



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, MAY 05, 2014  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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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:        Renee Staley, Seat A (Telephonic)  
   Perry Walley, Seat B  
   Bernard Gatewood, Seat C  
   Jim Matherly, Seat D  
   Lloyd Hilling, Seat E  
   Chris Anderson, Seat F

Absent:                                None

Also Present:                        Warren Cummings, Fire Chief  
   Margarita Bell, Grants Administrator  
   Paul Ewers, City Attorney  
   Janey Hovenden, City Clerk  
   Jim Williams, Chief of Staff  
   Stephanie Johnson, Dispatch Center Manager  
   Jim N. Soileau, Chief Financial Officer  
   Laren Zager, Police Chief

**INVOCATION**

The Invocation was given by City Clerk Janey Hovenden.

**FLAG SALUTATION**

**Mayor Eberhart** led the Flag Salutation.

**CITIZEN'S COMMENTS**

Bob Eley, 931 Fourth Avenue, Fairbanks – Mr. Eley provided an update on the Fairbanks Community Museum. He stated that more than 250 students recently toured the museum and that there are five more tours scheduled for the near future. He stated that museum staff is looking forward to the increase in visitors with the upcoming summer and tourist season. He stated that last year the museum was host to 6,112 visitors and has already had nearly 2,500 visitors this year. Mr. Eley stated that 5th Avenue between Cowles and Kellum Streets between 1st and 10th Avenues are deteriorating and crumbling. He requested that the City take a look at the streets to see what can be done.

**Mr. Hilling** asked Mr. Eley if he could speak to the reason for the projected increase in tourism in Fairbanks for the summer of 2014.

Mr. Eley stated that it could be due to an increase in highway-traveling visitors. He stated that the Fairbanks Community Museum is advertised in many of the visitor guides.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg stated that he is the Executive Director of the Downtown Association (DTA) of Fairbanks. He referenced the handout he distributed to the Council and provided an April report on the income and expenditures of the newly-expanded Community Service Patrol (CSP). Mr. van den Berg outlined the number of calls for service and the number of transports in the month of April and pointed out that there has been an approximate 100% increase in each since the expansion. He indicated that the organization may have to increase staffing from three to five officers. He explained page three of the handout which graphed the physical location of each CSP call within the City.

**Mayor Eberhart** stated that he receives a daily report from FPD of the previous day's calls. He asked if the increase to police calls on May 1 and 2 were due to CSP staff shortages.

Mr. van den Berg replied that staffing was short for the last few days of April and the first two days of May. He stated that the total staffing for April was an average of three, but announced that a new ambassador has been hired and will be fully trained within the next week. He indicated that the CSP may begin looking for a fifth ambassador.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger spoke to the poor road conditions in the City of Fairbanks. He suggested that the City seek grant funding to repair and maintain existing streets. He stated that union workers work slower and do not do as good a job as non-union workers. Mr. Buberger stated that the City has the means to repair the potholes and should stop taking on additional projects until the repairs are made.

**Mr. Matherly** stated that Public Works Director Mike Schmetzer stays on top of things and asked Mr. Buberger if he is saying that Mr. Schmetzer does a terrible job.

Mr. Buberger suggested that Mr. Matherly drive down on the south side of town to see the poor pothole repair jobs that he was referring to in his testimony. He stated that when the repairs have to be redone it costs the City double the money.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he is in the downtown area quite often and that he has seen a significant improvement in the performance of the CSP. He spoke to the City, Borough and State funding for the CSP and questioned whether the \$250,000 contribution from the state would be coming this year or next year. Mr. Turney stated that he attended the arraignment of the suspect in the recent killing of the two Alaska State Troopers and offered his condolences to the families and friends of the officers. He shared that there will be a public memorial service at the Carlson Center on Saturday at 4 P.M.

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

## APPROVAL OF AGENDA AND CONSENT AGENDA

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

**Mr. Gatewood** pulled Resolution No. 4627 from the Consent Agenda

**Mr. Hilling** pulled Resolution No. 4623 and Resolution No. 4625 from the Consent Agenda.

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

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

## APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of February 10, 2014.

PASSED and APPROVED on the CONSENT AGENDA.

b) Regular Meeting Minutes of February 24, 2014.

PASSED and 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 below-referenced Application for Commercial Refuse Collector Permit.

Applicant: Waste Connections of Alaska, Inc.  
D/B/A: Alaska Waste-Interior, LLC  
Address: 3941 Easy Street

NOTE: FGC Sec. 14-366 states that final action must be taken by the City Council on all applications for Commercial Refuse Collector Licenses.

**Mr. Gatewood**, seconded by **Mr. Anderson**, moved to APPROVE the Application for a Commercial Refuse Collector Permit.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPLICATION FOR A COMMERCIAL REFUSE COLLECTOR PERMIT AS FOLLOWS:

YEAS: Matherly, Hilling, Walley, Gatewood, Anderson

NAYS: None  
ABSENT: Staley (temporarily disconnected)  
**Mayor Eberhart** declared the MOTION CARRIED.

### MAYOR'S COMMENTS AND REPORT

**Mayor Eberhart** stated that the U.S. Supreme Court recently made a decision that giving an Invocation at a City Council Meeting is constitutional. He stated that the issue was brought about by a challenge against Invocations elsewhere in the U.S. **Mayor Eberhart** expressed his deepest sympathies for the killing of Alaska State Troopers Scott Johnson and Gabe Rich and encouraged everyone to attend the memorial on Saturday. He requested a staff report on the cabin lease to Explore Fairbanks (FCVB) for the Yukon Quest.

City Attorney Ewers stated that there has been some concern that the proposal from FCVB may violate the constitutional prohibition and a City Code provision that speaks to providing public property or money for a private purpose. He stated that the complication is due to FCVB's intent to sell their lease-hold interest to the Yukon Quest and recoup some of the money they paid to the Chamber of Commerce in 1998. Mr. Ewers expressed doubt that the proposed agreement would be sufficient and indicated that the Council may have to explore other options. He stated that the lease will end on May 31 allowing the City to sell, lease or occupy the cabin.

**Mr. Matherly** asked City Attorney Ewers if he plans to have discussions with FCVB President and CEO Deb Hickock regarding the lease. He asked about the legal limitations of discussing the lease directly with FCVB.

City Attorney Ewers stated that if no action is taken, the lease will end and it will fall back to a month-to-month basis under the current terms of the lease. He expressed his assumption that the Yukon Quest would want some degree of assurance and stated that it will be up to the Council to give direction on how to proceed with the property.

**Mr. Walley**, assuming the City would take on the role of a landlord for the cabin, asked if a new lease would have to go out to public bid.

City Attorney Ewers stated that there is a Code provision that states that the Council may sell or lease property to other governmental agencies or non-profit organizations for less than fair market value if it is determined to be advantageous to the City.

**Mayor Eberhart** stated that the Council may add the cabin lease to the next Finance Committee Meeting agenda if they choose. He thanked Council Member Staley and Chief of Staff Jim Williams for staffing the F-35 booth at the Outdoor Show. He thanked Police Chief Zager, Fire Chief Cummings, David van den Berg and other individuals from the hospitals who spoke in support of CSP funding at the last FNSB Assembly Meeting. He shared that the Assembly moved to amend the Borough Mayor's proposed budget by providing that \$75,000 go towards the CSP for the 2014-2015 fiscal year. **Mayor Eberhart**, in reference to Mr. Turney's question regarding state funding for the CSP, stated that the City revised its legislative requests to make CSP funding the number one priority. He stated that the legislature approved \$250,000 and that it is now before the Governor for consideration. He stated that he wrote a letter to the Governor

stressing the importance of the program and asking for the funding to be approved. **Mayor Eberhart** stated that he was invited to attend the Mayor's Institute on City Design in Louisville, Kentucky, the first week of June. He stated that each attendee has been asked to propose some problems in terms of design or development that their respective cities face. He stated that he and City Engineer Mike Schmetzer will meet with the Institute's Executive Director to discuss possible projects for the City of Fairbanks then narrow down the list to one project that will be presented in Louisville. He stated that a panel of architects, mayors and designers will analyze the project and offer feedback. **Mayor Eberhart** provided a report on the many meetings, events and activities the Mayor's Office has participated in since the last Regular Meeting. Mayor Eberhart shared that his office has been producing a monthly newsletter to keep staff and the public informed about what is happening at the City. He thanked Communications Director/Public Information Officer Amber Courtney for her efforts in keeping Fairbanks citizens informed through publications and social media. He stated that Ms. Courtney has been working closely with the Police and Fire Departments to ensure the accuracy and consistency of press releases. He also thanked Ms. Courtney for coordinating the First Friday event held at City Hall to showcase the Jean Lester paintings.

**Mr. Hilling** asked about the percent gain of the City's Permanent Fund in 2013.

Chief Financial Officer Jim Soileau replied that the gain was 10.08%.

**Mayor Eberhart** stated that there is an issue with future funding for the City's school resource officers (SRO's). He recommended that the Council discuss the issue during the consideration of Ordinance No. 5946, as Amended, because if Resolution No. 4627 is approved it may also require a budget amendment.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 5946, as Amended – An Ordinance Amending the 2014 Operating and Capital Budgets for the Second Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Mr. Anderson**, moved to ADOPT Ordinance No. 5946, as Amended.

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

**Mr. Walley**, seconded by **Mr. Hilling**, moved to AMEND Ordinance No. 5946, as Amended, by reducing the transfer from the General Fund to the Permanent Fund from \$3 million to \$2.5 million and by reducing the transfer from the General Fund to the Capital Fund from \$1 million to \$500,000.

**Mr. Walley** stated that after discussing the transfer with the Finance Department, he believes it may be wiser to place the additional money into the Capital and Permanent Funds at a later date in the year.

**Mr. Gatewood** asked if there are any known projects that must be forward-funded in 2014. He stated that he believes the City will be okay without reducing the transfer amounts. He stated that he does not intend to support the amendment.

**Mr. Hilling** asked Mr. Soileau to speak to the General Fund balance. He asked if a full transfer would make it difficult for the Finance Department.

Mr. Soileau stated that after the \$4 million transfer out of the General Fund, the unassigned balance would be \$8.6 million. He explained that the City's cash flow is dependent on property tax revenues, which come in September and November. He stated that grant-funded projects are funded up-front by the City then are reimbursed at a later date. Mr. Soileau commented that the City may be able to afford to transfer the full \$4 million, but added that there is always a possibility of unforeseen circumstances. He stated that he would feel more comfortable if the \$4 million transfer was split evenly between the Capital Fund and the Permanent Fund.

**Mr. Matherly** stated his opinion that the full transfer should be made, but indicated that Mr. Soileau's recommendation of splitting the transfer evenly between the two accounts is a good idea.

**Mr. Walley** stated that his intent for the amendment was not to reduce the total transfer amount. He clarified that he would still like to transfer the remainder of the funds at a later date. He asked Mr. Soileau what date would be ideal to transfer the rest of the money.

Mr. Soileau replied that the ideal date would be September 30.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5946, AS AMENDED, BY REDUCING THE TRANSFER FROM THE GENERAL FUND TO THE PERMANENT FUND FROM \$3 MILLION TO \$2.5 MILLION AND BY REDUCING THE TRANSFER FROM THE GENERAL FUND TO THE CAPITAL FUND FROM \$1 MILLION TO \$500,000. AS FOLLOWS:

YEAS: Staley, Hilling, Walley  
NAYS: Matherly, Gatewood, Anderson, Eberhart  
**Mayor Eberhart** declared the MOTION FAILED.

**Mr. Matherly**, seconded by **Mr. Hilling**, moved to AMEND Ordinance No. 5946, as Amended, by reducing the transfer from the General Fund to the Permanent Fund from \$3 million to \$2 million and by increasing the transfer from the General Fund to the Capital Fund from \$1 million to \$2 million.

**Mr. Walley** spoke to the good health of the City's Permanent Fund and stated that it is a good idea to plan ahead for future years.

**Mr. Hilling** asked Chief of Staff Jim Williams to speak to the future projects for the City.

Mr. Williams stated that the City is working on formulating a strategic plan to improve the efficiency of the City. He stated that nearly all strategic plans require some capital funding. He

stated that through the process they will learn what the City's goals, objectives and priorities are. He stated that from that they will then identify the projects needing to be done to accomplish those goals. Mr. Williams indicated that project possibilities might include new IT infrastructure, Public Works equipment or police vehicles.

**Mr. Gatewood** stated that he is inclined to stick with the original transfer amounts of \$3 million and \$1 million into the Permanent Fund and Capital Fund, respectively.

**Ms. Staley** echoed Mr. Gatewood's comments.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 946, AS AMENDED, BY REDUCING THE TRANSFER FROM THE GENERAL FUND TO THE PERMANENT FUND FROM \$3 MILLION TO \$2 MILLION AND BY INCREASING THE TRANSFER FROM THE GENERAL FUND TO THE CAPITAL FUND FROM \$1 MILLION TO \$2 MILLION, AS FOLLOWS:

YEAS: Anderson, Matherly  
NAYS: Hilling, Walley, Staley, Gatewood  
**Mayor Eberhart** declared the MOTION FAILED.

**Mr. Walley**, seconded by **Mr. Hilling**, moved to AMEND Ordinance No. 5946, as Amended, by earmarking the \$1 million transfer to the Capital Fund exclusively to the Public Works Department for the construction and repair of roads within the City.

**Mr. Matherly** asked Mr. Walley to speak to the reasoning behind the proposed amendment.

**Mr. Walley** stated that after speaking with Mike Schmetzer, he feels as if the City needs the funds to improve City streets.

**Mr. Matherly** expressed hesitation in earmarking the dollars in the event that another project takes priority over the repair of City streets.

**Mr. Hilling** asked if the Council would have future say in how the \$1 million in Capital Funds is spent if it is not designated specifically to a certain project at this time.

Mr. Soileau replied that the \$1 million would sit in the Capital Fund account until the Council designates it for a future project. He stated that if Mr. Walley's amendment is approved, the money would go directly into an account specifically designated for road projects.

**Mr. Hilling** asked Mayor Eberhart to comment on Mr. Buberger's public testimony regarding the poor condition of City streets.

**Mayor Eberhart** stated that there tends to be many potholes in Fairbanks in the spring time. He commented that the Public Works Department is doing a great job at responding to citizens' reports on potholes. He recalled an argument from Mr. Schmetzer a few years ago that the City needs to put more money aside for road construction and repair.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5946, AS AMENDED, BY EARMARKING THE \$1 MILLION TRANSFER TO THE CAPITAL FUND TO THE PUBLIC WORKS DEPARTMENT FOR THE CONSTRUCTION AND REPAIR OF ROADS WITHIN THE CITY, AS FOLLOWS:

YEAS: Hilling, Walley  
NAYS: Anderson, Gatewood, Staley, Matherly  
**Mayor Eberhart** declared the MOTION FAILED.

**Mayor Eberhart** reminded the Council of the funding problem for the SRO's. He stated that it is his understanding that the FNSB School District has only agreed to provide funding through June 30, 2014. He stated that if the City would like to keep the two positions, the Council will need to discuss how to fund them and possibly introduce a budget amendment. He stated that Mr. Soileau and Police Chief Zager are available to speak to the issue if the Council so requests.

**Mr. Anderson** asked if the SRO issue is on the Finance Committee Agenda for the May 6 meeting.

**Mayor Eberhart** replied in the negative. He indicated that if the Council does not address the issue at the present time, there will not be an opportunity to resolve the problem for more than a month. He encouraged the Council to give direction to City staff.

**Mr. Matherly** requested a staff report.

Grants Administrator Margarita Bell stated that the FNSB funding will last until June 30, 2014. She stated that there is a possibility that the City may receive grant funding for the SRO's starting October 1. She stated that it would cost \$45,595 to retain the officers until September 30 and \$91,190 through the end of 2014. Ms. Bell stated that the original grant funded the SRO's for three years and the School District funded the final year. She explained that the final year ended in April but the School District extended their funding through June 30. She stated that the School District has expressed interest in continuing the program but that she is unsure whether their interest is dependent on grant funding.

**Mr. Matherly** asked Ms. Bell how it is that the City might obtain another grant to fund the officers.

Ms. Bell replied that she feels confident that the City would receive enough funding for one positions. She explained that if the Council agrees to apply for the grant, the City will start discussions with the School District on a new agreement.

**Mr. Hilling** asked Ms. Bell about the source of the grant funds.

Ms. Bell replied that the funds come from the U.S. Department of Justice.

**Mayor Eberhart** stated that if the Council chose not to fund the SRO positions, layoffs would have to occur. He explained that under the current labor agreement, the City would have to give the officers a 60-day notice of the layoffs. **Mayor Eberhart** stated that since there are senior



officers in the SRO positions, two lower-level officers would be laid off. He spoke to his understanding that the labor agreement would not allow for sworn officers to be laid off while other temporary positions are employed.

Police Chief Zager clarified that if temporary positions are performing the duties within a classification, those temporary employees must be laid off before sworn positions. He stated that Public Safety Assistants (PSA's) would be performing only the duties of patrol officers so they would have to be eliminated first.

**Mayor Eberhart** asked Chief Zager if he anticipates any vacancies within his department in the near future.

Chief Zager replied that there is a good chance of a vacancy in an officer position within the next month or two.

**Mr. Gatewood** asked Chief Zager if the SRO positions help man the downtown foot patrol during the summer months.

Chief Zager stated that if the SRO positions were eliminated, there would not be an officer available to perform the downtown foot patrol.

**Mr. Gatewood** stated that he would like to see the SRO's funded through the end of September.

**Mayor Eberhart** spoke to a recent phone call from a citizen who is greatly concerned with the chronic inebriate problem in the downtown area. He stated that the citizen indicated that she does not feel safe and commented that the problem is unacceptable for the Fairbanks community. He encouraged the Council to extend the funding for the SRO's.

**Mr. Matherly** echoed Mr. Gatewood's position on the issue and stated that he likes the idea of having a foot patrol throughout the tourist season in the downtown area. He indicated that he is considering funding the SRO's through the end of the year and asked fellow members to offer their thoughts.

**Mr. Walley** pointed out that if the Council agrees to fund the positions through September it would be the end of November before the layoffs would actually take place due to the 60-day notice requirement. He expressed his support for extending the funding through September 30.

Mr. Soileau stated that if the Council chooses to apply for the grant, they cannot fund the SRO's past September 30. He explained that the only way to fund the two positions for the remainder of 2014 is to not apply for the grant.

**Mr. Hilling** asked Chief Zager what effect a foot patrol might have on the chronic inebriate problem.

Chief Zager stated that past approaches to the problem have included a zero tolerance policy on open container and drinking in public violations. He spoke to the high jail costs associated with operating the foot patrol. He clarified that the foot patrol should not be confused with the task

force that was in place in years past. He stated that Lt. Eric Jewkes managed that task force and would be the best person to give more information about it.

**Mr. Hilling** stated that he feels it is prudent to have the foot patrol in place over the summer given the projected increase to tourism. He commented that the Council may decide by the end of July whether to continue funding the SRO's so that if they are not funded, layoffs could take place without going past September 30.

**Mr. Matherly** asked for more information on how the terms of the grant in Resolution No. 4627 would conflict if the City chose to fund the positions past September 30.

Ms. Bell explained the terms of the hiring grant. She stated that once the City applies for the grant, then all layoffs and notifications of layoff have to be identified in the application.

Chief Zager stated that there are always problems that come with grant-funded positions because there is never an exit strategy. He stated that because of that reason he does not support applying for grants to fund positions within his department. He advised the Council to find an alternative solution to funding the positions.

**Mr. Anderson**, seconded by **Mr. Matherly**, moved to AMEND Ordinance No. 5946, as Amended, by increasing the funding for the school resource officers by \$45,595 to fund them through September 30, 2014.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5946, AS AMENDED, BY FUNDING THE TWO SCHOOL RESOURCE OFFICER POSITIONS THROUGH SEPTEMBER 30, 2014 FOR A TOTAL AMOUNT OF \$45,595 AS FOLLOWS:

YEAS: Gatewood, Walley, Anderson, Matherly, Staley, Hilling

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5946, AS AMENDED, AS FOLLOWS:

YEAS: Walley, Matherly, Gatewood, Hilling, Anderson, Staley

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 5946, as Amended, ADOPTED.

## **NEW BUSINESS**

- a) Resolution No. 4623 – A Resolution to Apply for and Accept a FFY2014 Bulletproof Vest Partnership Grant from the United States Department of Justice. Introduced by Mayor Eberhart.

**Mr. Matherly**, seconded by **Mr. Anderson**, moved to APPROVE Resolution No. 4623.

**Mr. Hilling** stated that he feels the City does not need to rely on the federal government for funding.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4623 AS FOLLOWS:

YEAS: Matherly, Walley, Staley, Anderson

NAYS: Hilling, Gatewood

**Mayor Eberhart** declared the MOTION CARRIED and Resolution No. 4623 APPROVED.

- b) Resolution No. 4624 – A Resolution to Apply for and Accept Funding from the Alaska Highway Safety Office for FFY2015 Traffic Safety Programs. Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4625 – A Resolution to Apply for and Accept Funding from the Bureau of Justice for the FFY2014 Edward Byrne Memorial Justice Assistance Grant (JAG). Introduced by Mayor Eberhart.

**Mr. Anderson**, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4625.

**Mr. Hilling** again stated his position on the City's acceptance of federal grant dollars. He commented that Resolution No. 4625 should specify the entity from which the grant dollars will come.

Ms. Bell stated that the funds would come from the U.S. Department of Justice.

**Mr. Hilling** moved to AMEND Resolution No. 4625 by changing the title "Bureau of Justice" to "Department of Justice."

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4625, AS AMENDED, AS FOLLOWS:

YEAS: Walley, Matherly, Gatewood, Anderson, Staley

NAYS: Hilling

**Mayor Eberhart** declared the MOTION CARRIED and Resolution No. 4625, as Amended, APPROVED.

- d) Resolution No. 4626 – A Resolution to Apply for and Accept Funding from the Alaska Department of Public Safety for the SFY2015 Edward Byrne Memorial Justice Grant (JAG). Introduced by Mayor Eberhart.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Resolution No. 4627 – A Resolution to Apply for a FFY2014 COPS Hiring Program Grant from the United States Department of Justice. Introduced by Mayor Eberhart.

**Mr. Anderson**, seconded by **Mr. Walley**, moved to APPROVE Resolution No. 4627.

**Mr. Gatewood** stated that he would like to ensure that the City has a good agreement in place with the FNSB School District before accepting the grant. He pointed out that the grant does not fully cover the costs for the two officers and that it should be explicitly laid out as to how much the City and the School District will each pay. **Mr. Gatewood** remarked that he hesitates to apply for the grant if Chief Zager does not support it.

**Mayor Eberhart** asked if the FNSB School District could contract with the City of Fairbanks for SRO services during the school year in the event that the application to apply for the grant is not approved.

Ms. Bell replied affirmatively.

**Mr. Hilling** spoke against burdening future generations with national debt by accepting federal grant dollars. He stated that he will not vote in favor of Resolution No. 4627.

**Ms. Staley** stated that the City would be required to hold the positions for four years and pointed out that grant does not fund the fourth year.

**Mayor Eberhart** asked if it is a possibility that the School District may request that the City pay more than the 25% required match for the grant.

Ms. Bell replied that the City would approach a cooperative agreement with the School District requesting that they pay the 25% match.

**Mr. Walley** asked if the current agreement with the School District specifies how much each entity will pay in accordance with the grant terms.

Ms. Bell stated that the agreement that is about to end is not very specific on what each entity would pay. She stated that the language states that the City would fund the officers in the fourth year and that the School District would cover paid wages and benefits.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4627 AS FOLLOWS:

YEAS: Staley, Anderson, Walley  
NAYS: Matherly, Gatewood, Hilling, Eberhart  
**Mayor Eberhart** declared the MOTION FAILED.

## DISCUSSION ITEMS

### Committee Reports

Permanent Fund Review Board – **Mr. Gatewood** stated that at the end of 2013 the value of the Permanent Fund was \$113,497,971. He stated that at the end of the first quarter of 2014, the fund balance was \$115,927,447. **Mr. Gatewood** announced that as of April 20, the updated balance is \$116,695,689. He reported that the fund manager projects that the fund should provide an annual return of approximately 5.5% over a seven year period based on the current allocation.

## COMMUNICATIONS TO COUNCIL

### a) Proposed Findings and Conclusions – Board of Adjustment Appeal

City Attorney Ewers explained that the process requires the Board of Adjustment to adopt specific Findings and Conclusions so that both sides understand the decision. He stated that he based the proposed Findings and Conclusions on the Council's discussion regarding the appeal and the facts that were presented in the packet. He stated that the Council may comment, ask questions or propose changes to the Findings and Conclusions prior to approval.

**Mr. Anderson**, seconded by **Mr. Matherly**, moved to APPROVE the Proposed Findings and Conclusions on the Kal Kennedy Board of Adjustment Appeal.

**Mr. Gatewood** asked for clarification on the number of units on the property.

Mr. Ewers stated that there were originally 24 units then 18 were added. He stated that when the first units were built, the foundation for the additional 18 units was put in. He stated that a variance was later granted to allow the completion of those 18 units.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE PROPOSED FINDINGS AND CONCLUSIONS ON THE KAL KENNEDY BOARD OF ADJUSTMENT APPEAL AS FOLLOWS:

YEAS: Hilling, Anderson, Walley, Staley, Matherly, Gatewood

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

### b) Appointment to the Building Code Review and Appeals Commission

APPROVED on the CONSENT AGENDA

### c) Permanent Fund Review Board Meeting Minutes of January 20, 2014

ACCEPTED on the CONSENT AGENDA

## COUNCIL MEMBERS' COMMENTS

**Mr. Walley** expressed his satisfaction that the transfer to the Capital and Permanent Funds was adopted.

**Mr. Gatewood** echoed Mr. Walley's comments on the transfer. In reference to hiring grants, **Mr. Gatewood** stated that they have been problematic for the Council over the years. He stated that while he is not against grant funding altogether, he agrees with Mr. Hilling's position that the City of Fairbanks can afford to pay for some of those items without applying for grant funding. He urged fellow Council Members to carefully consider each grant proposal that comes before them in the future.

**Mr. Anderson** had no comments.

**Mr. Hilling** expressed his sympathies for the recent loss of the two Alaska State Troopers. He stated that he was surprised to hear Police Chief Zager speak against funding the two SRO positions with grant dollars. He stated that he would like to see the Council start turning down federal grant opportunities and fund the smaller dollar items through City funds.

**Mr. Matherly** thanked Mr. Walley for the thought put into the budget amendment. He spoke to the outpour of support in the Fairbanks community following the tragic death of the two Alaska State Troopers. **Mr. Matherly** apologized to Mr. Buberger for possibly coming across in an offensive manner at times. He expressed his opinion that Mr. Buberger could be a little more respectful when addressing the Mayor and City Council. He stated he was happy to hear about the U.S. Supreme Court's recent decision on allowing Invocations at City Council Meetings. **Mr. Matherly** stated that on Friday he spoke with Marc Marlow, owner of the Polaris Building. He stated that Mr. Marlow seemed confident that construction on the building will begin by June or July of 2015. **Mr. Matherly** encouraged everyone to participate in the upcoming clean-up day in the City. He asked Mayor Eberhart if he knows when the debris from the demolished Klondike Hotel will be hauled away. **Mr. Matherly** commended the Borough for waiving the tipping fees for the disposal of the remains of the Geraghty Street Apartments.

**Mayor Eberhart** replied that he was informed that the debris from the Klondike Hotel is currently being removed.

**Ms. Staley** expressed gratitude to the Council for extending the funding for the SRO's through September. She had no further comments.

**Mr. Anderson**, seconded by **Mr. Gatewood**, moved to go into Executive Session for the purpose of discussing IBEW and PSEA Labor Contract 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 – IBEW and PSEA

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

**ADJOURNMENT**

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

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

**Mayor Eberhart** declared the Meeting adjourned at 10:40 P.M.



*John D. Water for Mayor Eberhart*  
\_\_\_\_\_  
JOHN EBERHART, MAYOR

ATTEST:

*Janey Hovenden*  
\_\_\_\_\_  
JANEY HOVENDEN, MMC, CITY CLERK

Transcribed by: DS