~~ provided in section 14-364.

(b) The city clerk ~~will~~ council shall give due notice to notify the licensee of a suspension or revocation of and shall hold a public hearing before suspending or revoking a license by certified mail. Upon such action, the licensee must immediately cease operation of the commercial refuse collection business. A suspension or revocation of a commercial refuse

collector license may be appealed to the city council by filing a written appeal with the city clerk within 30 days of the date of revocation or suspension.

Sec. 14-369. -- Transferability.

~~A commercial refuse collector's license is nontransferable.~~

DIVISION 3. - REGULATIONS

Sec. 14-391. - Hauling of refuse within city.

(a) It ~~is shall be~~ unlawful for any licensed refuse collector or other commercial refuse collector to transport refuse upon the streets of the city except in a covered, watertight, and drip-proof vehicle equipped with a metal box with welded seams; however, non-liquids and innocuous substances may be conveyed in suitable containers with appropriate coverings to safeguard against ~~any littering of the streets.~~

(b) Refuse-hauling vehicles ~~will shall~~ be thoroughly washed or treated ~~regularly~~ regularly daily so as to ~~maintain~~ restore after use to a reasonably sanitary condition. No person ~~will shall~~ operate a refuse collection ~~truck or refuse collection~~ vehicle within the business district of the city between the hours of 10:00 a.m. and 12:00 p.m. of each day. The business district is defined as that portion of the city encompassed and bounded on the north by First Avenue; on the east by Noble Street; on the south by Seventh Avenue; and on the west by Wickersham Street. ~~The mayor is authorized to issue to any licensed refuse collector a permit to operate within the business district when in the judgment of the mayor such authorization is deemed necessary and prudent.~~

Sec. 14-392. - Filing of tariffs.

Every licensee under this article ~~will shall~~ file with the city ~~clerk~~ council its complete tariff showing all rates, rentals and charges collected and all classifications, rules, regulations, and terms and conditions under which it furnishes its services and facilities to the public, together with a copy of every special contract with customers which in any way affects or relates to its rates, rentals, classifications, services or facilities. The licensee ~~will shall~~ clearly print or type its complete tariff and keep an up-to-date copy of it on file at its principal business office. Tariffs ~~will shall~~ be made available ~~for to and subject to~~ inspection by the general public on demand.

Sec. 14-393. - Terms and conditions of services, facilities.

The terms and conditions under which each licensee ~~under this article~~ offers its services and facilities to the public ~~will shall~~ be governed ~~strictly~~ by the provisions of its currently-effective tariffs. No properly filed and effective tariff rate, charge, rental, rule, regulation or condition of service ~~will shall~~ be changed except as provided in this division. If more than one tariff rate or charge can reasonably be applied for billing purposes, the one most advantageous to the customer ~~will shall~~ be used.

Sec. 14-394. - ~~Just, r~~Reasonable rates.

All rates demanded or received by a licensee for a service furnished or to be furnished under this article ~~will~~shall be just and reasonable. ~~When~~If the city ~~clerk~~council, after investigation ~~and hearing~~, finds that a rate demanded, observed or collected by a licensee for commercial refuse collection, or that classification, rule, regulation, practice or contract affecting the rate, is unjust, unreasonable, unduly discriminatory or preferential, the clerk will provide a report to the city council who will~~shall~~ determine the just and reasonable rate, classification, rule, regulation, practice or contract to be observed or allowed ~~and shall establish it by ordinance.~~

Sec. 14-395. - Fairness of rates; refunds.

(a) No licensee under this article may, ~~as to rates,~~ grant an unreasonable preference or advantage to any of its customers or subject a customer to an unreasonable prejudice or disadvantage. No licensee may establish or maintain an unreasonable difference as to rates, either between localities or between classes of service.

(b) No licensee ~~will~~shall directly or indirectly refund, rebate or remit ~~in any manner or by any device~~ any portion of the rates and charges, or charge, demand or receive a greater or lesser compensation for its services than is specified in its effective tariff. If a licensee desires to charge all its customers in a particular class of service a lesser amount than in its current tariff, it may do so immediately but must apply the reduction to all its customers in that class of service and immediately initiate action as specified in section 14-397 to revise its tariffs.

(c) No licensee may extend to any customer any form of contract, agreement, inducement, privilege or facility, or apply any rule, regulation or condition of service except such as are extended or applied to all customers under like circumstances.

(d) No licensee may offer or pay any compensation ~~for or consideration~~ or furnish the equipment to secure ~~the installation or the adoption~~ of the use of its service unless it conforms to a tariff approved by the city ~~council~~, and unless the compensation, ~~consideration~~ or equipment is offered to all persons in the same classification using or applying for the service. In determining the reasonableness of such a tariff filed by a licensee, the city ~~will~~shall consider, among other things, evidence of ~~consideration or compensation~~ paid by a competitor of the licensee to secure ~~the installation or adoption~~ of the use of the competitor's service.

Sec. 14-396. - Fairness in service.

No licensee under this article may, as to service, ~~make or~~ grant an unreasonable preference or advantage to any person or subject any person to an unreasonable prejudice or disadvantage. No licensee may establish, ~~or~~ maintain or provide an unreasonable difference in ~~as to~~ service, either between locations or ~~as between classes of service,~~ but ~~Nothing~~ in this section prohibits the establishment of reasonable classifications of service, or requires unreasonable investment in facilities.

Sec. 14-397. - Change of rates, or service; ~~notice required.~~

(a) Except as provided in section 14-395, no licensee under this article may establish or place in effect any new or revised rates, charges, rules, regulations, conditions of service or practices

except after 45 days' notice to the public. Notice ~~will~~**shall** be given to the city ~~clerk~~**council** by filing with the ~~clerk's office~~**city council** and keeping open for public inspection the revised tariff provisions which plainly indicate the changes to be made in the schedules then in force, and the time when the changes will go into effect.

(b) The notice to be given to the public shall be published in a newspaper of general circulation in the city ~~on at least two occasions. The first publication shall be not more than ten days after filing the notice~~ **is filed** with the city ~~clerk~~**council**, and the second publication shall be not less than five days nor more than ten days before the new or revised tariff is to be considered by the city council. **If no public objection is filed within 15 days of the newspaper publication, the city clerk will approve the revised tariff provision. If any public objection is filed with the city clerk, the clerk will set a hearing date for the matter to be heard by the city council at the next regular meeting immediately following the close of the objection filing period.** No such new or revised tariff shall be effective until it has been approved by the **city clerk or the city council.**

SECTION 2. That the effective date of this Ordinance shall be the ____ day of April 2016.

John Eberhart, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

BUILDING DEPARTMENT

PHONE 459-6723

FAX 459-6719

December 15, 2015

Board of Plumbing Examiners

Minutes

Meeting location and time: Council Chambers, 800 Cushman St., 12:00pm

Agenda:

Review recent examination results covering Ordinances 5830, 5837 and 5838 as adopted by the City Council.

Members Present:

Kraig Hogenson, Mike Desmond, Sean Randle, Dan Portwine and Mike Davis

Meeting convened at 12:00 with the reading of the minutes of the prior meeting. A call to accept the minutes was made. Minutes were accepted as read. A discussion over the recent test results and review and scoring was made. A letter to the test candidate(s) will be sent by Chairman Mike Desmond. Mike Davis asked what the requirements for being a candidate for taking the City Master exam are. The requirements were explained by Plumbing and Mechanical Inspector David Hughes. The Cities price for the examination was also explained.

Motion to adjourn was seconded. Meeting ended 1:00pm.

Chairman,

 (acting chairman)

Mike Desmond



**FAIRBANKS DIVERSITY COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 9, 2016 – 5:30 PM
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA**



The **Fairbanks Diversity Council (FDC)** convened at 5:30 p.m. on the above date to conduct a Regular Meeting at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor John Eberhart presiding and with the following members in attendance:

- | | | |
|-------------------------|--|--|
| Members Present: | Ana Maria Richards, Seat A
Montean Jackson, Seat C
June Rogers, Seat D
Travis Cole, Seat E
Kathleen Wattum, Seat I
Douglas Toelle, Seat J | Jo Ann Borges, Seat K
Rita Davis, Seat L
Jeff Walters, Seat M
Amanda Frank, Seat N
Kelvin Lee, Seat O
Angela Foster-Snow, HR Director |
| Members Absent: | Shirley Lee, Seat B
Trina Bailey, Seat F
Doris Lenahan, Seat G | Rosalind Kan, Seat H
Bernard Gatewood, Council Member |
| Also present: | D. Danyielle Snider, City Clerk
Randall Aragon, Chief of Police
David Elzey, FPD Officer | Jeff Jacobson, Chief of Staff
Eric Jewkes, Deputy Police Chief
Stewart Lewis, FPD Officer |

CALL TO ORDER

Chair Eberhart called the meeting to order and Officer Lewis read aloud the mission statement of the FDC.

Chair Eberhart welcomed new member Kelvin Lee. Mr. Lee introduced himself and provided a brief bio.

APPROVAL OF AGENDA

Ms. Davis, seconded by **Mr. Toelle**, moved to APPROVE the Agenda.

Chair Eberhart called for objection and, hearing none, declared the MOTION CARRIED.

CITIZENS COMMENTS (Limited to 3 Minutes)

Lori Wilson, District Director of the Red Cross – Ms. Wilson invited everyone to the upcoming Mardi Gras fundraising event on March 4 at the Pioneer Park Civic Center. She stated that March is Red Cross month.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he appreciated last FDC meeting. He stated that all citizens should be educated about their rights in serving on juries. He commented that he has seen minorities removed from jury service without cause and requested that a survey to be done to see how many have been removed without cause. He stated that he hopes the Mayor will keep

everyone up-to-date on the independent review of Fairbanks Police Department (FPD) in regard to the Fairbanks Four case. He stated that the public should be involved in the process and commented on the nepotism at FPD.

Hearing no more requests for public comment, **Chair Eberhart** declared Citizen's Comments closed.

APPROVAL OF PREVIOUS MINUTES

a) Meeting Minutes of January 12, 2016

Mr. Toelle, seconded by **Ms. Borges**, moved to APPROVE the Meeting Minutes of January 12, 2016.

Ms. Rogers requested that a correction be made to the spelling of Ms. Kan's name on page one of the minutes.

Chair Eberhart called for objection to the APPROVAL of the minutes, as corrected and, hearing none, declared the MOTION CARRIED.

UNFINISHED BUSINESS

a) Fairbanks Four/Hartman Case Recap

Chair Eberhart referenced the possible action items that Mr. Walters drafted after the last meeting in regard to community healing after the Fairbanks Four/Hartman case. **Mr. Walters** suggested that some of the items could be rolled into the Diversity Action Plan (DAP).

Chair Eberhart stated that Ms. Frank has organized a forum on Fairbanks Four/Hartman Case Community Healing for Thursday, February 11. **Ms. Frank** spoke briefly to the purpose of the meeting.

Ms. Jackson stated that everyone has not had the opportunity to offer suggestions on the action items and recommended that everyone attend the February 11 meeting to gather more information and hear from the Chief of Police.

Mr. Cole apologized for missing the last meeting. He spoke to closure after the settlement of the case and to his personal relationship with the Four. **Ms. Frank** provided a summary of the last meeting for those who were absent.

Chair Eberhart stated that there are very strong feelings about the case. He stated that it does not seem productive to rehash details, but stated that the focus should be on healing and uniting. He spoke to the hard working men and women at FPD and to how difficult their jobs are. He clarified that his administration supports an independent review of the case to see if best practices were followed—not for retribution, but for transparency and to see if things can be improved.

Ms. Frank invited FPD personnel to attend the February 11 meeting.

Mr. Cole stated that FPD has been doing a great job; he shared some of his own experiences with public safety. He stated that he would try to share the upcoming meeting on Facebook.

Ms. Borges publically thanked FPD officers for attending the meeting.

Mr. Walters wondered whether the FDC should offer its support for future forum meetings. He stated that the way the FDC responds to the Fairbanks Four case could directly affect the DAP. **Ms. Richards** stated that it seems to be a good fit because hosting town hall meetings is an action item outlined in the DAP. **Mr. Cole** also spoke in favor of the FDC offering its support.

Chair Eberhart stated that one of the three FDC committees is Education/Outreach and Media/Communications. He suggested that that committee discuss whether the FDC needs advertising or a bigger social media presence.

Mr. Walters, seconded by **Ms. Rogers**, moved that the Fairbanks Diversity Council SUPPORT the town hall/community meetings after seeing how the February 11 meeting goes.

Chair Eberhart commented that the FDC has to exercise some control because of the large number of members; he stated that the town hall meetings may deal with some sensitive topics and advised on proceeding with caution.

Ms. Rogers stated that respect was present at the last meeting and that each person spoke in a way that dispelled assumptions. She stated that the discussion became much broader than the Fairbanks Four case.

