



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. DANIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB