



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 9, 2015
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 5:30 p.m. Work Session for the Explore Fairbanks Annual Report and a 6:10 p.m. Work Session for the Fairbanks Economic Development Corporation (FEDC) Annual Report, 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
Jim Matherly, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: Bernard Gatewood, Seat C (Excused)

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jim Williams, Chief of Staff
Stephanie Johnson, Dispatch Center Manager
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Bob Pristash, Engineer IV
Matt Soden, Police Lieutenant
Jackson Fox, Environmental Manager
Amber Courtney, Communications Director

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Eberhart led the Flag Salutation.

CITIZEN'S COMMENTS

John Jackovich, 2824 Chief Alexander Drive, Fairbanks – Mr. Jackovich testified to the danger of Phillips Field Road and shared his disappointment that the Alaska Railroad (AKRR) is holding the City hostage. Mr. Jackovich stated that there have been several accidents on Phillips Field Road in the last few weeks and that he almost had an accident earlier in that day. Mr. Jackovich stated that he was driving in four wheel drive and going below the speed limit heading

west when his right tire went off the side of the road and could not get back onto the road because of the depth of the asphalt shoulder. Mr. Jackovich stated that it almost caused an accident. Mr. Jackovich stated that he is familiar with FMATS and that he wants the City of Fairbanks, the State, and AKRR to work together to fix the shoulder of the road. Mr. Jackovich stated that he is tired of the AKRR trying to be a corporation of its own because it is actually owned by the State of Alaska. Mr. Jackovich stated that he wanted to purchase some AKRR land that was going into foreclosure, but that they would not sell it to him claiming that they were not allowed to sell federal land that was given to them by the state. Mr. Jackovich cited several other examples of the AKRR not allowing citizens to use land near the railroad and shared his disappointment with the situation.

Mayor Eberhart stated that he drives Phillips Field Road every day and that there have been a lot of accidents in that area this year. **Mayor Eberhart** asked Mr. Jackovich if he thought that the road needed to be widened. Mr. Jackovich stated that there is no shoulder, no bike path, and that it is not at all safe.

Mr. Pruhs asked how many times a day Mr. Jackovich makes the trip down Phillips Field Road, Mr. Jackovich replied eight to ten times a day. Mr. Jackovich stated that when the State maintains the road it makes it even worse because it creates grooves. **Mr. Pruhs** asked Mr. Jackovich if he has ever met with the Vice President of Real Estate of the Railroad Corporation. Mr. Jackovich stated he had not talked to him regarding Phillips Field Road but that he does know him and will speak to him. Mr. Jackovich stated the State needs to put some money into widening the road; he stated he has reached his boiling point.

Lake Williams, 945 Senate Loop, Fairbanks – Mr. Williams stated that he is the President of the AFL-CIO Crafts Council and that they had received the City's proposal; he stated the bargaining group has countered the offer. He stated that he hopes the City will reward good behavior. Mr. Williams stated a 1.1% increase would not cover the increased cost of healthcare. Mr. Williams stated that there could be future retention problems if hard working folks do not get rewarded for their efforts.

Mr. Cleworth asked if he had seen the City's projected surplus for the next year. Mr. Williams stated he had looked at it and that things do not look good.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that normally he comes to Council Meetings to criticize the Fairbanks Police Department (FPD) but that today he is present to thank them. Mr. Buberger thanked the FPD and Chief Aragon for finding the suspects responsible for the death of John Kavairlook's murder. Mr. Buberger stated that there was a whole different way the FPD conducted business in the 1990's and likely the murder would not have been solved back in those days. Mr. Buberger stated he has been attending the Fairbanks Four court proceedings and he was surprised by all the criminal activity by the FPD. Mr. Buberger stated that bringing up the old evidence including Mr. Hartman's clothing was a joke. Mr. Buberger stated the FPD should have done their job 18 years ago and that no justice has been served in the Fairbanks Four case.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated it would be nice to see rules of decorum for the Council Members. Mr. Turney thanked Mayor Eberhart, Ms. Huntington and

Chief Aragon for attending the Fairbanks Four post-conviction relief case. Mr. Turney stated that he is happy that Mayor Eberhart chose Chief Aragon as the Chief of Police because he is nothing like former Chief Zager. Mr. Turney stated that a nurse lost her job over how evidence was handled at the time of the Hartman murder. Mr. Turney stated that the nurse handed evidence to Lieutenant Jim Geier and it was never seen again. Mr. Turney shared his support of the Citizen Police Academy.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Matherly, seconded by **Mr. Pruhs**, moved to APPROVE the Agenda and Consent Agenda.

Mr. Cleworth pulled Resolution No. 4694 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 August 24, 2015.

APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Eberhart congratulated Ms. Randle for her promotion to Chief Financial Officer (CFO). **Mayor Eberhart** thanked both Explore Fairbanks and FEDC for the information they provided during the Work Session. He thanked them for all the work they do for the tourism industry and for the economic development they bring to the City. **Mayor Eberhart** congratulated Environmental Manager Jackson Fox for winning the National Municipal Stormwater and Green Infrastructure Award and asked him to come forward to speak to the award.

Mr. Fox spoke to what his job entailed and spoke to the stormwater permitting process. Mr. Fox stated that great progress has been made on the local level in cleaning up the stormwater. Mr. Fox stated that stormwater samples are taken every year and over the past ten years the data has improved. Mr. Fox stated that the samples have improved so much that the State lifted the impairment on the Chena River and the Chena Slough. Mr. Fox stated that there are still issues with the Noyes Slough but that they are in large part due to litter. Mr. Fox spoke to the storm drain art project that is taking place downtown and stated that it is helping Fairbanks stand out. Mr. Fox stated that he is honored to have won the award for the City of Fairbanks and stated that all agencies involved should be proud of their accomplishments.

Mayor Eberhart updated the Council on the many activities his office has been involved in since the last Regular Council Meeting. **Mayor Eberhart** stated that the City has arrived at a

balanced budget and that all departments were involved in cutting unnecessary requests. **Mayor Eberhart** spoke to the importance of the Fanano Sister City Work Group that was recently formed. He welcomed Mayor Kassel to his new office as Borough Mayor. **Mayor Eberhart** stated that the draft budget is online for review and encouraged everyone to take a look at it. He spoke to Community Oriented Policing and its positive impact on the community. **Mayor Eberhart** spoke to the Polaris group that Mr. Pruhs has taken the lead on and expressed hope that it could be torn down and be made into something useful.

UNFINISHED BUSINESS

- a) Ordinance No. 5993, as Amended – An Ordinance to Amend FGC Section 2-61 Regarding the Mayor’s Compensation. Introduced by Council Member Pruhs. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5993, as Amended.

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

Mr. Pruhs stated that Ordinance No. 5993 is a fiscal instrument to correct the Mayor’s entire salary and benefit package. **Mr. Pruhs** stated that the Mayor currently earns leave time and that this ordinance would change his compensation package to make his position a standard salaried position. He stated that both the Mayor and Mr. Matherly came together to work on the compensation package and that both of them are okay with the changes.

Mr. Cleworth stated that Ordinance No. 5993, as Amended, puts the City of Fairbanks in line with other municipalities around the State. **Mr. Cleworth** stated he is in favor of the ordinance.

Ms. Huntington stated she would like to see what other municipalities’ compensation packages look like. Chief of Staff Jim Williams stated that a package comparison went out just before Ms. Huntington took her seat on the Council. **Ms. Huntington** stated she would like someone to give her some insight into what the other Mayors’ compensation packages contain.

Mr. Pruhs stated the Mayor’s package would be less than the Fairbanks North Star Borough (FNSB) and Anchorage but that it would be equivalent to the Mat-Su Borough and North Pole. **Mr. Pruhs** stated he would like to increase the Mayor’s salary but budget constraints do not allow for it.

Mr. Cleworth stated that the Borough Mayor is paid \$104,000.00 a year and the ordinance raises Mayor Eberhart’s pay to \$86,500.00 a year. He stated that the Borough is over twice the size of the City so it is a fair compensation package. **Mr. Cleworth** stated that many Mayors around the state are not paid as full time employees and are just given a stipend.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5993, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Cleworth, Walley, Huntington, Pruhs

NAYS: None
ABSENT: Gatewood
Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5993, as Amended, ADOPTED.

NEW BUSINESS

- a) Resolution No. 4694 – A Resolution Authorizing the City of Fairbanks to Participate in the FFY2015 Community Development Block Grant (CDBG) Program. Introduced by Mayor Eberhart.

Mr. Cleworth, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4694.

Mr. Cleworth asked Mr. Fox to come forward and explain what the CDBG Program is.

Mr. Fox stated that the designated legislative grant program funds go toward local road improvements. Mr. Fox stated that when the Bjerremark Neighborhood Improvements plan began, FMATS asked the legislature if they could use some of their local road improvement money. Mr. Fox clarified that the money set aside for a match is for planning and design, not for construction.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4694, AS FOLLOWS,

YEAS: Walley, Matherly, Pruhs, Cleworth, Huntington
NAYS: None
ABSENT: Gatewood
Mayor Eberhart declared the MOTION CARRIED and Resolution No. 4694 APPROVED.

- b) Resolution No. 4695 – A Resolution Re-Designating Check Signing Authority for Banking and Investment Accounts of the City of Fairbanks, Alaska. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4696 – A Resolution Opposing the State of Alaska's Sole Authority to Enact or Enforce Regulations for Business and Occupational Licensing. Introduced by Council Member Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4697 – A Resolution Supporting the Fairbanks Emergency Communications Center Sustainable Business Plan. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

DISCUSSION ITEMS

a) Committee Appointments

Mayor Eberhart stated that Ms. Huntington is not assigned to any City Board or Commission. He stated that Mr. Walley is on the FMATS Policy Committee and the Natural Gas Utility Local Control Entity Task Force. **Mayor Eberhart** stated that Mr. Gatewood is on the Permanent Fund Review Board and the Fairbanks Diversity Council. He stated that Mr. Matherly is on the Hotel/Motel Discretionary Fund Committee and Explore Fairbanks Board. **Mayor Eberhart** stated that Mr. Cleworth is on the Golden Heart Parking Services Board and the Natural Gas Utility Local Control Entity Board. **Mayor Eberhart** stated that Mr. Pruhs is on the Polaris Building Work Group. **Mayor Eberhart** stated that there is a vacancy on the Public Safety Commission (PSC) that needs to be filled.

Ms. Huntington indicated that she would be interested in filling the vacancy on the PSC.

Mr. Pruhs, seconded by **Mr. Matherly**, moved to ASSIGN Ms. Huntington to the Public Safety Commission.

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

Ms. Huntington stated that she was updated by Ms. Staley as to what to expect in serving on the PSC.

Mr. Matherly stated that he enjoys being on the Hotel/Motel Discretionary Fund Committee and Explore Fairbanks Board but that he is hoping to swap a committee with someone because he has been on the Explore Fairbanks Board for a long time. **Mr. Matherly** stated he would like to try out other committees but that he will remain on the Explore Fairbanks Board if need be.

Ms. Huntington asked if it is an annual tradition to review and make changes to committee assignments.

Mr. Matherly replied it is something that is reviewed on an annual basis.

Mr. Pruhs thanked Mr. Matherly for his role on the Hotel/Motel Discretionary Fund Committee because he would not be able to tell applicants no. **Mr. Pruhs** stated that Mr. Matherly does a great job serving on that committee.

COMMUNICATIONS TO COUNCIL

Ms. Huntington pointed out that Mr. Gatewood had sent in an email with an update on the Permanent Fund Review Board.

FMATS Policy Committee – **Mr. Walley** stated that FMATS met and that it was a short meeting. He stated members said goodbye to Mayor Hopkins who served on the FMATS committee for eight years. **Mr. Walley** stated that it takes several years to get up to speed on all

the issues FMATS deals with. **Mr. Walley** stated that FMATS approved the Complete Streets Policy and that they also approved future meeting dates.

Golden Heart Parking Services (GHPS) – **Mr. Cleworth** stated that he got re-involved with GHPS about a year ago because of problems with the 2014 staff. He stated that Kelly Dent was hired to be the new director in February of 2015 and he is now comfortable with their financials. **Mr. Cleworth** thanked Ms. Dent and City Grants Administrator Margarita Bell for their hard work in balancing the books. **Mr. Cleworth** stated that GHPS is self-funded and that they cannot be subsidized by the City; he added that they are in a much better place than they were.

Permanent Fund Review Board – **Mr. Matherly** read aloud Mr. Gatewood's email relating to the recent meeting. He stated that the report covers the third quarter of 2015 and that October was the best month on record. **Mr. Matherly** stated that a spirited discussion occurred regarding targets and that some parameters needed to be put in place for the Fund manager. **Mr. Matherly** stated that the contract with Alaska Permanent Capital Management (APCM) is set to expire but that there is not enough time to put out an RFP out. He related that Mr. Gatewood's suggestion is to extend the contract for one year and send out an RFP in the first quarter of 2016.

COUNCIL MEMBERS' COMMENTS

Mr. Walley stated that he had no comments.

Ms. Huntington stated that her email has had a few glitches but that she is getting up and running. She expressed her regret in missing Chief Cummings' retirement party as a result of missing the email invitation. **Ms. Huntington** thanked the presenters of the Work Sessions and commented that she was intrigued by the information that they brought to the meetings. **Ms. Huntington** stated that she has enjoyed being a Council Member so far and thanked the City Clerk's Office for all the information they have provided to her.

Mr. Matherly thanked Mr. Jackovich for speaking during public testimony and stated that he is glad that he is safe after his close call earlier in the day. He stated that it is his wife's birthday and that he appreciates her understanding that Council Meetings are important to attend; he wished her a happy birthday. He stressed the importance of the rules of decorum during Council Meetings. **Mr. Matherly** expressed his concern for how many citizens he has seen texting while driving and reminded everyone how dangerous the roads are. He stated that he appreciated holding the budget meetings over the course of two days rather than every morning at 7:00 a.m.

Mr. Cleworth spoke to Mr. Gatewood's email relating to the Permanent Fund Review Board and stated that he would like the managers to react to the current market. He stated that always "letting it ride" means the Fund does not need to have active management. **Mr. Cleworth** asked if anyone knew when the Gas Utility report would be complete.

Mr. Williams stated that Mr. Pruhs would like to have a meeting before distributing the report.

Mr. Cleworth congratulated Ms. Randle for being selected as the CFO and expressed his appreciation for her always speaking her mind. He thanked Mr. Soileau for volunteering to take a seat on the Finance Committee. **Mr. Cleworth** thanked Mr. Jackovich for his testimony and

stated that he worries about pedestrians; he indicated that Phillips Field Road has a design flaw. **Mr. Cleworth** congratulated the FPD for arresting the suspects in the John Kavairlook murder.

Mr. Pruhs thanked Mr. Gatewood for his informative memo about the Permanent Fund Review Board. He stated that the 2016 budget is very tight and that each department will have to tighten their belts. **Mr. Pruhs** informed Mr. Jackovich that he would meet with Jim Kubitz of the Alaska Railroad the following day to discuss the Phillips Field Road issues; he requested that Mr. Pristash also attend the meeting.

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

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

Mayor Eberhart called for a five minute recess.

EXECUTIVE SESSION

a) Labor Contract Negotiations -- AFL-CIO

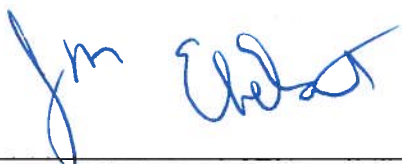
The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations. Direction was given to staff and no action was taken.

ADJOURNMENT

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


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

Mayor Eberhart declared the Meeting adjourned at 9:10 p.m.



JOHN EBERHART, MAYOR

ATTEST:



D. DANVIERLE SNIDER, CMC, CITY CLERK

Transcribed by: EB