Members discussed what to call the town hall meetings. **Ms. Rogers** suggested that the meetings be called "Courageous Conversations."

Chair Eberhart called for objection to the motion that the Fairbanks Diversity Council SUPPORT the town hall/community meetings after seeing how the February 11 meeting goes and, hearing none, declared the MOTION CARRIED.

Chair Eberhart spoke to the January meetings that he and Chief Aragon attended with various Alaska Native leadership groups: TCC, FNA, Alaska Native Justice Task Force, Denakkanaaga, and Doyon. He stated that everyone agreed that there should be an independent review performed, so he brought it up at a City Finance Committee Meeting. He stated that four of six Council Members were present and the consensus was to support a review. He shared that since that time, the Alaska Native leadership has indicated that they would like to hold off and see if the Federal Department of Justice will take jurisdiction over the issue. **Chair Eberhart** stated that they would be better suited to handle a review because they are neutral and have unlimited resources. He stated that an independent review would cost roughly \$50,000 and questioned who would pay the bill.

Ms. Borges expressed her belief that a review needs to move forward as quickly as possible. She expressed concern as to what would happen if the justice system falls through. **Chair Eberhart** replied that if that occurred, he would resume meetings with the Native groups and try to get an independent review done.

Ms. Jackson brought up the cold case officer position that was approved by the City Council in the 2016 budget. Chief Aragon provided a brief report on cold cases at FPD.

Mr. Walters asked whether the Hartman case is officially an unsolved case. Chief Aragon explained that according to the Department of Law, the case is officially open. He stated that although there was a settlement agreement, new information could change the course of the case.

Ms. Borges asked about current vacancies at FPD. Chief Aragon replied that as of the following day, FPD would have five vacancies; he provided a summary of other expected vacancies in 2016. Chief Aragon spoke about the concept of immersion versus forcing diversity at FPD. He discussed the incentive bonuses that FPD is hoping to receive and requested the help of the FDC. He stated that FPD needs more qualified candidates to apply for jobs.

Chair Eberhart suggested that it may be better if the FDC does some advertising to help improve diversity at FPD.

Ms. Foster-Snow spoke in some detail to the difficulties in recruitment at FPD. Members discussed at length some of the barriers that stand in the way of candidates' successfully completing the rigorous application process. Chief Aragon spoke more in depth about the concept of immersion; he introduced FPD Officer David Elzey.

Ofc. Elzey shared that he has been cop in Fairbanks for 19 years and that he believes that the job is about taking things call-by-call, person-by-person; he stated that you have to meet people where they are. He stated that if you treat people well, they treat you well in return. Ofc. Elzey stated that Chief Aragon calls it immersion but he calls it respect; he stated that he does not have to agree with everyone's beliefs, he just has to respect them. He spoke to personal interaction with the community members and to the partnership that is being created between citizens and police.

Ms. Frank asked Ofc. Elzey to speak to how he is reaching out to young men of color. Ofc. Elzey replied that at this point, he is not focusing on young men specifically.

Ofc. Stewart Lewis offered to address Ms. Frank's question. He provided some background on himself and stated that he was previously assigned as a School Resource Officer (SRO). He stated that it was important for students to understand that he was not out to get them, but that there would still be consequences to their actions. Ofc. Lewis stated that because he developed a relationship and trust with students, peer pressure tended to fade away.

Chair Eberhart encouraged the FDC to pay attention to issues that go before the City Council; he emphasized the importance of public voice. Members and Chief Aragon discussed crime statistics and how/when the information is published on the local level.

The FDC recognized and allowed community member Mr. Thomas Maillelle to speak. Mr. Maillelle stated that he has worked for McGrath Community Family Services as a drug/alcohol counselor. He stated that it is not just a problem within one class of people, but that some simply hide it better than others. He stated that he is happy to see FPD officers present and spoke highly of the police officer that worked the downtown area many years ago. He stated that the officer was a friend to everyone and was well-liked by the community. Mr. Maillelle stated that he is also a minister of the gospel and that he preaches wherever he is invited; he stated that the Bible says that police officers are chosen by God and led by God to do their job.

Chair Eberhart introduced new City's new Chief of Staff, Jeff Jacobson.

Mr. Jacobson provided information about his background and stated that he is excited to have recently joined the City of Fairbanks staff.

Mr. Cole stated that people have been gradually moving from the villages into Fairbanks and will continue to do so. He spoke to the culture shock that he experienced as a young person moving from Allakaket to Fairbanks. He stated that police officers should try to take that into account in some cases.

Chair Eberhart asked if there was any objection to rolling the remainder of the agenda items (with the exception of Members Comments) to the next Regular Meeting for the sake of time.

Mr. Walters expressed concern that there has not been much progress made on the DAP. He wondered whether a small group should meet prior to the next FDC meeting to review the DAP and bring recommendations to the March FDC meeting. Members discussed how to proceed with the review of the DAP. **Chair Eberhart** directed Clerk Snider to coordinate with Ms. Bailey and Ms. Walters to possibly set up an Education/Outreach and Media/Communications committee meeting to discuss the DAP.

No members objected to rolling agenda items to the next Regular Meeting.

b) Diversity Action Plan

This item was rolled to the next Regular Meeting of the FDC.

NEW BUSINESS

a) "Humans of Fairbanks" Project

This item was rolled to the next Regular Meeting of the FDC.

b) Open Meetings Act Presentation, City Clerk

This item was rolled to the next Regular Meeting of the FDC.

FDC COMMITTEE REPORTS

a) FDC Committee Assignment for Mr. Lee

This item was rolled to the next Regular Meeting of the FDC.

FDC MEMBERS COMMENTS

Ms. Wattum stated that she had no comments.

Ms. Rogers stated that the Bjerremark Subdivision improvement project is a wonderful opportunity. She cautioned that Fairbanks needs to pay attention to mistakes that have occurred in other places where increased affluence is encouraged which dislodges current residents. She stated that she feels strongly that the FDC needs to be the voice of concern for the residents in the community.

Ms. Richards thanked Chief Aragon and the police officers for coming. She stated that a community is stronger together and that when one member of the community fails everyone fails. She spoke briefly to the Green Dot program and to a UAF project called Restorative Justice. She stated that she would like to see more diversity there and invited community members attend the next meeting of the Restorative Justice program. She stated that she will be sending an invite to FDC members for an upcoming ADA meeting at UAF where experts from the outside will be present to discuss issues affecting the Fairbanks community.

Ms. Frank reminded everyone about the February 11 meeting at 5:30 p.m. She stated that she will reach out to Chief Aragon and the other organizations that were mentioned.

Mr. Lee stated that he has enjoyed working with Chief Aragon and HR Director Angela Foster-Snow. He stated that he also enjoys being a part of the FDC conversation and emphasized the importance of diversity. He commented that being someone's voice is a big responsibility.

Ms. Borges again thanked the FPD officers for attending. She reminded everyone to help celebrate the New Year at the UAF Wood Center event on February 13.

Mr. Cole stated that he hopes to attend the February 11 meeting. He stated that traffic flow is a big concern on the south side and in the downtown area of Fairbanks. He stated that the City needs to be concerned with how changes will affect local residents. He stated that he is happy to have a good Mayor and Chief of Police working to bring the community together.

Mr. Walters welcome Kelvin Lee and thanked the police officers who attended. He stated that when he worked at West Valley High School, he had good experiences with the SRO's.

Ms. Jackson congratulated June Rogers on her recent award. She thanked Chief Aragon for being proactive with members and thanked the officers who attended the meeting. She spoke to how pretty the new streetlights on Cushman Street look and to the safety that they provide. She spoke to the activities surrounding the improvements in South Fairbanks. **Ms. Jackson** stated that she lives there and would love to see the area look similar to other parts of Fairbanks.

Ms. Davis stated that she had no comments.

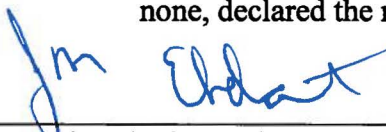
MEETING DATES

- a) The next Regular Meeting of the FDC is scheduled for Tuesday, March 8, 2016.

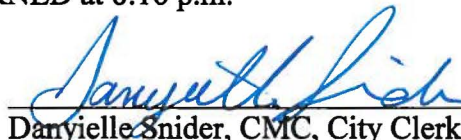
ADJOURNMENT

Ms. Davis, seconded by **Ms. Richards**, moved to ADJOURN the meeting.

Chair Eberhart called for objection to adjourning the meeting and, hearing none, declared the meeting ADJOURNED at 8:16 p.m.



Mayor John Eberhart, Chair



Danyielle Snider, CMC, City Clerk

Transcribed by: DS