



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MAY 20, 2013
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 Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Renee Staley, Seat A
 Perry Walley, Seat B
 Bernard Gatewood, Seat C
 Jim Matherly, Seat D
 Lloyd Hilling, Seat E
 John Eberhart, Seat F

Absent: None

Also Present: Ernie Misewicz, Assistant Fire Chief
 Paul Ewers, City Attorney
 D. Danyielle Snider, Deputy City Clerk
 Ryan Rickels, IT Director
 Michael J. Schmetzer, City Engineer
 Tony C. Shumate, Director Personnel/Purchasing/RM
 Jim N. Soileau, Chief Financial Officer

INVOCATION

The Invocation was given by Deputy City Clerk D. Danyielle Snider.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger apologized for having brought the disruptive young lady to the last Council Meeting. He explained that he had offered to give her a ride to Fairbanks and that he did not intend for her to attend the meeting. He spoke to his recent visit to look at a home that was on the foreclosure list. He stated that there were at least ten police officers and IRS representatives at the home. Mr. Buberger stated that he approached an IRS agent and asked to see the title information for the property and was warned by a federal officer to keep his distance. He stated that the following day, he went to the Court House to attend the auction for the home and was again approached by the same federal officer who asked him to stop intimidating the other attendees. He stated that she began taking pictures of him, so he took photos of her doing so in case there was ever a dispute. He asked if the officer's behavior was appropriate or if the City could look into it.

Frank Turney, 201 7th Avenue, Fairbanks – Mr. Turney thanked the Clerks for fixing the headset microphone. He stated that if he had been the host of Senior Recognition Day instead of Mr. Matherly, he would have gone over the top in recognition of the “little guy” in the community, Mr. Floyd Terry. He spoke to the problem with dirty cigarette butts in the Downtown area. He stated that he was recently hired to clean one side of 2nd Avenue by local businesses and commented that some business owners do not want to be taxed for property cleaning services. He stated that he returned to the area later and cleaned the rest of the curbs. He suggested that the City place sand buckets throughout Downtown to cut down on about 50% of the cigarette butt litter. Mr. Turney commented that he was pleased Sam Friedman did a story on the Whorton-Hutton case and stated that he had the opportunity to speak with a couple of the jurors after the case ended. He spoke to Executive Sessions when the Council discusses litigation and stated that he is pretty sure the Council does not get to see the full scope of the case. He commented that former Mayor Harold Gillam disliked Executive Sessions and would say that finances lost should be transparent to the public. Mr. Turney stated that when he runs for public office, he runs for conscious awareness. He spoke to the need for a City Charter change that would make the Chief of Police position an elected office and stated that the responsibility and accountability of that position needs to be on the people of the City of Fairbanks. He expressed his distaste for the IRS and spoke to his recent encounter with an IRS employee.

Mr. Hilling asked Mr. Turney to explain how he believes the citizens of the City can make a proper determination on the selection of a Police Chief.

Mr. Turney replied that City voters made a proper judgment when they put Mr. Hilling in office and that he believes they can do the same with a Chief of Police. He stated that one of the best Police Chiefs the City has ever had was a former City Mayor who would talk with people on the street and visit local business owners.

David Lerman, 126 2nd Avenue, #15, Fairbanks – Mr. Lerman stated that he is a candidate for the 2013 Municipal Election. He spoke to his websites, *Renovation Fairbanks* and *Voter Butter*, listing the number of views he has received on the renovation site. He stated that the opening of the co-op market in Downtown Fairbanks and other local events indicate the start of a renaissance. Mr. Lerman spoke in favor of Marc Marlow’s plans to renovate the Polaris Building and suggested that the City take the first step by removing all the debris and old appliances in the structure. He commented that the City should not only waive building permit fees but should also waive or redesign abatement fees. He stated that the City could expand its definition of “abatement” to assist developers in renovation by allowing them the opportunity to finance cost of abatement over a number of years. He suggested calling his new idea the “pay it forward abatement.” Mr. Lerman stated that there is a spot on his *Renovation Fairbanks* referencing the “Polaris Puzzle” where he talks about the idea. He stated that he also believes there should be a decibel regulation task force to identify and educate the public on the harmful effects of noise on human ears and an ordinance for decibel regulation within the City.

Mr. Matherly asked Mr. Lerman if he believes the citizens of Fairbanks would support the City if they tore down buildings at no charge.

Mr. Lerman stated that it is all about the City's definition of an abatement. He spoke to the City's current abatement process and suggested other ways to perform the procedure.

Mr. Matherly asked Mr. Lerman if he believes it is fiscally prudent to take the City's savings and invest it in dilapidated properties without a guarantee of a return.

Mr. Lerman replied that it is just an idea. He stated that he has many ideas.

Mr. Eberhart asked Mr. Lerman if he has spoken to Mr. Marlow about his plans since he came before the Council at the last meeting.

Mr. Lerman replied that he had not spoken to Mr. Marlow since that time.

Mr. Eberhart stated that he believes abatement means demolition and disposal. He asked Mr. Lerman if he believes abatement means the same thing.

Mr. Lerman replied that he thinks abatement means removal of trash and debris. He stated that he envisions the City being constructively engaged in the abatement of the Polaris Building.

Mr. Eberhart asked Mr. Lerman if he has spoken to the Borough to see if they are willing to contribute to the project or waive the tipping fees for disposal.

Mr. Lerman replied that he has not spoken with the Borough about the possibility of waiving tipping fees. He commented that the Polaris Building is a huge puzzle and that one piece must be solved at a time. He indicated that a Renovation Task Force may be the best way to succeed.

Mr. Matherly asked Mr. Lerman if he would agree that the City has no control over Mr. Marlow's building.

Mr. Lerman replied affirmatively. He suggested that even though the Polaris Building is private property, the City has some power and could expand the definition of abatement.

David van den Berg, Executive Director of the Downtown Association – Mr. van den Berg distributed a summary of the Community Service Patrol's (CSP) operations for 2012. He announced that the DTA would be hosting the Downtown Market from June 3 through September 16 in the Golden Heart Plaza on Monday evenings. He shared that the Midnight Sun Festival would take place on Sunday, June 23 from noon to midnight. Mr. van den Berg provided details about the statistics provided in the handout regarding calls and transports of the DTA in 2012. He commented on the steady increase in the number of transports from 2009 to 2011 and on the sharp increase from 2011 to 2012. He stated that the vast majority of individuals being transported have a blood alcohol content (BAC) of about 0.2%. He stated that although the number of transports is increasing, the statistics prove that the transports are warranted. He spoke to the successful coordination between the Housing First Project and the CSP. He indicated that individuals who become residents at the facility are not being transported as often by the CSP.

Mr. Gatewood asked what the term "unique" meant in the context of the table of transports.

Mr. van den Berg explained the term by referencing the number of transports for 2010. He stated that although there were 1,412 transports that year, those transports only served 361 individuals.

Mr. Eberhart expressed confusion as to why the number of transports has increased so significantly while the number of calls for service have remained fairly constant. He asked Mr. van den Berg if there had been a change in policy that may have had an effect on the statistics.

Mr. van den Berg replied that there has not been a change in policy. He explained that the statistic puzzled him as well and that is why he went one step further to explore the (BAC) for 2012.

Mr. Hilling asked Mr. van den Berg if he believes the statistics show that the level of inebriation is increasing.

Mr. van den Berg stated that he did not perform the BAC analysis for the other years, so he is unsure whether or not the level of inebriation is increasing. He indicated that he would be willing to research the BAC numbers for 2010 and 2011. He stated that his purpose in performing the analysis was to see if the CSP was operating within their scope of service.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Cleworth stated that Ordinance No. 5919 needs to be ADVANCED to the Regular Meeting of June 24, 2013, according to federal law to allow 30 days for public comment.

Mr. Eberhart stated that he had read Attachment A to Ordinance No. 5919 in its entirety. He stated that he noted some possible corrections and gave them to Mr. Ewers for review.

Mayor Cleworth called for objection to the ADVANCEMENT of Ordinance No. 5919 to the Regular Meeting of June 24, 2013, and, hearing none, so ORDERED.

Mayor Cleworth called for objection to the APPROVAL of the Consent Agenda, as Amended, and, hearing none, so ORDERED.

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

APPROVAL OF PREVIOUS MINUTES

- a) Regular Meeting Minutes of April 8, 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 Location:

Type:	Package Store
DBA:	Brown Jug - Fairbanks, License #4076
Licensee:	Liquor Stores USA North Inc.
From:	No Premises
To:	559 Harold Bentley Avenue, Fairbanks

Mayor Cleworth pointed out that both the Building and Fire Departments have entered recommendations to protest the transfer because a Certificate of Occupancy has not been issued. He stated that he would recommend a motion to protest, contingent upon the issuance of a Certificate of Occupancy.

Mr. Eberhart stated that he thought the Council typically moves to waive protest subject to a Certificate of Occupancy.

Mayor Cleworth replied that the standard procedure is just the opposite, a protest contingent upon the Certificate of Occupancy.

Mr. Eberhart, seconded by **Mr. Gatewood**, moved to PROTEST the Liquor License Application for Transfer of Location, contingent upon the issuance of a Certificate of Occupancy.

Mayor Cleworth called for Public Testimony.

David Lerman – Mr. Lerman stated that he reads the newspaper and sees the harmful effects of alcohol. He stated that he intends to do some research to find out what percentage of alcohol taxes funds City government. He commented that adding more liquor into the City of Fairbanks is a bad idea. Mr. Lerman stated that when he campaigns, he receives feedback indicating that the public is concerned about DUI's and alcohol consumption.

Frank Turney – Mr. Turney stated that he was a strong critic of the alcohol industry for years but that the industry has come a long ways in taking care of their own.

O.C. Madden, 17228 Laoana Drive, Eagle River, Alaska – Mr. Madden stated that he is the General Manager of Brown Jug and has been with the company for nearly 25 years. He expressed his sensitivity to the concerns that had been voiced regarding DUI's and harmful effects of alcohol. He stated that Brown Jug has had a long history and has been nationally recognized for their responsible beverage retailing model. He stated that Brown Jug has set the tone in the State of Alaska for responsible retailing of alcohol and has been instrumental in

writing a number of laws addressing underage drinking. Mr. Madden stated that they have set the tone in Anchorage by refusing to serve known public inebriates. He offered to answer any questions from the Council.

Mr. Hilling asked Mr. Madden to comment on the City Building and Fire Department's recommendation to protest.

Mr. Madden replied that it is typical procedure in Anchorage and Mat-Su for governing bodies to approve liquor licenses contingent upon the issuance of a Certificate of Occupancy. He explained that his company is in a difficult position because the corporation, Liquor Stores General Partnership, has sensitive rules and bylaws that disallow the start of construction until a license is approved by the Alcoholic Beverage Control (ABC) Board.

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

Mr. Eberhart remarked that it sounds as if the project cannot move forward without a conditional approval of their liquor license. He stated that although the Council may have done these types of approvals differently in the past, he would like to conditionally waive protest on the Brown Jug.

Mr. Eberhart, with the concurrence of the second, WITHDREW his motion to PROTEST.

Mr. Eberhart, seconded by **Mr. Gatewood**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Location, subject to final inspection and the issuance of a Certificate of Occupancy.

City Attorney Paul Ewers explained that liquor licenses are issued by the ABC Board. He stated that this is the City's opportunity to weigh in on the matter and that while he is unsure whether or not they will issue the license based on the City's recommendations, he believes the Council's input weighs heavily on their decisions. Mr. Ewers informed the Council that notice has been sent to surrounding property owners and that the location is in an industrial area. He stated that he agrees that the Mayor was correct that the Council's typical procedure is to protest with contingencies but indicated that Brown Jug's situation is somewhat different since there is no structure.

Mayor Cleworth expressed fear that the City would have no "hammer" should the Council choose to waive protest. He again recommended that the Council move to protest contingent upon the issuance of a Certificate of Occupancy. He pointed out that the ABC Board has the final say in the matter and that the City Council is only an advisory body for these types of approvals. He indicated that it is not the City's duty to work around the corporate policies of a business.

Mr. Hilling stated that it seems that the risk is on the business to follow through to obtain the Certificate of Occupancy.

Mayor Cleworth stated that the Council has waived protest on licenses in the past with small conditions, such as parking lot lighting.

Mr. Eberhart clarified that his motion is for a conditional approval. He stated that he must rely on Mr. Madden's testimony and the good track record of the Brown Jug company.

Mr. Gatewood agreed with Mayor Cleworth that it is not the City's duty to worry about corporate policy but stated that he doesn't see a problem with the motion. He spoke to the significant role of the Council in the approval of liquor licenses. He stated that if Mr. Eberhart's motion paves the way for a new business in the community, he believes it is not a big deal to give the conditional approval.

Ms. Staley asked if any correspondence had been received from property owners in the surrounding area.

Deputy Clerk Snider stated that notice of the new license was advertised in the newspaper and that property owners were notified by mail. She stated that she is unsure of the length of the objection period.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF LOCATION, SUBJECT TO FINAL INSPECTION AND THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, AS FOLLOWS:

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

NAYS: None

Mayor Cleworth 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 Request to Extend Alcohol Consumption Area:

Type: Beverage Dispensary License
DBA: Rock N Rodeo, License #1377
Applicant/Licensee: Scruff-N-Pork's Inc.
Location: 600 Old Steese Hwy, Fairbanks

Mr. Hilling, seconded by **Ms. Staley**, moved to GRANT the Extension of the Alcohol Consumption Area.

Mayor Cleworth called for Public Testimony.

David Lerman – Mr. Lerman stated that he has run for candidacy in the City for five years and that he has talked to many people while riding around on his bike. He stated that he is always surprised at how many people express concern about DUI's and alcohol in Fairbanks. Mr. Lerman spoke to the alcohol saturation in Fairbanks and stated that while he is not against free enterprise, he is hesitant to support bringing more alcohol to Fairbanks.

Frank Turney – Mr. Turney stated that Fairbanks has come a long way since the 1980's as far as alcohol and inebriates are concerned. He stated if the City did away with alcohol, it would also eliminate the need for judges, attorneys, and mental health and detox facilities.

Mr. Eberhart asked Mr. Turney if he had an opinion on this particular request to expand the alcohol consumption area.

Mr. Turney stated that he does not have a problem with the expansion.

Victor Buberger – Mr. Buberger suggested that the Council approve the expansion and any more that come along. He questioned whether or not these types of dispensaries must serve food in order to keep their license. He stated that he likes the idea of an outdoors drinking area where people can play horseshoes and darts.

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

Mayor Cleworth stated that there are two protests, one from the Building Department and one from the Fire Department. He stated that the City has not received any plans for the extended area and that he is concerned that the expansion will take away required parking space.

Mr. Matherly asked why the request was being brought before the Council.

City Attorney Ewers stated that he is unsure whether he has seen such a request before. He stated that since the request must be received by the ABC Board, the Board has referred it to the City to see if there are any objections.

Mr. Matherly asked if the ABC Board may still approve the request even if the City objected.

Mr. Ewers explained that in some years past, the chances of having the ABC Board stand by the City's recommendation were not very good. He stated that things have changed substantially and that the Board now considers the Council's recommendations.

Ms. Staley spoke to the proposed 6-foot fence around the area and asked if there were any plans to screen the fence. She pointed out that the area is in a very public place. She also expressed concern about parking.

Assistant Fire Chief Ernie Misewicz came forward to answer questions. He stated that the City has not received any plans other than the drawings that were included in the agenda packet. He stated that there are life safety concerns in the proposed extension such as egress points and indicated that the area may encroach onto another property.

Mr. Matherly stated that other bars in town have outside drinking areas. He asked Mr. Misewicz if it is correct to assume that the City has approved similar expansions in the past. He suggested that the City first look into the property issue to ensure that Curtis Hatcher owns the area in question.

Mr. Misewicz replied that the City has approved outdoor drinking areas in the past but only after having approved a set of plans prior to construction. He indicated that the Fire Department's biggest concern with the expansion is the life safety issue.

Mr. Eberhart commented on Police Chief Zager's concern with crowd control and stated that he was surprised that no one from the Police Department was there to speak to the issue. He asked Mr. Misewicz if the Rock N Rodeo was the same bar where there were big fights in the parking lot a few months ago.

Mr. Misewicz replied affirmatively.

Mr. Eberhart stated that he was also surprised that the business owner, Curtis Hatcher, was not present to speak on behalf of the expansion or to answer questions. Mr. Eberhart asked Mr. Misewicz if he knew the hours of operation or the security setup for the business.

Mr. Misewicz replied that he does not know the hours of operation and that he knows very little about their security system.

Mr. Eberhart stated that he believes Mr. Misewicz has given the Council sufficient reason not to grant the expansion at this time.

Mr. Walley asked if the new outdoor area would increase the occupancy of the building.

Mr. Misewicz explained that when a location has an extension of premises, it may extend the square footage and occupancy load. He stated that occupancy and egress are big concerns.

Mr. Hilling asked if the situation would be dangerous because the increased number of people may create a problem if everyone moved indoors in the event of an emergency.

Mr. Misewicz replied that the situation Mr. Hilling described would be dangerous but that there were also other concerns. He explained that one of the major exits from the structure would go through the fenced area, which would increase the number of people in the enclosed area beyond its capacity. He stated that there are not sufficient plans that show egress points and setup of the area. Mr. Misewicz stated that the same plan requirements hold true for this type of request as they do for the construction of a building within the City.

Mr. Hilling stated that if the area is built and does not comply with City Code, the Fire Department would inspect and require corrections to be made. He asked Mr. Ewers if the Council would be going against its own Code by approving the request to extend without having received plans.

Mr. Ewers stated that there are two tracks, one being the recommendation to the ABC Board and the other being the requirements of the Fairbanks General Code. He indicated that it would be illogical for the Council to grant the expansion knowing that the owner has not met the standards within the City Building and Fire Codes.

Mr. Hilling expressed his opinion that the Council should grant the extension and leave the burden on the owner to meet the requirements of the City Building and Fire Codes. He stated that he is not convinced to require the owner to submit full plans to the City before approval of the extension. He commented that there does appear to be a problem with parking and that there may be a conflict with parking space when the new business opens on the adjacent lot.

Mr. Eberhart referenced the letter Mr. Hatcher wrote to the ABC Board stating that it simply requests an expansion of the alcohol consumption area. He asked whether or not outdoor areas such as this are issued a Certificate of Occupancy.

Mr. Misewicz explained that normally Certificates of Occupancy are only issued for structures. He stated that his concern is that the area will be constructed without the City's knowledge.

Mr. Eberhart commented that Mr. Misewicz has raised some real life safety concerns. He asked if it is likely the ABC Board would grant the extension if the City recommended approval. He expressed concern that if the owner does not build the area in compliance with City Code, the City may not have a "hammer" until the liquor license comes back renewal.

Mr. Misewicz acknowledged with Mr. Eberhart's concerns and stated that if Mr. Hatcher failed to comply with the City, it could ultimately end in a legal battle.

Mr. Walley asked Mr. Misewicz if he has had any problems with Mr. Hatcher in the past.

Mr. Misewicz replied that he has worked with Mr. Hatcher on several occasions and that he has been cooperative.

Mr. Hilling stated that the idea of an outdoor bar is a delightful thing. He stated that he understands Mr. Eberhart's concern that the City may have no leverage if the area is built out of compliance with City Code. He expressed his intent to vote in favor of granting the extension.

Mr. Matherly stated that he does not agree with granting the extension. He stated that he would be more willing to consider the request if plans had been submitted and approved by the Fire and Building Departments. He indicated that Mr. Hatcher may not be taking the request very seriously since he was not present to speak on his own behalf.

Mr. Eberhart stated that he wants to be open for business but not at the risk of endangering the public. He agreed with Mr. Matherly that he does not feel comfortable approving the extension.

Mr. Gatewood stated that he agrees with Mr. Eberhart and Mr. Matherly. He stated that he wished Mr. Hatcher had been present to answer questions. He spoke to concerns with parking and property encroachment and stated that he would like to see more information before giving his vote of approval. He commented that it was odd and slightly disconcerting that there was no one present to speak on behalf of the Rock N Rodeo.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO GRANT THE EXTENSION OF THE ALCOHOL CONSUMPTION AREA AS FOLLOWS:

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

Mr. Eberhart, seconded by **Mr. Matherly**, moved to RECONSIDER the Extension of the Alcohol Consumption Area once proper plans have been submitted and approved by City Building, Fire and Police Departments.

Mr. Ewers stated that he is unclear on the intent of Mr. Eberhart's motion.

Ms. Snider stated that the Council must take definitive action on the request so that the Clerk's Office can report their recommendation to the ABC Board.

Mr. Eberhart asked Mr. Ewers if a different motion needed to be made.

Mr. Ewers replied affirmatively. He stated that the Council may choose to protest or waive protest subject to certain conditions.

Mayor Cleworth suggested that the motion be to deny the request to extend until proper plans have been submitted and approved by City Departments. He stated that if the owner meets the requirements and the City approves the plans, the request would not have to come before the Council again.

Mr. Eberhart, with the concurrence of the second, WITHDREW his motion to RECONSIDER.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to DENY the Extension of the Alcohol Consumption Area until proper plans have been submitted and approved by City Departments.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO DENY THE EXTENSION OF THE ALCOHOL CONSUMPTION AREA UNTIL PROPER PLANS HAVE BEEN SUBMITTED AND APPROVED BY CITY DEPARTMENTS AS FOLLOWS:

YEAS: Matherly, Staley, Gatewood, Eberhart
NAYS: Hilling, Walley
Mayor Cleworth declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth asked Garry Hutchison to come forward to brief the Council on the City's 2012 audit. He credited City staff and the auditing crew for completing the audit in record time.

Mr. Hutchison presented the results of the 2012 Financial Audit and Federal and State Compliance Audit. He stated that the City of Fairbanks received a clean opinion of the financial statements without modifications and a clean opinion on the Federal and State Compliance Audit. He added that there were no material financial reporting weaknesses. He stated that the audit was completed 27 days ahead of last year due to the outstanding work of the City's Finance

Department. Mr. Hutchison summarized the narratives and financial statements included in the report.

Mayor Cleworth thanked Mr. Hutchison and his firm for their work in performing the audit. He stated that the Denali Borough is interested in City dispatch services as the University will no longer provide the services for them. He stated that the City will meet with them tomorrow to discuss the terms of an agreement. **Mayor Cleworth** spoke to the buzz about Intergovernmental Agreements which are agreements made by municipalities or states with nearby military bases. He stated that the purpose of these types of arrangements is to save money for both the government and the surrounding community. He indicated that there are several possibilities that the military may be interested in, such as fire and EMS protection and dispatch and public works services. He stated that the City will have a “brainstorming” session with the City of North Pole and the Borough to discuss ideas that could save money. **Mayor Cleworth** spoke to the City’s abatement process stating that the Borough has waived tipping fees for the City in the past. He stated that both the Borough and the City may place liens on the property in an attempt to recover abatement costs. He stated that the Borough sent a letter to the City a year or two ago stating that they will no longer do a general waiver for tipping fees, rather they would consider each abatement on a case-by-case basis. He commented that the change has complicated the City abatement process and that the City is looking at only one or two properties to abate in 2013.

Mr. Eberhart commented on the growing tourist activity in Downtown Fairbanks. He asked Mayor Cleworth to speak to the status of the Downtown Foot Patrol.

Mayor Cleworth stated that the best approach the City has taken to keep law enforcement in the downtown area is the Downtown Foot Patrol. He commented that having officers in the area who know people on a personal level and have a real sense of service are preferable for the Foot Patrol. He stated that he is not a big supporter of task forces and would like to avoid that approach. He stated that the Foot Patrol would be implemented as soon as possible.

Mr. Eberhart referenced a letter from a City resident inquiring about traffic calming in her neighborhood. He asked what was being done in response.

Mayor Cleworth stated that there is a great deal of correspondence from citizens in regard to traffic calming. He spoke to the speed humps in the Hamilton Acres area and stated that while they offer a solution, they are expensive and difficult to properly construct. He stated that when the City does road maintenance in an area with speed humps, they have to be torn up and reconstructed. He spoke to the City’s current policy not to sponsor speed humps. He commented that another problem with speed humps is that unless they are placed systematically throughout a neighborhood, drivers will simply choose to take an adjacent route that is free of speed humps. He stated that alternate solutions to speed humps are stop signs and radar speed signs. **Mayor Cleworth** indicated that the problem with the particular neighborhood to which Mr. Eberhart was referring is that it would not be a good street to place stop or yield signs. He informed Mr. Eberhart that he emailed the concerned citizen back, stating that the City is testing the radar sign as a possible solution.

Ms. Staley asked how much the radar signs costs in comparison to speed humps and whether or not a majority of a neighborhood must be in favor of speed humps in order for them to be put in.

Mayor Cleworth replied that he is unsure of the cost of radar signs. He pointed out that the signs are a one-time cost, unlike speed humps which must be maintained. He confirmed that the majority of a neighborhood would have to be in favor of speed humps in order for them to be built.

NEW BUSINESS

- a) Resolution No. 4575 – A Resolution Authorizing the City to Construct and Maintain Pedestrian Improvements at the Intersection of East Cowles Street and 17th Avenue. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 5919 – An Ordinance Amending Fairbanks General Code Chapter 82 and Adopting Revised Wastewater Treatment Regulations. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA to the Regular Meeting of June 24, 2013.

DISCUSSION ITEMS

Committee Reports

FMATS Policy Committee – **Mr. Walley** spoke to the funding for the artwork that is supposed to go in between the two bridges Downtown. He stated that the federal funds provided for the project came with the stipulation that the artwork must be made in the U.S. with U.S. products. He explained that the winner of the artwork competition was a Canadian couple, which threw a kink in the funding. He stated that the Committee voted to move \$300,000 to the artwork fund so that the project can move forward. He indicated that the federal funding originally set aside can be used elsewhere at a later time. He reported other decisions made by the Committee at the recent meeting. He spoke to the issues with the bike path on the north side of the Chena River.

Public Safety Commission (PSC) – **Mr. Eberhart** stated that PSC Chairman Peter Stern had submitted some questions about the public safety officer (PSO) concept to the administration. He stated that it is his understanding that the administration has decided that implementation of the full-blown PSO concept is not realistic. He discussed the administration's request that the PSC focus on what parts of the PSO concept are feasible under the current collective bargaining agreement (CBA). **Mr. Eberhart** stated that Chief Zager has compiled a list of tasks that do not necessarily require a public safety employee to be a fire fighter or police officer. He announced that the next PSC meeting will be June 11 at the Fairbanks Police Department and that Mr. Stern has asked Chief Zager to refine the task list and present it to the Commission. He stated that the Commission will also discuss duties that may violate the CBA between the union and the City of Fairbanks.

Mayor Cleworth stated that the PSO concept would best be fully implemented by a city in its infancy. He indicated that combining two existing departments, each with their own traditions, would be very difficult to accomplish. He emphasized the importance of teamwork amongst City employees, but stated that trying to fully combine the Fire and Police Departments is not feasible. He stated that the City is looking into the duties on both sides to see what can be done to share responsibilities. **Mayor Cleworth** spoke to the merit of the PSO concept and commented that it is a healthy discussion.

COUNCIL MEMBERS' COMMENTS

Mr. Hilling spoke to the free time that fire men and women have during a 24-hour shift. He suggested that the down time be used for some sort of cross training. He commented that it may be irrelevant whether or not the union is for it.

Mr. Matherly invited everyone to attend a celebration of life event at the hospital from 5 to 7 p.m. on May 22. He agreed with Frank Turney's earlier comment that he should have specifically recognized Floyd Terry at the Senior Recognition Day event. He stated that there were over 450 senior citizens who attended the event. **Mr. Matherly** stated that he also attended a rehearsal for the opening ceremonies of the 2014 Arctic Winter Games at the Carlson Center which will begin on March 15, 2014. He mentioned that since the Fairbanks Convention and Visitor's Bureau (FCVB) Board will not be meeting throughout the summer, he would be willing to attend other committee meetings on behalf of the City, if necessary. He expressed his appreciation for the Mayor's comments in regard to traffic calming and spoke to the problems he sees with speeding in his neighborhood. He stated that he believes the radar signs are very effective in getting drivers to slow down.

Ms. Staley commented that she is happy to see nicer weather. She commended everyone who showed up to participate in the Heart Walk on a very cold day. She stated that the grand opening for the downtown food co-op was well attended and commented that it is great to see local businesses thrive.

Mr. Walley stated that he has mixed feelings about speed humps. He commented that he likes the flashing radar signs because they are very effective. He spoke to the Illinois Street closure and joked that he forgets about it every day on his way to work. He wished everyone a safe Memorial Day weekend.

Mr. Gatewood congratulated the class of 2013, particularly high school students. He stated that it is neat to see kids graduating that he has watched grow up. He gave a special "shout out" to three graduates at the Fairbanks Youth Facility. **Mr. Gatewood** spoke to the significant challenges those kids faced and to their great accomplishment in graduating high school.

Mr. Eberhart announced that there would be a graduation ceremony for high school students who have obtained certificates in structural and pipe welding techniques at the Pipeline Training Center at 5 p.m. on May 23. He commented that Memorial Day is a day to honor all of those who have died in the armed services fighting for and protecting our country. **Mr. Eberhart** stated that he has noticed about five small local businesses that have closed recently. He spoke to the difficulties of surviving as a small business owner, but expressed his optimism that new

business will come to Fairbanks. He spoke also to the comeback of American manufacturing and to the local drop in unemployment in April. He stated that mining is forecasted to create 100 new jobs in the Fairbanks area within the year and that healthcare jobs continue to grow. He commented that there are no military deployments scheduled for 2013 and that more visitors are expected to travel to Fairbanks this year. **Mr. Eberhart** stated that a successful natural gas distribution system will also go a long way in reducing the cost of living and creating more jobs in the community. He spoke to his recent visit with Fairbanks Economic Development Corporation's (FEDCO's) Jim Dodson and thanked the organization for the work they do for the community.

ADJOURNMENT

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

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

Mayor Cleworth declared the Meeting adjourned at 9:17 P.M.



JERRY CLEWORTH, MAYOR

ATTEST:

for 

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS