



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, APRIL 7, 2014
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: Renee Staley, Seat A
 Bernard Gatewood, Seat C
 Jim Matherly, Seat D
 Lloyd Hilling, Seat E
 Chris Anderson, Seat F

Absent: Perry Walley, Seat B (Excused)

Also Present: Warren Cummings, Fire Chief
 Paul Ewers, City Attorney
 Janey Hovenden, City Clerk
 Jim Williams, Chief of Staff
 Stephanie Johnson, Dispatch Center Manager
 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

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he will always remember a quote that the famous baseball player Babe Ruth lived by, “You just can’t beat the person who never gives up.” He stated that it is also his goal to live by that quote, especially in regard to protecting liberty and freedom. He spoke to the significance of the oath that each City Council Member takes swearing to uphold the Constitution of the United States. He read aloud a statement from Representative Tammie Wilson regarding jury nullification and the importance of a trial by jury. He stated that he has spoken with many defense attorneys who have admitted that they were not taught about the power of a jury in law school. Mr. Turney stated that on April 1 Fairbanks Police Officer Dupee confronted him on a sidewalk where he held a jury banner. He indicated that Officer Dupee should be subject to a polygraph test for other reasons. He spoke out against police vehicles having tinted windows when it is illegal for everyone else. He expressed his belief that employees of the Fairbanks Police Department should be subject to polygraph testing and referenced the collective bargaining agreement (CBA) of the Ketchikan

Police Department as an example. He invited the Mayor and Council to weigh in on HB 315 regarding jury nullification.

Dawn Murphy, Explore Fairbanks, 101 Dunkel Street, Fairbanks – Ms. Murphy stated that the Council should have recently received copies of the Explore Fairbanks 2013 audit. She shared that the organization received a clean opinion from the independent auditor and a letter stating that there are no material weaknesses. She announced that the Council should soon be receiving invitations to the Explore Fairbanks 2014 Annual Banquet at Raven’s Landing on April 26.

Patrick Levy and Lori Newfeld, 4758 Drake Street, Fairbanks – Mr. Levy expressed interest in the purchase of the Old City Hall building for the purpose of opening a vodka distillery. He stated that he hopes that the Council will bring the distillery project forward as an agenda item in the near future. He stated that Fairbanks Distilling is an artisan craft distillery that will produce vodka, gin and whiskey from local products. He expressed his belief that the distillery should not be located in an industrial area because it is not suited for tourists and does not fit the image that he wants to project for the spirits he will manufacture. Mr. Levy stated that a craft distillery will spice up the core downtown district. Ms. Newfeld stated that Patrick chose the name “Fairbanks Distilling Company” because he is proud to call Fairbanks his home and wants his business name to reflect that pride. She indicated that a downtown distillery would benefit the City of Fairbanks by encouraging visitors to find out more about the locally-sourced product and how it is made. She stated that the distillery would tie Alaskan farmers to a local product. Ms. Newfeld pointed out that the business would not function as a bar. She stated that it will simply be a distillery that invites the public to learn more about the art of producing spirits through guided tours. Mr. Levy explained that under state law, a distillery cannot operate a tasting room or sell quantities greater than five gallons to anyone who does not have a valid liquor license. He stated that presently there is legislation (HB 309) before the State House of Representatives seeking to liberalize the law in regard to distillery licenses but expressed doubt that the bill would pass. He stated that Fairbanks Distilling Company will not produce any nauseating fumes, excess smoke or loud noise. He pointed out that the business will not contribute to the chronic inebriate problem in the downtown area. Mr. Levy stated that his business will also add to the local economy and revitalize a beautiful and historical building that is falling apart. He thanked the Council for their time and for their civic service and welcomed questions.

Mr. Matherly asked Mr. Levy to specify what he would like to see the City Council do in regard to the distillery.

Mr. Levy stated that since there is a property zoning issue with the Fairbanks North Star Borough, he would like to see support for the establishment of a craft distillery in the downtown area. He explained that the current zoning in the downtown core business district does not allow for beverage manufacturing. He stated that he believes the intent of the zoning restrictions is to keep large corporations from coming in and industrializing the downtown area.

Mr. Matherly asked Mr. Levy if he plans to add a tasting room at some point.

Mr. Levy stated that he would be satisfied if the business was only a distillery but indicated that it would be nice if the state would allow a tasting room at some point in the future. He explained that tasting rooms allow for only very limited quantities of alcohol to be served.

Mayor Eberhart asked Mr. Levy if he has been in the distilling business before.

Mr. Levy replied that he has been through an ample amount of training throughout the nation and in a few other countries.

Mayor Eberhart stated that planning and zoning is a Borough function. He asked Mr. Levy if he has been working with someone from the Borough to address the zoning issue. He also asked Mr. Levy to speak to the specific zoning issue.

Mr. Levy stated that he continues to work with Assembly Member Karl Kassel and has tried to speak with all the other Assembly Members at the Borough. He indicated that he believes there is a general support for the idea. Mr. Levy stated that the property he seeks is located in the central business district zone and explained that under the current regulations a distillery must lie within a light industrial area. He stated that he does not believe a light industrial district would be an appropriate setting for welcoming tourism.

Mayor Eberhart spoke to the various ways the City may offer support for the distillery and asked Mr. Levy if he was thinking along the same lines.

Mr. Levy stated that he would like to see the City and the Borough work together in support of the distillery since the project would benefit both entities. He indicated that he would also like the City to introduce a resolution in support of the craft distillery project.

Mr. Hilling asked Mr. Levy and Ms. Newfeld to clarify the circumstances under which they may sell spirits.

Mr. Levy replied that a distillery can only sell product to those who have liquor licenses with a minimum quantity of five gallons.

Mr. Hilling asked if Mr. Levy plans to use the entire structure for the distillery.

Mr. Levy replied affirmatively. He stated that the building has a total of about 7,000 square feet.

Mr. Anderson asked Mr. Levy if there have been any problems with asbestos in the building.

Mr. Levy stated that he has been told that there may be asbestos in the structure. He stated, however, that the engineer he had go through the building did not mention asbestos.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger stated his intent to bring some pictures of public restrooms for the Council to look at, but explained that his printer is not working properly. He spoke to the roundabouts in various residential neighborhoods and questioned their effectiveness. He stated that if they are good for the neighborhoods, he would like to see some roundabouts built on the south side of Fairbanks. Mr. Buberger stated that there are some pot holes that need immediate attention and indicated that there will be many more appearing very soon. He spoke against the unions coming to the Council and always asking for more. He stated that no City employee or Council Member can predict what may happen in the next few years.

John Stowman, 1101 Hayes Avenue, Fairbanks – Mr. Stowman stated that Fairbikes, a new bike sharing business, will be launching this summer during the Midnight Sun events. He explained that a bike share is an operation with bike stations located in various areas. He stated that a person chooses a bike then returns it to another station when they are finished. Mr. Stowman stated that the business will be great for the downtown area in that it will provide a simple way for people to get around.

Jennifer Eskridge, 1255 Sundance Loop, Fairbanks – Ms. Eskridge stated that one of the first things she and Mr. Stowman did was to get in contact with the FMATS office. She indicated that FMATS assisted them in identifying the best locations for bike stations. Ms. Eskridge stated that the business will be operated on a subscription basis whereby individuals may sign up for bike sharing online. She explained that there will be a different pricing structure and enrollment process for visitors and that there will be helpful tools such as maps at kiosk stations that will encourage visitors to use the program. Ms. Eskridge stated that the goal is to get visitors out of their hotel rooms to explore Fairbanks. She commented that, on average, there are about 3,611 people that visit the downtown area per day and that each person spends approximately \$364 per day at local businesses.

Mr. Gatewood asked what will happen when someone neglects to return a bicycle to a station.

Ms. Eskridge replied that if a bike is not turned in within 72 hours it would be considered stolen. She stated that nationwide and worldwide bike theft and vandalism is relatively uncommon in bike shares and that she suspects it is because most bikes are equipped with an accelerometer and a GPS.

Mr. Stowman added that the user's credit card information will be held on file.

Mr. Matherly asked about insurance claims and what may happen in the event of an accident.

Mr. Stowman stated that bike sharing has been around for a few years and within that period of time insurance rates have come down because it is much safer than many originally thought.

Ms. Eskridge commented that the bikes are “dorky” and functional to accommodate nearly everyone. She added that each bike comes with a helmet. She stated that when a bike goes down, it alerts the company who will then send a message to the bike console to see if there is a problem. She stated that if the user does not respond to the message within a certain period of time, the console will make a sound. Ms. Eskridge stated that if the individual still fails to respond, the company will contact them on their cell phone and send emergency response if the cell phone is not answered. She commented that the bike sharing concept is growing very rapidly.

Mr. Matherly stated that his only concern is the tight areas in the downtown core. He commented that he believes that bike sharing is a great idea.

Ms. Staley asked what may happen if a user got a flat tire.

Mr. Stowman stated that a user may get help through an app on their cell phone or through the console if they encounter an issue.

Ms. Eskridge explained that they plan to have a bike repair team who will respond to those types of issues.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Hilling pulled Ordinance No. 5943 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.

SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location, Name Change and Restaurant Designation Permit.

Type: Restaurant/Eating Place, License #4880
From: Geraldo's Restaurant & Pizzeria/Garlic Lovers LLC, No Premises
To: Friar Tuck's Hoagie House/Joshua Roach & Stafford Roach,
427 Merhar Ave, Unit #2, Fairbanks

Mr. Gatewood, seconded by **Ms. Staley**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership, Location, Name Change, and Restaurant Designation Permit.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP, LOCATION, NAME CHANGE AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Anderson, Gatewood, Staley, Hilling, Matherly
NAYS: None
ABSENT: Walley

Mayor Eberhart declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Eberhart presented and read aloud a Proclamation honoring Tony Shumate for his 23 years of service to the City of Fairbanks and wishing him luck in his new job at the Borough.

Mr. Shumate thanked everyone for their support and good wishes. He stated that it has been a pleasure to serve with fellow Department Heads and City Council Members.

Mayor Eberhart shared that Public Safety Employees Association (PSEA) labor negotiations would continue in the coming week and indicated that the negotiating teams would be discussing the issue of polygraph testing for employees. He stated that there may have already been a proposal presented regarding polygraph testing based on the language in the Ketchikan Police Department contract. He announced that on April 24 and 25 there will be two full days of PSEA negotiations in the City Council Chambers and stated that the public may attend. **Mayor Eberhart** stated that April 1 was the effective date for the expanded Community Service Patrol (CSP) in cooperation with the Fairbanks Downtown Association (DTA). He stated that he spoke with Executive Director of the DTA, David van den Berg, and one of the CSP ambassadors earlier in the day who indicated that both the daytime and nighttime shifts are picking up. He stated that they will continue to monitor the expanded program and will make report to the Council. **Mayor Eberhart** stated that Ordinance No. 5941 includes a proposed grant to the Northern Door Clubhouse. He explained that the program director, Mr. Redden, had requested a total sum of \$58,000 in funding for the clubhouse, split between the City of Fairbanks and the FNSB. He clarified that there was a misunderstanding regarding the funding request and that an amendment will need to be made to Ordinance No. 5941 to lower the \$58,000 to \$29,000. **Mayor Eberhart** stated that he was invited as one of eight mayors from across the nation to attend the Mayor's Institute on City Design in Louisville, KY the first week of June. He clarified the institute will cover the travel expenses. He stated that each attendee has been asked to propose some problems in terms of design or development that their respective cities face. He requested that City Department Heads and Council Members offer suggestions as to what those problems may be. He stated that after a list of projects/problems is submitted, the institute will send a consultant to Fairbanks to conduct a survey with City staff. He stated that the list will then be narrowed down to one project and he will be tasked with making a presentation to a team of designers, architects and mayors in Louisville. **Mayor Eberhart** listed and provided general information about the various meetings he had attended since the last Regular City Council Meeting. He shared that a recent consideration by the Department of Transportation (DOT) could extend the Cushman Street construction project by a year but stated that the City is hoping that it will all be completed this coming summer. He announced that there would be a potluck for Tony Shumate in the Council Chambers on April 9 at noon and invited the Council to attend.

UNFINISHED BUSINESS

- a) Ordinance No. 5940 – An Ordinance Authorizing the Lease of Land Known as Golden Heart Plaza to Festival Fairbanks. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5940.

Mayor Eberhart called for Public Testimony.

Frank Turney – Mr. Turney stated that over the years people have set up tents in the Golden Heart Plaza to sell their wares. He commented that the right to do so is part of the freedom of speech. He stated that a number of years ago a man preaching religion in the park was forced to stop doing so by whoever was managing the park at that time. He stated that the Lathrop Building nearby has a video camera with 24/7 surveillance. Mr. Turney stated that when the park is vandalized, the culprits cannot be identified because the lighting is too poor. He recommended that better lighting be placed in the park to discourage vandalism and illegal activity. He suggested that the Council use caution in leasing out the park and spoke against private ownership of parks.

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

Mr. Hilling stated that the liability issues have been thought out and addressed quite well. He asked Mayor Eberhart or City Attorney Ewers to explain how the City would stand after the life of the lease in terms of risk and exposure.

Mr. Ewers asked for Mr. Hilling to provide more clarification in his question.

Mr. Hilling referenced item 9(c) in Exhibit “A” to Ordinance No. 5940 which speaks to Public Liability and Damage Insurance. He asked what would happen if there was a lawsuit for \$2 million and the lessee held only the required minimum of a \$1 million combined single limit policy.

Mr. Ewers stated that if there was a \$2 million lawsuit, the Lessee—not the City—would be responsible for any liability beyond the \$1 million dollar policy. He stated that there may be attempts at suing the City but assured Mr. Hilling that the language in Exhibit “A” would protect the City from such liability.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5940 AS FOLLOWS:

YEAS: Gatewood, Anderson, Matherly, Staley, Hilling

NAYS: None

ABSENT: Walley

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5940 ADOPTED.

- b) Ordinance No. 5941 – An Ordinance Amending the 2014 Operating and Capital Budgets for the First Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Mr. Hilling, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5941.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to SUBSTITUTE Ordinance No. 5941, as Amended, for Ordinance No. 5941.

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

Mayor Eberhart called for Public Testimony.

Gene Redden, 2395 Woodminster Court, Fairbanks – Mr. Redden thanked Mayor Eberhart and the City Council for considering funding for the Northern Door Clubhouse. He stated the proposed funding from the City and Borough would cover the cost of hiring a coordinator to take his place and continue operation of the clubhouse for another year. He stated that the funds would also give him leverage to seek additional funding from the state. Mr. Redden explained that he has confirmed with Fairbanks Community Mental Health Services that they are willing to manage the clubhouse's funds, hire and supervise a new coordinator and continue to provide the space for the clubhouse. Mr. Redden spoke to the stigma that is attached to mental illness and stated that most people's natural inclination is to avoid individuals who are mentally ill. He stated that he has learned how normal people can be when they are treated normally and respected. Mr. Redden described how the members' lives would change for the worse without the clubhouse and stated his belief that the community should help those who cannot help themselves. He read aloud comments from one of the clubhouse members that spoke to how she has regained a connection with others through the program.

Mr. Gatewood stated that Mr. Redden's original request for \$58,000 was in February. He asked if that is still the amount of money that is needed.

Mr. Redden replied that he will stick with the original request amount because it is sufficient to fund the coordinator position and to operate the clubhouse for one year. He commented, however, that the clubhouse can always use more funding.

Mr. Anderson asked Mr. Redden if he has approached the state for funding to sustain the clubhouse.

Mr. Redden replied that he has been in discussions with the Deputy Director of the Division of Behavioral Health and the Executive Director of the Mental Health Board regarding additional funding for the future of the clubhouse. He stated that most state grants require a local community match and indicated that the proposed funding will help with that match.

Ms. Staley asked Mr. Redden if he would be willing to provide a quarterly update to the Council if the funding is approved.

Mr. Redden replied affirmatively.

Mr. Hilling asked the precise location of the Northern Door Clubhouse.

Mr. Redden replied that the clubhouse is located at 3830 South Cushman. He stated that the doors are open from noon to 4 P.M., Monday through Friday.

Mr. Gatewood asked Mr. Redden if he has plans to approach any other entities for funding.

Mr. Redden replied that he is unsure and that he is moving forward one step at a time. He stated that there have been discussions regarding the formation of an advisory council to continue to monitor the operation of the clubhouse. He stated that he believes the clubhouse will continue to seek additional funding from other sources in the future. Mr. Redden expressed his belief that the City should not be the sole source of funding for the clubhouse.

Frank Turney – Mr. Turney stated that he visited the clubhouse at the old location quite often to play games with the members. He echoed Mr. Redden's comments that the clubhouse is a safe haven for many individuals and commended Mr. Redden for his efforts. He challenged listeners to come forward and contribute to the much-needed program. He stated that when Mr. Redden was a Council Member he helped in getting a headstone for Mary Pedro, the wife of Fairbanks gold miner Felix Pedro. Mr. Turney expressed his support for the clubhouse funding.

Timothy Roth, 723 27th Avenue, Fairbanks – Mr. Roth spoke in support of Ordinance No. 5941, as Amended. He stated that there is nothing else in the community that compares to what the clubhouse offers. He commented that it gives him a place to relax and decompress and indicated that each member may benefit differently from what the clubhouse has to offer. Mr. Roth described that the clubhouse is a sanctuary.

Felicia Warlick, 277 Le Ann Drive, Fairbanks – Ms. Warlick stated that she started at the Northern Door Clubhouse as a psychology student looking for hands-on work. She indicated it has been a joy to watch the members grow. Ms. Warlick read aloud some statements from various members of the clubhouse indicating what the program means to them.

Kate Burkhart, 431 N. Franklin Street, Juneau – Ms. Burkhart stated that she is the Executive Director of the Alaska Mental Health Board. She stated that the Board has been working with Mr. Redden on the clubhouse project since the Fairbanks Community Behavioral Health Center ceased operation of its vocational program. She indicated that local contributions to the Northern Door Clubhouse will help in securing future funding from other federal, state and local sources and will be the key to long-term sustainability of the program. She reiterated the on-going commitment of the Alaska Mental Health Board to mental health services in the Fairbanks community. Ms. Burkhart stated that the Board has assisted the clubhouse program based on the needs of the members.

Victor Buberger, PO Box 58192 – Mr. Buberger stated that he has given rides to a few individuals who wanted to go to the clubhouse and who spoke highly of the program. He expressed his support for the proposed funding for the Northern Door Clubhouse.

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

Mr. Matherly stated that he has known Mr. Redden for a long time and that he respects him a great deal. He pointed out that the common theme in public testimony regarding the clubhouse is that it is a safe place for individuals to go. He expressed his support for Ordinance No. 5941 and stated that he intends to visit the facility.

Mayor Eberhart clarified that although the original request from Mr. Redden was for the \$58,000 in funding to be split between the City and the Borough, the Council may choose to keep the City's contribution at \$58,000 or propose a different amount.

Mr. Hilling asked if the \$700,000 increase to the overall 2014 operating budget is for a variety of department functions. He asked why the increases were not addressed in the "whereas" section of Ordinance No. 5941, as Amended.

Chief Financial Officer Jim Soileau stated that the departmental increases were discussed at the Finance Committee meeting. He explained that about \$182,000 of the increase to expenditures is due to prior year encumbrances which carried forward. He went through each line item on page eight of the ordinance and began explaining the reasoning behind each departmental increase.

Mr. Hilling interjected, stating that a line-by-line explanation may not be necessary. He stated that the intent of his question was to see if the departmental increases were all described in the expenditures portion of the fiscal note.

Mr. Soileau replied affirmatively.

Mr. Hilling spoke to the safety and peace that he feels in being a part of the Fairbanks community. He empathized with the mentally ill population and commented that it must be a terrible thing to feel unsafe. He expressed his support for Ordinance No. 5941, as Amended, but indicated that the Borough should share in funding the Northern Door Clubhouse.

Mr. Hilling, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5941, as Amended, by lowering the increase to the General Account for Fairbanks Community Mental Health from \$58,000 to \$29,000 on page eight of the ordinance.

Mr. Matherly questioned whether or not the Borough would be willing to contribute \$29,000 to the clubhouse and stated that he may not be in favor of the amendment because of that uncertainty. He spoke to the generosity of the Fairbanks community but indicated that he would like to keep the City's contribution at \$58,000.

Mayor Eberhart stated that he saw an email which indicated that the most the Borough would contribute to the clubhouse would be \$25,000. He pointed out that there is no guarantee that they would contribute any funding.

Mr. Anderson stated that he will vote against the amendment to reduce the funding. He indicated that he does not want to put the program at risk if a contribution from the Borough is not guaranteed.

Ms. Staley echoed Mr. Anderson's comments and stated that she will vote against the amendment. She stated that it is unfortunate that the behavioral health program failed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5941, AS AMENDED, BY LOWERING THE INCREASE TO THE GENERAL ACCOUNT

FOR FAIRBANKS COMMUNITY MENTAL HEALTH FROM \$58,000 TO \$29,000 ON PAGE EIGHT OF THE ORDINANCE AS FOLLOWS:

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

Mayor Eberhart declared the MOTION FAILED.

Mr. Hilling stated that while he wants to provide some funding for the Northern Door Clubhouse, he feels conflicted about funding the full \$58,000. He commented that he would like to place some pressure on the Borough and the public sector to come forward with some funding for the clubhouse. He asked if the funding would be a one-time donation.

Mayor Eberhart stated that the funding would be for 2014 only and that Mr. Redden has indicated that he does not intend to request future funding from the City of Fairbanks. He stated that Mr. Redden is hopeful that the organization will receive grant funding from the state and funding from other organizations in the future.

Mr. Hilling stated that he may change his mind regarding the full \$58,000 in light of the City's funding being used as "seed money" for the clubhouse to obtain other grants and funding in the future.

Mr. Matherly stated that having been involved in many fundraisers and boards throughout the years he believes that a commitment from a local governing body may spur donations from other entities. He expressed hope that the Borough would make a contribution.

Mr. Gatewood stated that the clubhouse is a worthwhile cause and spoke to how the mentally ill population in Fairbanks has been overlooked on a number of occasions. He stated that it is part of the responsibility of the City of Fairbanks to be a contributor to the program, but expressed hesitation in granting the full \$58,000 request. He pointed out that there does not seem to be much confidence that the Borough will participate in the clubhouse funding. He stated that he believes that the more the City undertakes financially the less other entities may contribute.

Mayor Eberhart commented that Mr. Redden has realized that the clubhouse will need more staff but that he would not ask the City for more funding.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5941, AS AMENDED, AS FOLLOWS:

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

Mayor Eberhart declared the MOTION CARRIED and Ordinance No. 5941, as Amended, ADOPTED.

NEW BUSINESS

- a) Ordinance No. 5943 – An Ordinance to Repeal Fairbanks General Code Chapter 14, Article III Transient Vendors and Reenact it as Article III Multi-Vendor Events. Introduced by Mayor Eberhart.

Mr. Anderson, seconded by **Ms. Matherly**, moved to ADVANCE Ordinance No. 5943.

Mr. Hilling stated that he pulled the ordinance so that it could be discussed and so that he could become more familiar with it.

Mayor Eberhart stated that the City Attorney and the City Clerk have been involved with the drafting of Ordinance No. 5943 and requested that they provide input.

City Clerk Hovenden explained that when the business license requirements were enacted in 2007 there was not a lot of thought given to what effect those changes may have on temporary and transient vendors. She stated that her initial proposal to the City Attorney was to transform the transient vendor permit into a solicitor/peddler-type permit. She stated that Mr. Ewers pointed out that the requirement of such a permit would infringe on an individual's right for freedom of speech. Ms. Hovenden explained that the current code pertaining to transient vendors cannot be enforced and indicated that Ordinance No. 5943 would repeal the transient vendor requirement. She stated that with the adoption of Ordinance No. 5943 the emphasis would be placed on multi-vendor events, requiring an event coordinator to purchase an umbrella permit for a single event with multiple temporary and transient vendors. She stated that all other temporary and transient vendors would then be subject to City business licensing requirements.

City Attorney Ewers clarified that Ordinance No. 5944 to amend the Fairbanks General Code (FGC) ties into Ordinance No. 5943. He stated that the business license code must be tweaked to require transient and temporary vendors to obtain a business license if they are operating outside of a permitted, multi-vendor event. Mr. Ewers explained that the current code pertaining to transient vendors is outdated and rarely used.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 5943 AS FOLLOWS:

YEAS: Hilling, Anderson, Staley, Matherly, Gatewood
NAYS: None
ABSENT: Walley

Mayor Eberhart declared the MOTION CARRIED.

- b) Ordinance No. 5944 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article XIII Business Licensing. Introduced by Mayor Eberhart.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

Committee Reports

Explore Fairbanks Board of Directors – **Mr. Matherly** spoke to the upcoming Council Work Session on April 21 to discuss the log cabin lease. He stated that there seems to be a lot of confusion as to the ownership of the building. He explained that he has done some research on the history of the building and found that since 1959 the City has owned the property and the structure. **Mr. Matherly** stated that the Board now understands that the City owns the property. He stated that he expects the discussion at the Work Session to be centered on future use of the cabin.

FMATS Policy Committee – **Ms. Staley** stated that she attended the last FMATS meeting in Mr. Walley's absence. She commented that there was a lot of discussion in regard to the Cushman Street project and indicated that it will likely be completed in one season. She stated that the Committee also discussed the future College Road reconstruction which will be done in three segments. She stated that there seems to be good support for the project which is slated for 2015 – 2016.

2014 Arctic Winter Games – **Ms. Staley** stated that she attended a wrap-up meeting for the Arctic Winter Games and announced that the organization will be holding a big garage sale on April 18 and 19.

Public Safety Commission (PSC) – **Ms. Staley** announced that the PSC will meet on April 8 at the Fairbanks Fire Department.

Golden Heart Parking Services (GHPS) Board – **Ms. Staley** shared that the next GHPS Board meeting would be on Wednesday. She thanked Mr. Ewers for researching collection processes and stated that she will follow-up with him after the next Board meeting.

COUNCIL MEMBERS' COMMENTS

Mr. Anderson had no comments.

Mr. Hilling addressed Mr. Turney's question regarding his loyalty to the libertarian cause. He spoke to the issues of jury nullification, government corruption and unconstitutional laws. He stated that he hopes to attend Wednesday's farewell potluck for Mr. Tony Shumate whom he has known since 1990. **Mr. Hilling** expressed his support for new business in downtown Fairbanks, particularly the idea of a bike-sharing business and a vodka distillery. He commented that if at least ten new business ideas came to fruition in the downtown area each year, Fairbanks could be revitalized. He asked Mayor Eberhart if there was a specific project he already had in mind to take with him to the Mayor's Institute on City Design. **Mr. Hilling**, in reference to Mr. Buberger's testimony regarding the effectiveness of roundabouts, spoke to the possibility of placing roundabouts in the South Fairbanks area.

Mayor Eberhart stated that he is open to suggestions for City projects in terms of development and design. He stated that the institute literature speaks to pressing problems or issues facing the

community. He indicated that what immediately comes to mind for him are issues such as the creation of a downtown cultural and historic district; the Polaris Building; and the redevelopment of South Fairbanks. **Mayor Eberhart** stated that he read an article on how roundabouts not only slow traffic but also reduce gasoline consumption, thus reducing air pollution problems.

Mr. Matherly thanked his fellow Council Members for the respectful manner in which they discuss and debate issues that are before them. He stated that he feels good about funding the Northern Door Clubhouse and wished the organization future success. He spoke to the effectiveness of traffic calming devices and stated that he would prefer to have a radar sign in his own neighborhood because they do not affect the vehicle itself. **Mr. Matherly** encouraged everyone to continue to support the 2014 Arctic Winter Games as they wrap up the event and commended all the workers and volunteers who participated in the events. He wished Mr. Shumate good luck in future endeavors.

Mr. Gatewood stated that he will be out of town and will not be able to attend Mr. Shumate's potluck on Wednesday. He spoke to Mr. Shumate's vast institutional knowledge of the City of Fairbanks and to his dependability as a City employee. He thanked Mr. Shumate for his service and wished him the best of luck.

Ms. Staley thanked Mr. Shumate for welcoming her when she started out as a new Council Member. She stated that she has received a lot of positive feedback on the roundabouts and speed humps in Hamilton Acres and Shannon Park. She stated that people do not like stop lights that are not properly timed and suggested that some of the lights in the core area may not be timed for optimal efficiency. **Ms. Staley** expressed her excitement for the proposed vodka distillery in downtown Fairbanks and stated that she would be willing to introduce a resolution in support of the new business. She stated that she is also excited about the new bike-sharing business, Fairbikes, and commended the FMATS Department for assisting with the station/kiosk mapping. **Ms. Staley** expressed satisfaction with the Council's decision to fund the Northern Door Clubhouse and stated that it is a pleasure to serve with her fellow Council Members.

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

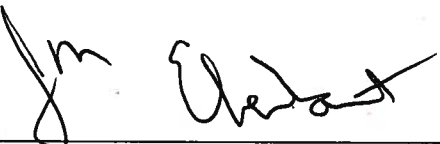
The City Council met in Executive Session to discuss IBEW and PSEA labor contract negotiations. Direction was given to staff and no action was taken.

ADJOURNMENT

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

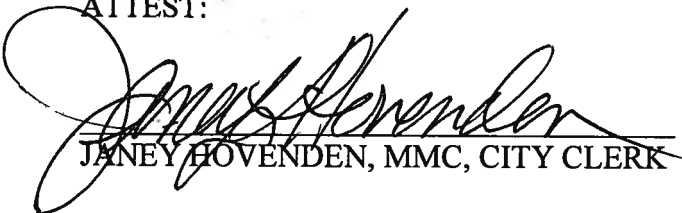
Mayor Eberhart called for objection and, hearing none, so ORDERED.

Mayor Eberhart declared the Meeting adjourned at 10:35 P.M.



JOHN EBERHART, MAYOR

ATTEST:



JANEY HOVENDEN, MMC, CITY CLERK

Transcribed by: DS