



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 2, 2013
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 6:15 P.M. Work Session with Festival Fairbanks regarding the Chena River Walk, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor pro tem Bernard Gatewood (Council Member, Seat C) presiding and with the following Council Members in attendance:

Council Members Present: Renee Staley, Seat A
 Perry Walley, Seat B (Excused)
 Jim Matherly, Seat D
 Lloyd Hilling, Seat E
 Chris Anderson, Seat F (Joined the meeting at 8:15 P.M.)

Absent: John Eberhart, Mayor

Also Present: Warren Cummings, Fire Chief
 Ernie Misewicz, Assistant Fire Chief
 Paul Ewers, City Attorney
 Janey Hovenden, City Clerk
 Stephanie Johnson, Dispatch Center Manager
 Michael J. Schmetzer, City Engineer
 Tony C. Shumate, Director Personnel/Purchasing/RM
 Laren Zager, Police Chief

Mayor pro tem Gatewood stated that he will be acting Mayor for the Meeting because Mayor Eberhart is out of town.

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor pro tem Gatewood led the Flag Salutation.

CITIZEN'S COMMENTS

Michael Schmetzer, 2860 Waldheim Drive, Fairbanks, City Public Works Director – Mr. Schmetzer stated that he feels he did a poor job in explaining the need for the public safety dump trucks at the recent Finance Committee Meeting. He stated that the Finance Committee recommended that the request for the vehicles not be included in the legislative request to the State and that the trucks should be rented from a local business. Mr. Schmetzer indicated that both he and Fire Chief Cummings feel that the City should own the vehicles. He explained that

the grant would bring \$275,000 directly to the City with no match and would be enough to purchase two trucks without losing any vehicles already in the City's fleet. He stated that if the City were to rent the dump trucks it would cost approximately \$575,000 over a ten-year period. Mr. Schmetzer stated that he and Fire Chief Cummings would like to put the item back into the legislative request to Juneau.

Warren Cummings, 3292 Jefferson Drive, Fairbanks, City Fire Chief – Mr. Cummings stated that as the City's Emergency Manager, he sees a need to have the dump trucks available in the event of a heavy snow or natural disaster in Fairbanks. He stated indicated that it would be smart to add the two dump trucks to the City's fleet. He pointed out that if there were a local disaster or emergency, all the heavy equipment rentals in Fairbanks would likely be unavailable.

Mr. Matherly asked how many dump trucks the City currently owns and how old the oldest one is.

Mr. Schmetzer replied that the City owns ten dump trucks and that the oldest one is 21 years old. He stated that the average life span of a City dump truck is about 20 years. He pointed out that many contractors who own fleets in the Fairbanks area are not here during the winter months and that there are not many dump trucks available for rent locally.

Mr. Hilling asked what Mr. Schmetzer and Mr. Cummings are hoping to accomplish with their testimony.

Mr. Cummings explained that the hope is that the Council will substitute the amended version of Resolution No. 4597 pertaining to the City's legislative request.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney commended the Fairbanks Fire Department for the rescue of a woman that either jumped or fell from the Northward Building's eighth floor. He stated that he observed the woman hanging from the window and watched the two City firemen catch her. Mr. Turney spoke the current labor contract that does not allow polygraph testing to be performed on City police officers after they are hired. He stated that he attended the first negotiation meeting between the City of Fairbanks and the Public Safety Employees Association (PSEA). He expressed gratefulness to Mayor Eberhart for having allowed him to question the PSEA representative on why one of their own employees performs the polygraph testing for the Fairbanks Police Department. He stated that it reflects badly on the City, making it appear as though there is a lack of transparency. Mr. Turney suggested that an independent examiner perform the polygraph testing. He questioned who would be the Lead Negotiator for the City of Fairbanks in union negotiations since the City's Chief of Staff, Patrick Cole recently passed away. He asked if it would be legal for Mayor Eberhart to conduct the negotiations. Mr. Turney stated that he has a copy of the City of Ketchikan Police Department's labor contract that he will share with the Council before the next Regular Meeting. He indicated that the portion of the contract that speaks to polygraph testing is a good model to follow. He wished an early happy birthday to Council Member Hilling and reminded everyone that December 15th will mark the 222nd anniversary of the Ratification of the U.S. Bill of Rights. He expressed hope that the Council would continue the tradition of reading aloud the Bill of Rights at the next Regular Meeting on December 9, 2013.

Charity Gadapee, 1224 Gilmore Trail, Unit B, Fairbanks – Ms. Gadapee stated that she is the Director of Visitor Services and Membership for the Fairbanks Convention and Visitor’s Bureau (FCVB) and provided an update on the volunteer efforts that were put forth at the recent Alaska Federation of Natives (AFN) Convention. She stated that FCVB filled 616 shifts of volunteer work for the week of the convention. She commented that there were significantly more volunteers recruited this year than the last time the Convention came to Fairbanks in 2010.

David van den Berg, Executive Director of the Downtown Association (DTA) of Fairbanks, 410 Cushman Street, Fairbanks – Mr. van den Berg spoke to Mayor Eberhart’s proposed budget item that would improve public safety and resolve a capacity problem at both the City police and fire departments. He explained that the proposal would use \$190,000 to expand DTA’s Community Service Patrol (CSP) program to a City-wide enterprise instead of just the core area of downtown Fairbanks. He stated that the Mayor’s proposal is a part of ongoing efforts to manage the chronic inebriate problem in the community. Mr. van den Berg stated that he believes the premise of the Mayor’s proposal is that if the City steps up with more public funding, then other governments will be inclined to contribute to the efforts. He stated that Mayor Eberhart is asking the DTA to enlarge its outlook and indicated that the organization is willing to do so if the Council supports the proposal. He stated that the DTA agrees with Mayor Eberhart’s view of and solution to the chronic inebriate problem.

Mayor pro tem Gatewood asked Mr. van den Berg if anyone has drafted a detailed breakdown of what the expanded service will look like.

Mr. van den Berg replied that he has prepared some unofficial budget documentation out of his own curiosity. He commented that the chronic inebriate issue is a difficult one because no one “owns” the problem.

Ms. Staley asked Mr. van den Berg if he followed City Dispatch statistics in preparing the unofficial budget.

Mr. van den Berg replied affirmatively.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger stated that the bridge over Chena River in the downtown area is poorly-designed. He commented that the bridge is too low and is cock-eyed to the street. He criticized that some of the construction designs in Fairbanks look like they were created by children. He stated that he has visited other countries where residents build their own speed bumps when they see the need because they cannot afford to hire consultants for design and planning. Mr. Buberger suggested that the City’s construction designs be reviewed more carefully before being built and commented that the roundabout near Sam’s Club is very poorly designed. He offered a suggestion of how he would have designed the area and indicated that the City has wasted money in design consultants. He encouraged the Council to keep up the good work and wished everyone a Merry Christmas and a Happy New Year.

Hearing no more requests for public comment, **Mayor pro tem Gatewood** declared Public Testimony closed.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor pro tem Gatewood passed along a message to the Council from Mayor Eberhart to inform them that Ordinance No. 5935 recommends the approval of a full-time Chief of Staff position, which differs from the version of the ordinance that was discussed at the last Finance Committee Meeting. He explained that before the passing of Mr. Pat Cole, the plan was to cut the position back to half time. He added that Mayor Eberhart believes that under the current circumstances, the City needs a full-time Chief of Staff. He pointed out the location of the change to Ordinance No. 5935 is on page 2, Section 2 under Department 10, Mayor and Council.

Mr. Hilling pulled Resolution No. 4598, Resolution No. 4599, Resolution No. 4600 and Ordinance No. 5935 from the Consent Agenda.

Mayor pro tem Gatewood 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 October 7, 2013.

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 following Liquor License Application for Transfer of Ownership, Location, and Name Change.

Type: Beverage Dispensary, License #2847
From: The Attic / John J Lounsbury / 2701 Cushman St.
To: No DBA / Scruff N Pork's, Inc. / No Premises

Ms. Staley, seconded by **Mr. Matherly**, moved to WAIVE Protest on the Liquor License Application for Transfer of Ownership, Location, and Name Change.

Mayor pro tem Gatewood 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, AND NAME CHANGE AS FOLLOWS:

YEAS: Staley, Matherly, Gatewood, Hilling
 NAYS: None
 ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED.

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Applications for Renewal.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
3118	V.F.W. Post #3629	Club	324 2nd St	V.F.W. Golden Heart Post #3629
3151	Fred Meyer #485	Package Store	3755 Airport Way	Fred Meyer Stores Inc.
4156	Holiday #622	Package Store	2300 S Cushman St	Holiday Alaska Inc.
4170	Lavelle's Bistro	Beverage Dispensary	575 1st Avenue	Café de Paris Catering Co
4772	Ajimi Restaurant	Restaurant/Eating Place	550 Third Avenue	Kwang Yul Lee

Ms. Staley, seconded by **Mr. Matherly**, moved to WAIVE Protest on the Liquor License Applications for Renewal.

Mayor pro tem Gatewood 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 APPLICATIONS FOR RENEWAL AS FOLLOWS:

YEAS: Hilling, Staley, Matherly, Gatewood
 NAYS: None
 ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED.

- c) VACATION OF PUBLIC RIGHT-OF-WAY (VA 004-11, Riverside Drive) – Request by Laurence Irving on behalf of ANJO, Inc. and Abie Neubauer, to resubmit the expired platting request to vacate a 12,070 sq. ft. portion of Riverside Drive and to combine that area with Lots 7 – 12, Block 3 and Lot 1 & 2SE, Block 4, Riverside Park, totaling approximately 1.32 acres, resulting in two lots of approximately 12,630 and 45,100 sq. ft., within the E1/2 SW1/4 Section 8, T1S R1W, FM, AK (located on Riverside Drive, Geraghty Avenue and Bartlett Avenue).

City Attorney Paul Ewers stated that the vacation had come before the City Council some time ago and that for some reason it lay dormant, requiring the applicants to reapply. He stated that by statute, the City must concur with the vacation before it can be approved. Mr. Ewers explained that by taking no action, the City Council approves the vacation of right-of-way. He pointed out that the last time it was before the City Council, it was approved.

Ms. Staley asked if the right-of-way followed the normal procedure of the Fairbanks North Star Borough.

Mr. Ewers replied that the right-of-way has been through the full planning process. He stated that the issue is being presented a second time before the City Council because it did not get finalized the first time.

The Council made no objection to the vacation and no formal action was taken.

MAYOR'S COMMENTS AND REPORT

Mayor pro tem Gatewood, on behalf of Mayor Eberhart, stated that the Mayor has received updated information from the DTA which may change the emergency services patrol funding requirements in Ordinance No. 5935. He explained that if changes are needed they will be spelled out in an amendment to the ordinance and presented at the next Regular Meeting. **Mayor pro tem Gatewood** acknowledged that the CSP is a vital service and stated that if it were to be expanded, it would require some consideration and discussion by the City Council. He indicated that he would need more information before making a decision on the matter. He stated that the entire community shares the chronic inebriate problem but commented that it may take the leadership of the City to effect change.

UNFINISHED BUSINESS

- a) Ordinance No. 5933 – An Ordinance Amending the 2013 Operating and Capital Budgets for the Third Time. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Ms. Staley, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5933.

Mayor pro tem Gatewood called for Public Testimony and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5933 AS FOLLOWS:

YEAS: Gatewood, Staley, Hilling, Matherly

NAYS: None

ABSENT: Anderson, Walley

Mayor pro tem Gatewood declared the MOTION CARRIED and Ordinance No. 5933 ADOPTED.

- b) Ordinance No. 5934 – An Ordinance Amending FGC Section 78-929 Insurance or Other Security Required to Allow Disposition without Court Appearance.. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

Ms. Staley, seconded by **Mr. Hilling**, moved to ADOPT Ordinance No. 5934.

Mayor pro tem Gatewood called for Public Testimony and, hearing none, declared Public Testimony closed.

City Attorney Ewers reminded the Council that there have been a number of ordinances to bring the City Code in line with the new State of Alaska minor offense rules. He explained that this change is a part of that process that was caught after the other changes were made. He stated that the City would like to continue to handle insurance violations without a court appearance and that Ordinance No. 5934 clarifies that the offenses are optional appearance violations.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5934 AS FOLLOWS:

YEAS: Gatewood, Matherly, Staley, Hilling
NAYS: None
ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED and Ordinance No. 5934 ADOPTED.

City Clerk Hovenden stated that there was an "as Amended" version of Ordinance No. 5933 that was not mentioned or considered prior to the vote. She requested that the Council reconsider the ordinance.

Chief Financial Officer Jim Soileau explained that the changes in Ordinance No. 5933, as Amended, are to move the unexpended \$29,500 from the Clerks election account to the Public Works Department for temporary labor; to move \$40,000 from Public Works' outside contracts account to temporary labor; and to move \$20,000 from the garbage collection account to temporary labor. He stated that Ordinance No. 5933, as Amended, does not change the bottom line. Mr. Soileau stated that the City Code does not allow the Mayor to approve inter- or intra-departmental transfers without ordinance or Council approval.

Mr. Matherly pointed out that the changes appear on page three of Ordinance No. 5933, as Amended.

Mayor pro tem Gatewood asked Clerk Hovenden what the proper procedure would be for reconsidering the ordinance.

Clerk Hovenden asked City Attorney Ewers if the Council could simply substitute the as Amended version or if they should first vote to reconsider.

City Attorney Ewers replied that the Council should vote to reconsider the ordinance.

City Clerk Hovenden read aloud Section 2-120 of the City Code pertaining to Rules of Procedure. She read, "The affirmative votes of four members of the city council, excluding the mayor, may order a reconsideration taken up at the same meeting that notice of reconsideration is given. The motion for reconsideration opens for debate, and the questions to be considered shall have precedence over every other motion except the motion to adjourn. When a motion is reconsidered, that vote is canceled as though it had never been taken. When a majority votes to reconsider, the question immediately recurs upon the question reconsidered."

Mr. Hilling, seconded by **Ms. Staley**, moved to RECONSIDER Ordinance No. 5933.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO RECONSIDER ORDINANCE NO. 5933 AS FOLLOWS:

YEAS: Matherly, Hilling, Staley, Gatewood
NAYS: None
ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED.

Ms. Staley, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5933.

Mr. Hilling, seconded by **Ms. Staley**, moved to SUBSTITUTE Ordinance No. 5933, as Amended, for Ordinance No. 5933.

Mayor pro tem Gatewood called for Public Testimony and, hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE ORDINANCE NO. 5933, AS AMENDED, FOR ORDINANCE NO. 5933 AS FOLLOWS:

YEAS: Staley, Matherly, Gatewood, Hilling
NAYS: None
ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5933, AS AMENDED, AS FOLLOWS:

YEAS: Matherly, Gatewood, Hilling, Staley
NAYS: None
ABSENT: Anderson, Walley
Mayor pro tem Gatewood declared the MOTION CARRIED and Ordinance No. 5933, as Amended, ADOPTED.

NEW BUSINESS

- a) Resolution No. 4597 – A Resolution Stating the City’s Capital Priorities for the State 2013-14 Fiscal Year. Introduced by Mayor Eberhart.

NOTE: Although Resolution No. 4597 was not pulled from the Consent Agenda, the Clerk did not read the resolution into the record as a Consent Item. The City Council considered Resolution No. 4597 as a Regular Agenda Item.

Mr. Matherly, seconded by **Ms. Staley**, moved to APPROVE Resolution No. 4597.

Mayor pro tem Gatewood stated that there is an as Amended version of Resolution No. 4597 that the Council may substitute if they choose. He asked Public Works Director Mike Schmetzer if he would like to provide the Council with additional information.

Mr. Schmetzer stated that he has seen maximum efficiency from the Public Works Department when all ten City dump trucks are running.

Mayor pro tem Gatewood asked Mr. Schmetzer how he missed the opportunity to address the issue at the last Finance Committee Meeting.

Mr. Schmetzer explained that the capital priorities list that was presented to the Council at the Finance Committee Meeting was made up of the requests from various City departments and was compiled and decided upon by Department Heads prior to that meeting. He commented that the request was so obvious to him that he did not anticipate it being questioned. Mr. Schmetzer acknowledged the large amount of information that has been presented to the Council but pointed out that there was a large narrative regarding the dump trucks in the information given to the City Council.

Mr. Matherly, seconded by **Ms. Staley**, moved to SUBSTITUTE Resolution No. 4597, as Amended, for Resolution No. 4597.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE RESOLUTION NO. 4597 AS FOLLOWS:

YEAS: Gatewood, Staley, Hilling, Matherly

NAYS: None

ABSENT: Anderson, Walley

Mayor pro tem Gatewood declared the MOTION CARRIED.

Mr. Hilling expressed his distaste for the wording in the first whereas of Resolution No. 4597, as Amended.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4597, AS AMENDED, AS FOLLOWS:

YEAS: Hilling, Staley, Matherly, Gatewood

NAYS: None

ABSENT: Anderson, Walley

Mayor pro tem Gatewood declared the MOTION CARRIED and Resolution No. 4597, as Amended, APPROVED.

- b) Resolution No. 4598 – A Resolution Authorizing the City of Fairbanks to Request Funds from the United States Department of Homeland Security for the Replacement of Ambulance 05. Introduced by Mayor Eberhart.

Mr. Matherly, seconded by **Ms. Staley**, moved to APPROVE Resolution No. 4598.

Fire Chief Cummings stated that every year the Department of Homeland Security comes out with firefighter grants and the City is given the opportunity to apply for three of the grants. He explained that his department has submitted this particular grant for the past three years. Chief Cummings explained that each year in February he has the opportunity to travel to Washington D.C. through funding by the International Association of Fire Chiefs (IAFC) because he serves on the Constitution and Bylaws Committee of the organization. He commented that he spends time speaking to Congressional Delegates and that one of the biggest complaints they have about the grants is that there is not enough grant applications coming from Alaska communities. He indicated that there is only about a 1% chance of the request being federally funded but commented that it is worth a try and is in an effort to please the Congressional Delegation.

Mayor pro tem Gatewood asked Chief Cummings what the plan would be if the City did not receive the funding to replace the ambulance.

Chief Cummings explained that there is another request to replace an older ambulance in the capital request passed earlier in the meeting by Resolution No. 4597. He stated that if the capital request is also unsuccessful, the Fire Department would likely put the funding request into next year's City budget proposal.

Mr. Hilling commented that when he votes "no" on the federal grant requests, he is usually outnumbered in opposition by fellow Council Members. He stated that the City of Fairbanks is a City of means and that he is quite confident that the City can take care of itself without relying on federal funding that is already borrowed. **Mr. Hilling** referred to the acceptance of federal grant dollars as leeching and stated that he will vote against Resolution No. 4598. He stated that if he is not mistaken, it will take four affirmative votes of the City Council to pass the resolution.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4598 AS FOLLOWS:

YEAS: Gatewood, Matherly, Staley

NAYS: Hilling

ABSENT: Anderson, Walley

Mayor pro tem Gatewood declared the MOTION FAILED.

- c) Resolution No. 4599 – A Resolution Authorizing the City of Fairbanks to Request Funds from the United States Department of Homeland Security for the Upgrade of Fire and Rescue Equipment. Introduced by Mayor Eberhart.

Mr. Matherly, seconded by **Ms. Staley**, moved to APPROVE Resolution No. 4599.

Chief Cummings stated that the grant would fund cold weather gear, radio harnesses, rescue gloves and winter rescue gear.

Ms. Staley asked if in the event the City did not receive the grant, the City would still have to purchase the gear and equipment.

Chief Cummings replied that the funding is not in the current Fire Department budget.

Ms. Staley asked how many grants the City has sought and been approved for with this type of cold weather gear request.

Chief Cummings replied that this is the first time the City has applied for a grant to fund cold weather gear.

Mr. Hilling expressed his admiration for Chief Cummings' efforts to maintain and improve the City's Fire Department. He asked Chief Cummings if the cold weather gear is an item that would be justifiable in the City's budget.

Chief Cummings replied that the radio holsters are a new item that has just come out within the last year. He stated that the rescue gloves are very expensive but would improve the operation of the Fire Department.

Mr. Hilling questioned the cost/benefit ratio of improving the gear and equipment of the Fire Department. He acknowledged that the benefits would be hard to quantify but stated his intent to vote against Resolution No. 4599 on the principle that the funding comes from federal dollars.

Mr. Matherly stated that he places a lot of trust in Chief Cummings because of his experience in public safety and his longevity with the City of Fairbanks. He stated that he does not see how one can compare cost with the safety of the public and City employees. He stated that he will vote in favor of Resolution No. 4599.

Mr. Hilling expressed appreciation for Mr. Matherly's comments. He stated that it is sometimes part of the job in making public policy to weigh human life against cost.

****Mr. Anderson joined the Meeting at 8:15 P.M.****

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4599 AS FOLLOWS:

YEAS: Matherly, Staley, Gatewood, Anderson

NAYS: Hilling

ABSENT: Walley

Mayor pro tem Gatewood declared the MOTION CARRIED and Resolution No. 4599 APPROVED.

- d) Resolution No. 4600 – A Resolution Authorizing the City of Fairbanks to Request Funds from the United States Department of Homeland Security for Certified Drivers Training. Introduced by Mayor Eberhart.

Mr. Matherly, seconded by **Ms. Staley**, moved to APPROVE Resolution No. 4600.

Chief Cummings explained that the Alaska Fire Standards Council just approved a Driver's Certification Course and stated that the grant would cover the costs of certifying City personnel

as fire apparatus operators. He commented on how disruptive it is to train staff while trying to keep enough personnel available for calls.

Mayor pro tem Gatewood asked who performs the driver training.

Chief Cummings replied that the City would use state certified instructors within the department.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4600 AS FOLLOWS:

YEAS: Matherly, Gatewood, Anderson, Staley

NAYS: Hilling

ABSENT: Walley

Mayor pro tem Gatewood declared the MOTION CARRIED and Resolution No. 4600 APPROVED.

- e) Ordinance No. 5935 – An Ordinance Adopting the 2014 Operating and Capital Budgets. Introduced by Mayor Eberhart.

Mr. Anderson, seconded by **Ms. Staley**, moved to ADVANCE Ordinance No. 5935.

Mr. Hilling stated that he has not been able to attend the Finance Committee Meetings where Ordinance No. 5935 has been discussed. He asked for clarification on the proposed changes to Fire Department personnel. He stated that, according to his understanding, the three individuals whose positions were grant funded five years ago will no longer be required to stay due to the expiration of the grant. He asked if the Council could choose to lay off any three positions they desired within the Fire Department next April.

Chief Cummings confirmed that after the grant that funded the three positions expires in April, the Council could layoff three positions at the Fire Department but only the three lowest-seniority positions at the department.

Mr. Hilling asked Chief Cummings to speak to his position on staffing at the Fire Department.

Chief Cummings commented that the City has been funding the three positions for nearly two years with very little grant funding. He confirmed that his recommendation would be to maintain the current staffing levels at the Fire Department. He commented that overtime costs would increase considerably if the positions are eliminated. Chief Cummings explained that there are currently 44 total employees at the Fire Department: 39 line personnel (13 per shift), two clerical positions, one Deputy Fire Marshal, an Assistant Fire Chief, and himself. He indicated that the department's minimum staffing is nine and that the current average is 10.2 per shift. He expressed concern that if the positions were eliminated, the department would fall below minimum staffing levels which would increase overtime.

Mr. Hilling asked Chief Cummings if he believes that by increasing his staff to 54 it would increase public safety.

Chief Cummings replied that he definitely would like to have more fire fighters. He stated that when he started working at the City Fire Department in 1972 there were 83 personnel. He stated that the national standard that he would like to reach is 15 line personnel for every shift.

Mr. Hilling asked Chief Cummings to speak to former Mayor Cleworth's argument that Fairbanks is above average when it comes to the ratio of fire fighters to population.

Chief Cummings replied that Fairbanks is very close to meeting the national average in regard to personnel. He reminded Mr. Hilling that, unlike many of those comparable municipalities, the City of Fairbanks Fire Department performs ambulance calls.

Mayor pro tem Gatewood asked if the Fire Department still incurred overtime costs when there were 83 personnel.

Chief Cummings replied that he recalls very little overtime back in the early 1970's when he was a fire fighter. He stated that he would have to research it further before answering the question on behalf of the department as a whole at the time.

Mr. Hilling asked Chief Cummings if fires were far more prevalent back in the 1970's.

Chief Cummings replied that the number of fires in the area has stayed fairly consistent over the past 20 years. He stated that although he does not believe that it is true for Fairbanks, the national average of the number of fires has dropped 53% since that time. He commented that the widespread installation of sprinkler systems has contributed to the decrease in the number of fires.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 5935 AS FOLLOWS:

YEAS: Staley, Matherly, Gatewood, Anderson

NAYS: Hilling

ABSENT: Walley

Mayor pro tem Gatewood declared the MOTION CARRIED.

DISCUSSION ITEMS

a) Committee Reports

COUNCIL MEMBERS' COMMENTS

Ms. Staley commented that the CSP has been weighing heavily on her mind and agreed with Mr. Gatewood that she would like to see more details about the plan and the budget for the expanded program before offering her consideration. She indicated that she would like to see Mr. van den Berg present a more detailed plan to the Public Safety Commission. **Ms. Staley** thanked Mr. Gatewood for filling in for Mayor Eberhart.

Mr. Matherly stated that there is a great photo of the Northward Building rescue on the Fairbanks Daily News Miner website. He commended the City's public safety departments for not only doing their job, but for doing their job in extreme weather conditions. He commented that he had a great Thanksgiving and echoed Mr. Gatewood's remarks regarding a plan for the expansion of the CSP. **Mr. Matherly** stated that it is a pleasure to serve on the City Council.

Mr. Hilling, in reference to Mr. Turney's earlier inquiry, asked City Attorney Ewers who is serving as the City's Lead Negotiator since the passing of Mr. Patrick Cole.

Mr. Ewers explained that the City Code clearly states that the Mayor is the Lead Negotiator for the City of Fairbanks. He clarified that the Mayor has the power to delegate the task to an employee and that the Council may vote to appoint a negotiator other than the Mayor. Mr. Ewers commented that, in the past, the Mayor and Mr. Cole performed the negotiations together. He stated that the duty of negotiations defaults to the City Mayor and that it would be up to Mayor Eberhart to decide whether to delegate the duties to the new Chief of Staff.

Mr. Hilling asked Mr. Ewers how much of his working hours are spent serving the Mayor.

Mr. Ewers explained that he is the legal advisor for all City departments and that he spends roughly half his working hours serving the Mayor.

Mr. Hilling asked Mr. Ewers to answer the same question on behalf of Deputy City Attorney Burglin.

Mr. Ewers replied that Mr. Burglin is a half-time employee who handles traffic and criminal cases and performs other duties as assigned. Mr. Ewers stated that he has been sitting through labor negotiation meetings with Mayor Eberhart in Mr. Cole's place.

Mr. Hilling asked Clerk Hovenden to confirm that the reading of the Bill of Rights would be on the agenda for the next Regular Meeting.

Ms. Hovenden confirmed that the Bill of Rights would be on the agenda.

Mr. Hilling expressed his agreement with fellow Council Members that he would like to see clear and detailed information regarding the expansion of the CSP. He remarked that it may be the only time in history when his one opposing vote stopped a grant resolution from passing.

Mr. Anderson stated that he had no comments.

Mayor pro tem Gatewood thanked the City Council for indulging him as Acting Mayor for the Meeting. He expressed concern with the possible name change of the CSP, cautioning on infringement of another agency or organization. He stated that he believes in the concept of a service patrol. **Mayor pro tem Gatewood** commented that Mike Powers with the Fairbanks Memorial Hospital (FMH) feels that the biggest problem with the chronic inebriate issue is transportation and indicated that the hospital is interested in playing a larger financial role. He stated that he believes the City needs to look at ways to fund the expansion to take care of local citizens and commented that the City may face a much greater problem if no action is taken.

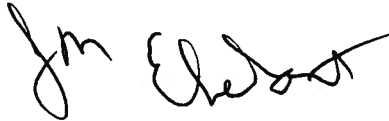
Mayor pro tem Gatewood expressed hope that details would be presented prior to the next Regular Meeting. He reminded everyone that the high school basketball season has begun and invited everyone to attend local games and support youth in the community.

ADJOURNMENT

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

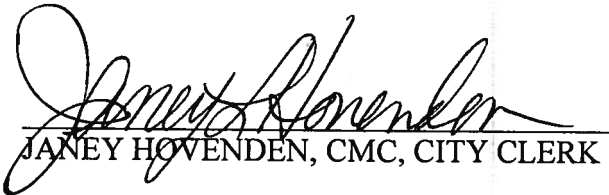
Mayor pro tem Gatewood called for objection and, hearing none,
so ORDERED.

Mayor pro tem Gatewood declared the Meeting adjourned at 8:45 P.M.



JOHN EBERHART, MAYOR

ATTEST:



JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS