



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JULY 23, 2012  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A  
Chad Roberts, Seat B  
Jim Matherly, Seat D  
Lloyd Hilling, Seat E  
John Eberhart, Seat F

Absent: Bernard Gatewood, Seat C (Excused)

Also Present: Pat Cole, Chief of Staff  
Warren Cummings, Fire Chief  
Paul Ewers, City Attorney  
Janey Hovenden, City Clerk  
Stephanie Johnson, Dispatch Center Manager  
Ryan Rickels, IT Director  
Tony C. Shumate, Director Personnel/Purchasing/RM  
Margarita Bell, Grants Administrator  
Laren Zager, Police Chief

### **INVOCATION**

The Invocation was given by City Clerk Janey Hovenden.

### **FLAG SALUTATION**

Mayor Cleworth led the Flag Salutation.

### **CITIZEN'S COMMENTS**

Greg Allison, 436 Spence Avenue, Fairbanks – Mr. Allison, Tourism Senior Sales Manager for the FCVB, provided an update on the summer tourist season. He spoke to the various familiarization tours the FCVB has hosted in hopes of securing year-round tours with some international tour operators.

Frank Turney, 201 Seventh Avenue, Fairbanks – Mr. Turney expressed his sadness in the senseless killings of the Colorado theater incident. He spoke to citizens' right to bear arms and to the lives that could have been saved if someone else in the theater had been armed. He stated his support for firearm training. Mr. Turney stated that Sonja Yatlin had finally been arraigned

in the hit-and-run case that killed Rocky Rockar downtown. He asked for an update on the case involving two police officers suing the former City Chief of Police.

Shane Powers, 762 Constitution Drive, Fairbanks – Mr. Powers stated that he is an employee of the City of Fairbanks Fire Department (FFD) and had been asked by a Council Member to present some data on Fire Department staffing and how the SAFER grant would affect FFD. He referenced the charts on the staffing handout, stating that the department loses money due to understaffing. He spoke to the significant revenue FFD brings in to the City and to the importance of maintaining that revenue by accepting the SAFER grant. He stated that the risk of keeping the additional employees beyond the terms of the grant is minimized by the number of eligible retirees within the next five years.

**Mr. Hilling** asked if the common use of cell phones has directly affected the increase in call volume.

Mr. Powers replied that the increase in call volume is mainly a result of the obesity crisis and the high cost of health care.

**Mr. Roberts** pointed out that just because there are numerous employees eligible for retirement within the next five years, it does not guarantee they will retire. He asked what happens when a call is received and the department is understaffed.

Mr. Powers replied that when FFD is understaffed, mutual aid kicks in. He stated that the City loses the revenue generated by the call, but the service to the citizen is still provided by another agency. He added that the other agency's response time is typically a little longer because they are responding outside of their service area.

**Mr. Eberhart** asked Mr. Powers to speak to the "golden minute" in terms of response to medical calls. He asked about the importance of quicker response time for ambulance calls.

Mr. Powers explained that the term "golden hour" originated in Vietnam when the wounded were transported from the front lines to field hospitals. He stated that time frame is really much shorter than an hour. Mr. Powers explained that, for some cases, every minute counts and a shorter response time can make a significant difference.

**Ms. Stiver** spoke to the discussion surrounding the annexation of Fred Meyer West and stated that the Fire Department had indicated that response time was not a big concern. She asked Mr. Powers if he feels that the City's training for new firefighters has ever fallen short.

Mr. Powers explained that FFD's response time to Fred Meyer West is actually quicker than that of the University Fire Department due to the lost time in dispatch. In response to training, he stated that there can never be such a thing as too much training, but that the City has done an adequate job in that area.

**Mayor Cleworth** asked Mr. Powers if he supports mutual aid.

Mr. Powers replied that, in a broad sense, he supports mutual aid. He stated, however, that there are better ways to go about it and that relying too much on outside agencies is “bad form.”

**Mr. Matherly** asked if the firefighters on medical leave referenced on the handout are expected to return. He asked Mr. Powers to speak to the individual seeking employment elsewhere.

Mr. Powers, in response to Mr. Matherly’s first question, stated that both employees have hopes of returning. He stated that the department loses 1-2 employees per year to other firefighting agencies for a variety of reasons.

**Mayor Cleworth** asked if the SAFER grant requires that all positions that it funds be filled for the life of the grant.

Mr. Powers replied affirmatively.

David Lerman, 126 Second Avenue, #15, Fairbanks – Mr. Lerman stated his intent to run for City Council in the 2012 Municipal Election. He spoke to his website, *Renovation Fairbanks*. He spoke to the alcohol problem in the Fairbanks community and recommended that local dispensaries have breathalyzers available for customers to self-test. Mr. Lerman spoke to the need for various task forces in the City of Fairbanks, each with a clear mission statement. He expressed his ideas for the renovation of the Polaris Building.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger commented on how nice the lawn looks at Mary Siah public pool. He addressed the “basketball-sized” potholes on Gaffney Road and Turner Street. He spoke to the public restroom problem in the downtown area and suggested that, if the City cannot afford to build restrooms, they should provide signage to direct the public to where existing restrooms can be found. He shared his opinion that volunteer fire fighters should be involved with the Fairbanks Fire Department for training purposes.

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

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

**Mr. Roberts** pulled Resolution No. 4539 from the Consent Agenda.

**Mr. Hilling** pulled Resolution No. 4536 and Ordinance No. 5889 from the Consent Agenda.

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

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

### **APPROVAL OF PREVIOUS MINUTES**

Meeting Minutes of July 9, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

## SPECIAL ORDERS

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

Transfer of Ownership, Location and Name Change:

Type:	Beverage Dispensary
License:	<b>Gallantino's Italian Restaurant, #4720</b>
Licensee/Applicant:	Gallantino's, Inc.
Physical Location	1446 S. Cushman Street, Fairbanks
Current DBA:	Trapper's Tavern
Licensee:	Taco Azteca, Inc.
Location:	No Premises

**Mr. Roberts**, seconded by **Mr. Eberhart**, moved to PROTEST the Liquor License Application for Transfer and Restaurant Designation Permit, contingent upon issuance of a Certificate of Occupancy from the City Building Department.

**Mayor Cleworth** called for Public Testimony.

Frank Turney – Mr. Turney stated that he protests the liquor license because they may not carry hemp liquor products like they do in Wasilla.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE GALLANTINO'S ITALIAN RESTAURANT LIQUOR LICENSE APPLICATION FOR TRANSFER AND RESTAURANT DESIGNATION PERMIT, CONTINGENT UPON ISSUANCE OF A CERTIFICATE OF OCCUPANCY, AS FOLLOWS:

YEAS:	Eberhart, Stiver, Hilling, Matherly, Roberts,
NAYS:	None
ABSENT:	Gatewood

**Mayor Cleworth** declared the MOTION CARRIED.

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the below-referenced Liquor License Application for Transfer.

Transfer of Ownership (Parent Company) and Name Change:

Type:	Wholesale
License:	<b>Southern Wine &amp; Spirits of Alaska, #4858</b>
Licensee/Applicant:	Southern-Odom Wine & Spirits of Alaska, LLC
Physical Location	1200 Wells Street, Bay 2, Fairbanks
Current DBA:	Southern-Odom Wine & Spirits of Alaska
Current Licensee:	Southern-Odom Wine & Spirits of Alaska, LLC
Current Location:	1200 Wells Street, Bay 2, Fairbanks

**Ms. Stiver**, seconded by **Mr. Roberts**, moved to WAIVE Protest on the Liquor License Application for Transfer.

**Mayor Cleworth** called for Public Testimony.

Frank Turney - Mr. Turney stated his intent to continue protesting until Southern Wine & Spirits of Alaska starts carrying hemp beer, wine, gin and vodka.

**Mr. Hilling** asked if Mr. Turney was saying that hemp liquor products were not approved products by the ABC Board.

Mr. Turney stated that they sell hemp liquor products in Wasilla and he is unaware of any state ban on them. He commented that he is only “protesting” for the sake of advertising hemp products.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE SOUTHERN WINES & SPIRITS OF ALASKA LIQUOR LICENSE (#4858) APPLICATION FOR TRANSFER AS FOLLOWS:

YEAS: Roberts, Eberhart, Matherly, Stiver, Hilling  
NAYS: None  
ABSENT: Gatewood  
**Mayor Cleworth** declared the MOTION CARRIED.

- c) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License Application for Transfer.

Transfer of Ownership (Parent Company) and Name Change:

Type: Wholesale  
License: **Southern Wine & Spirits of Alaska, #4862**  
Licensee/Applicant: Southern-Odom Wine & Spirits of Alaska, LLC  
Physical Location: 3101 Peger Road, Bay 2, Fairbanks  
Current DBA: Southern-Odom Wine & Spirits of Alaska  
Current Licensee: Southern-Odom Wine & Spirits of Alaska, LLC  
Current Location: 3101 Peger Road, Bay 2, Fairbanks

**Ms. Stiver**, seconded by **Mr. Roberts**, moved to WAIVE Protest on the Liquor License Application for Transfer.

**Mayor Cleworth** 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 SOUTHERN WINES & SPIRITS OF ALASKA LIQUOR LICENSE (#4862) APPLICATION FOR TRANSFER AS FOLLOWS:

YEAS: Matherly, Hilling, Roberts, Stiver, Eberhart  
NAYS: None  
ABSENT: Gatewood  
**Mayor Cleworth** declared the MOTION CARRIED.

### **MAYOR'S COMMENTS AND REPORT**

**Mayor Cleworth** stated that Pat Cole and Stephanie Johnson recently attended a North Pole City Council Meeting at which the Dispatch Contract between the City of Fairbanks and the City of North Pole was approved. He commented that the agreement can be used as a template for the other dispatch contracts the City has throughout the Borough. **Mayor Cleworth** praised the City Attorney's Office for their work in the Yi vs. Yang lawsuit that went to the Supreme Court. He asked Paul Ewers to speak to the case.

Mr. Ewers stated that the original events instigating the lawsuit occurred in 2004 and the case has been ongoing since that time. He stated that he would try to get a copy of the opinion to each Council Member. He announced that the City was found to have acted properly. He expressed his satisfaction that the case had been disposed of.

**Mayor Cleworth** stated that he has a copy of the Old City Hall appraisal and that it is available for Council Members to review. He expressed sympathy for the loss of Esther Hackney, a long-time Fairbanks resident. **Mayor Cleworth** addressed Mr. Buberger's recommendation that the City Fire Department employ volunteers. He stated that, under the terms of the current contract, FFD is not allowed to have volunteers.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 5886 – An Ordinance Authorizing the Public Sale of Surplus City-Owned Property Known as Old City Hall. Introduced by Mayor Cleworth. POSTPONED from the Regular Meeting of June 25, 2012.

**Ms. Stiver**, seconded by **Mr. Hilling**, moved to ADOPT Ordinance No. 5886.

**Mayor Cleworth** called for Public Testimony.

Diane Fleeks, 202 Tenth Avenue, Fairbanks – Ms. Fleeks, Director of the Fairbanks Community Museum, read aloud a statement by Board President Bob Eley on behalf of the Museum's Board of Directors. The statement spoke to the museum's functions and contributions to Downtown Fairbanks. She encouraged the Council to use caution in placing the structure on the market at this time and requested that the lease be extended until September 2013.

**Mayor Cleworth** asked if the Board of Directors' goal was to obtain funding through Juneau or through the Rasmusson Foundation this year. He asked if she had been in discussions with Pioneers of Alaska.

Ms. Fleeks replied that they plan to apply for funding from both sources. She stated that Bob Eley has been in communication with the Pioneers of Alaska.

**Mr. Roberts** asked if the museum has the capacity to pay for rent.

Ms. Fleeks explained that the museum is currently paying a nominal fee to the Fairbanks Downtown Association (DTA) to cover the cost of utilities, but that it would be a considerable hardship to pay rent on a space large enough to accommodate the museum.

Frank Turney – Mr. Turney suggested that the DTA move into the downstairs of the old Elk's Building at the bingo hall. He spoke to separating the smokers from the non-smokers in the bingo hall and to cleaning the place up.

David Lerman – Mr. Lerman spoke in opposition to the sale of Old City Hall. He stated that the City is in a good financial state and can afford to keep the building. He spoke of DTA and Fairbanks Community Museum's importance to the community and suggested that the museum would be a great place to house the City's archives.

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

**Ms. Stiver** asked if there have been any serious potential buyers for the building.

**Mayor Cleworth** stated that he has spoken with Bob Eley who is trying to obtain funding from outside sources to purchase the building. He stated that the museum would like to purchase the structure, but should funding come through, they would not be notified until April 2013. **Mayor Cleworth** suggested that the Council amend the effective date of Ordinance No. 5886 and continue the lease on a month-to-month basis until April 2013.

**Mr. Hilling** asked for clarification on the meaning of "permissive referendum" referenced in Section 2 of Ordinance No. 5886.

**Mayor Cleworth** explained that permissive referendum is the right of City of Fairbanks voters to petition any action taken by the City Council.

**Mr. Hilling** spoke in favor of the sale of Old City Hall. He expressed optimism that the DTA would find a new home, but stated that it would be more difficult for the museum to relocate. He stated that, for the sake of being consistent, the City should sell the property. He asked if the ordinance specifies a minimum sale amount.

**Mayor Cleworth** explained that the property has to be sold at market rate or above. He stated that, if the sale is unsuccessful, there is a provision in the Code that allows for sale at a lower rate.

**Mr. Matherly** asked if leasing the property is costing the City any money. He stated that he is torn about whether or not to sell the property.

**Mayor Cleworth** stated that the DTA and museum cover the cost of maintenance and utilities and pay the City a monthly rate of \$1.00 for rent, so owning the building does not cost the City any money. He explained that the cost of maintenance is becoming problematic and expensive for the tenants.

**Mr. Roberts**, seconded by **Ms. Stiver**, moved to AMEND Ordinance No. 5886, Section 6, by adding the sentence, "The City of Fairbanks will start marketing in June 2013."

**Ms. Stiver** spoke to waiting till September 2013 to market the property so that the museum would be able to operate during the summer tourist season.

**Mr. Roberts** pointed out that the amendment only addresses a marketing timeline. He stated that, if the ordinance passes as it is currently written with the amendment, the City is authorized to sell the property at any time. He suggested changing the effective date of the ordinance to June of 2013.

**Mayor Cleworth** indicated that the effective date of the ordinance would not change anything.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5886 BY ADDING THE SENTENCE, "THE CITY OF FAIRBANKS WILL START MARKETING IN JUNE 2013," AS FOLLOWS:

YEAS: Stiver, Matherly, Hilling, Eberhart, Roberts  
NAYS: None  
ABSENT: Gatewood  
**Mayor Cleworth** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5886, AS AMENDED, AS FOLLOWS:

YEAS: Roberts, Matherly, Hilling, Eberhart, Stiver  
NAYS: None  
ABSENT: Gatewood  
**Mayor Cleworth** declared the MOTION CARRIED and Ordinance No. 5886, as Amended, ADOPTED.

- b) Ordinance No. 5887 – An Ordinance to Amend Fairbanks General Code Chapter 2, Article II, Division 5, to Require a Fiscal Note for Ordinances and Resolutions. Introduced by Council Member Stiver.

**Mr. Roberts**, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5887.

**Mayor Cleworth** called for Public Testimony.

David Lerman – Mr. Lerman inquired as to whether or not a fiscal note would take into account long-term effects on the City's budget. He stated that the ordinance is a good idea, but that it



needs more development in order to be effective. He suggested that a section be added to the fiscal note that would take into account increases in revenue that may offset the costs.

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

**Mr. Eberhart** asked if the proposed fiscal note is similar to what the Municipality of Anchorage uses.

**Ms. Stiver** stated that the fiscal note was modeled after what Anchorage uses, but that the section on economic effects had been removed for the sake of simplicity. She pointed out that the fiscal note includes projected effects on future annual budgets.

**Mr. Roberts** asked how the same form could be used for every issue. He used the SAFER grant as an example, stating that some situations have too many variables.

**Ms. Stiver** stated that a fiscal note is not made to fit every situation. She indicated that the Council would have to rely on staff reports for the “what if’s.” She stated that the intent of Ordinance No. 5887 is to better inform the public of budgetary changes, since Finance Committee Meetings may be difficult for some to attend.

**Mayor Cleworth** stated that the City will never be able to anticipate every possible contingency. He stated that the City Finance Department is on board with the new fiscal note and has been very instrumental in the revision of the form.

**Mr. Eberhart** commended Ms. Stiver for her work in bringing Ordinance No. 5887 forward and spoke in support of its adoption.

**Mr. Matherly** agreed with Mr. Roberts that there are many variables that cannot be measured on the form, but that the fiscal note is a good, simplified estimate of what can be expected.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5887 AS FOLLOWS:

YEAS: Hilling, Eberhart, Roberts, Stiver, Matherly

NAYS: None

ABSENT: Gatewood

**Mayor Cleworth** declared the MOTION CARRIED and Ordinance No. 5887 ADOPTED.

### **NEW BUSINESS**

- a) Resolution No. 4536 – A Resolution Opting to Participate in the AML-JIA Loss Control Incentive Program for the City of Fairbanks. Introduced by Mayor Cleworth.

**Ms. Stiver**, seconded by **Mr. Hilling**, moved to APPROVE Resolution No. 4536.

**Mr. Hilling** asked for clarification on the meaning of a “Loss Control Incentive Program.”

**Mayor Cleworth** asked Tony Shumate, Director of Risk Management, to come forward and speak to Mr. Hilling’s inquiry.

Mr. Shumate explained that the Loss Control Incentive Program is a savings that the City captures from AML-JIA, then uses to purchase equipment for various City Departments.

**Mr. Roberts** asked for examples of items that are purchased through the program.

Mr. Shumate listed several items including Yak Trax, gloves and face masks. He stated that the items purchased help ensure the safety of City employees.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4536 AS FOLLOWS:

YEAS: Eberhart, Stiver, Hilling, Matherly, Roberts

NAYS: None

ABSENT: Gatewood

**Mayor Cleworth** declared the MOTION CARRIED and Resolution No. 4536 APPROVED.

- b) Resolution No. 4537 – A Resolution in Support of a Large Diameter Natural Gas Pipeline to Tidewater at Valdez, Alaska. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4538 – A Resolution Authorizing the City of Fairbanks to Apply for a Municipal Matching Grant from the Alaska Department of Environmental Conservation for a Sludge Dewatering Project at the City-Owned Wastewater Treatment Plant. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4539 – A Resolution Authorizing the City of Fairbanks to Request Funds from the U.S. Department of Homeland Security for the FFY2012 Staffing for Adequate Fire and Emergency Response (SAFER) Grant. Introduced by Council Member Eberhart.

**Mr. Eberhart**, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4539.

**Mr. Eberhart** requested a staff report from Chief Cummings.

Fire Chief Cummings stated that the handouts provide additional information regarding the cost of employing and providing equipment for employee(s) hired under the SAFER grant program; the 20-year termination study for the Fairbanks Police Department; and the projected FPD employee turnover rate for the next four years. He explained that asking for six employees

increases the odds of being awarded the SAFER grant and that adding two firefighters to each shift is equivalent to adding a second ambulance crew to each shift. He spoke in greater detail to the terms of the grant and the incidental cost to the City for additional uniforms, equipment and allowances. He pointed out that the City would not be required to maintain the employees hired under the grant beyond the grant period. He spoke to the need for an additional ambulance crew and provided statistics that show a recent increase in simultaneous calls. He spoke to a recent occurrence in which seven calls came in to the Fairbanks Police Department at one time, nearly all requiring ambulance response.

**Mr. Eberhart** asked Chief Cummings for a rough estimate on the amount of overtime that would be saved if the SAFER grant were received and six new employees were hired. He asked the Chief for an estimate of the increase in revenue that FFD would receive as a result of an additional ambulance crew.

Chief Cummings replied that he did not have an exact number, but that he is confident that the savings would offset the City's cost in providing additional uniforms, equipment and allowances for the new employees. In response to Mr. Eberhart's second request, Chief Cummings stated that the estimated increase in revenue for ambulance calls would be roughly \$36,000.00 per year. He also confirmed that the estimated \$80,826.00 cost to the City for the six employees' uniforms, equipment and allowances is likely higher than what the actual cost may be.

**Mr. Eberhart** asked Chief Cummings if he thought it would be difficult to attract new employees should the SAFER grant be awarded.

Chief Cummings replied that he believed FFD would have no problems hiring employees, even with no guarantee of employment beyond two years.

**Mr. Eberhart** asked if employees hired under the terms of the grant would be placed on a priority list for rehire if they had to be let go at the end of the grant period.

Chief Cummings replied affirmatively. He clarified the ending period for the SAFER grant as December 31, 2014.

**Mr. Hilling** asked why the statistics for 2011 were not included in the graph for simultaneous emergency calls.

Chief Cummings replied that the concrete figure had not been reached when the graph was created. He read aloud the 2011 statistics.

**Mr. Roberts** asked for clarification on the additional grant funding for veterans. He asked Chief Cummings if the two positions vacated in 2012 had been filled.

Chief Cummings explained that if the FFD received SAFER funding and hired a veteran under the grant terms, the grant would pay for three years of employment instead of two years. In response to Mr. Roberts' second question, Chief Cummings stated that the two positions had not been filled yet, but that applicants were currently being reviewed. He added that the positions must be filled under the requirements of a previous SAFER grant.

**Ms. Stiver** asked Chief Cummings to speak to the delay in dispatch when mutual aid is called.

Chief Cummings deferred the question to Stephanie Johnson, Dispatch Manager.

Ms. Johnson explained that, according to the agreement with the Fairbanks North Star Borough, the City answers all incoming wireless 9-1-1 calls and all incoming landline 9-1-1 calls within the Borough, with the exception of calls originating from the two military installations and the University Fire Service Area. She stated that 66% of all incoming calls are from wireless phone numbers. Ms. Johnson explained that calls transferred for mutual aid experience delays due to initial FPD dispatch time, call transfer, and the other agency's dispatch time. She stated that FPD Dispatch is aware of how many City ambulances are available for callouts at any given time.

**Ms. Stiver** asked if mutual aid served its purpose.

Chief Cummings replied that mutual aid definitely serves its purpose. He again referenced the recent occurrence when five different emergency response agencies were dispatched to respond to seven simultaneous FPD calls.

Ms. Johnson spoke to the ever-increasing number of callouts involving multiple agencies. She stated that FPD Dispatch has been directed to notify the Borough whenever four or more agencies respond to a single incident.

**Mr. Roberts** asked if the grantor could compromise the number of positions awarded in the SAFER grant.

Chief Cummings replied that it is possible, but unlikely.

**Mr. Roberts** asked what would happen at the end of the grant period when positions have to be eliminated.

Chief Cummings answered that himself and FFD employees would likely fill the Council Chambers and petition the City Council to fund the positions. He clarified that when new employees are hired to fill grant-funded positions, they are made aware of the two-year program.

**Mr. Matherly** asked what is looked at by the grantor when an grant application is submitted. He inquired also as to the submittal deadline for the grant.

Chief Cummings explained that the grantor looks at things such as: department size, City finances, number of emergency vehicles, number of employees, training standards and how the department compares to other agencies of similar size. Chief Cummings stated that the grant deadline is August 10, 2012 and that the grant should be awarded by November, 2012.

**Mr. Hilling** asked Chief Cummings to speak to the tracking system for incoming calls.

Chief Cummings stated that it has been difficult to track ambulance and fire calls simultaneously.

Ms. Johnson spoke to the system used to track the calls. She explained that the tracking system is set up for typical emergency response agencies in the U.S. where fire departments respond primarily with fire service and EMS is handled by a separate agency. She spoke to the fire and EMS boundary differences within the Borough. She stated that maps are being developed with Borough GIS support that will help improve simultaneous call tracking.

**Mr. Hilling** asked Chief Cummings to clarify under what circumstances mutual aid is called.

Chief Cummings replied that mutual aid may be called under any number of circumstances, regardless of how many City ambulances are available at the time.

**Mr. Hilling** stated that he has had various members of FPD staff approach him in regards to the SAFER grant and that they sincerely believe in the program. He stated that while additional employees would improve the fire department's performance and response time, he doesn't believe the cost/benefit ratio is worth it. He spoke to placing a value on human life. **Mr. Hilling** suggested other options to solve the FFD staffing problem, such as combining the police and fire departments and cross training all emergency response staff or using volunteer medics for emergency response. He stated that he is inclined to vote against Resolution No. 4539 and will be hesitant to cast his vote towards accepting federal grant dollars in the future. He shared his belief that applying for federal money is "unpatriotic" when there is no great financial need.

**Mr. Eberhart** indicated that there is no harm in applying for the SAFER grant, which is all Resolution No. 4539 authorizes the City to do. He reminded the Council that if the City were to receive the grant funding, it would decrease overtime and increase ambulance billing revenue. He expressed that his primary focus in regards to the grant is the increase in public safety and that if the City of Fairbanks doesn't receive the funding, another municipality or agency will.

**Ms. Stiver** commended FFD staff for their professionalism and good rapport with the public. She spoke to the difficulties in negotiating FFD union contracts in the past. She expressed hesitancy in applying for the SAFER grant because of department expectations and demands when the grant period ends. She indicated that there may be a disconnect in the department's sincerity as a whole and would like to see a better handle on FFD's management before adding more positions.

**Mr. Roberts** spoke to the difficulties as a Council Member in going against the will of City departments. He stated that he sees merit on both sides of the issue, but struggles with committing a future Council to the terms of the grant. He concluded by stating that he will not support Resolution No. 4539.

**Mayor Cleworth** clarified that the City budgets for 13 employees per shift, even though there are only 10.5 employees actually working each shift on average. He stated that when staffing falls below the 9-person minimum, overtime is created. He commented that in his 20-year history with the City Council, he has never seen a reduction in overtime. **Mayor Cleworth** stated that City staff have testified before the Local Boundary Commission that their departments

are adequately staffed, then request additional staffing at budget time. He spoke to this particular type of grant putting the City in a “no-win” situation versus other grants that have more longevity and defer cost to the City. **Mayor Cleworth** spoke to union contract negotiations exceeding the budgeted amount for 2012 by \$250,000 with the current level of staffing. He commented on the future layoffs that will be an issue when the current SAFER grant reaches its period ending date and the problems that may arise when those individuals are let go. He spoke to the political reality that there is never enough public safety personnel in any City, but that the City of Fairbanks is currently above the national staffing average according to population. **Mayor Cleworth** spoke to the City’s general fund balance and how it appears the City has a huge surplus at the beginning of the year. He explained that the account must be front-loaded to cover the cost of construction projects at the beginning of the year because capital funding doesn’t come through until much later in the year.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4539 AS FOLLOWS:

YEAS: Eberhart, Matherly  
NAYS: Roberts, Stiver, Hilling  
ABSENT: Gatewood

**Mayor Cleworth** declared the MOTION FAILED.

- e) Ordinance No. 5888 – An Ordinance Amending Fairbanks General Code Chapter 26 Regarding Alarms. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- f) Ordinance No. 5889 – An Ordinance Seeking Voter Approval for the City to Accept a Pass-Through Loan from the Alaska Clean Water Fund to Golden Heart Utilities of up to \$4.6256 Million for a Sludge Dewatering Project, up to \$650,623 for a Clarifier Project, and Ratifying a Loan of \$637,830 for Prior Improvements at the City-Owned Wastewater Treatment Facility. Introduced by Mayor Cleworth.

**Mr. Roberts**, seconded by **Mr. Matherly**, moved to ADVANCE Ordinance No. 5889.

**Mr. Hilling** asked Mayor Cleworth to speak to the ordinance.

**Mayor Cleworth** explained that when the utilities were sold many years ago, the City retained the wastewater utility and it was leased to GHU. He stated that they have the right to purchase the wastewater treatment plant, but have chosen not to do so. **Mayor Cleworth** went on to explain that GHU has applied for a low-interest loan from the State of Alaska, and, since the City still owns the equipment, the City would be potentially liable. He stated that such a proposition must be presented to the voters for approval. He added that the sludge dewatering project is necessary and will have to be done one way or another.

**Mr. Hilling** asked if it would exhaust the City’s credit.

**Mayor Cleworth** replied that it may appear that way, but the City would not be repaying the loan. He stated that, technically, the City owes money on the Fire Station, but the State pays for it. He explained that if the state were to go broke, the City would be liable and the same would apply in the GHU loan.

**Mr. Hilling** asked how the debt would be viewed financially and how much it would compromise the City's ability to borrow money in the future.

Margarita Bell, Grants Administrator for the City, stated that the books will show the liability, but will also show the receivable for the same amount. She stated that this would have a net zero effect on the City's debt.

**Mr. Hilling** stated that the 1.5% is a very attractive interest rate and will benefit the public. He expressed his support for Ordinance No. 5889.

**Mr. Matherly** emphasized the importance of ensuring that the public understand the proposition, should Ordinance No. 5889 pass.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 5889 AS FOLLOWS:

YEAS: Matherly, Hilling, Roberts, Stiver, Eberhart

NAYS: None

ABSENT: Gatewood

**Mayor Cleworth** declared the MOTION CARRIED and Ordinance No. 5889 ADVANCED.

## **DISCUSSION ITEMS**

### Committee Reports

Public Safety Commission (PSC) – Mr. Eberhart gave a brief report of the July 10, 2012 meeting. He stated that the Commission had reached a decision on what its duties, composition and role should be and that an ordinance will be brought before the Council to amend the FGC pertaining to the PSC.

**Mayor Cleworth** stated that he is waiting for one more thing from Committee Chair, Peter Stern, before drafting the ordinance.

Local Improvement District Ad-hoc Committee – Ms. Stiver provided a brief report on the Committee's progress. She spoke to district cost, mill rate and service boundaries.

FMATS Policy Committee – Mr. Roberts stated that some updates were provided on the Illinois Street Project at the last meeting. He announced that the Policy Committee was able to put away \$5 million of the \$7.5 million allocated from the legislature to the reconstruction of South Cushman.

## COMMUNICATIONS TO COUNCIL

- a) Local Improvement District Committee Meeting Minutes of June 29, 2012

ACCEPTED on the CONSENT AGENDA.

- b) Local Improvement District Committee Meeting Minutes of July 9, 2012

ACCEPTED on the CONSENT AGENDA.

## COUNCIL MEMBERS' COMMENTS

**Mr. Eberhart** shared that a member of the public had commented that it seemed the Council was a “rubber stamp” for the Mayor. He stated that tonight’s meeting was a good example of that ideology. He spoke to the Council’s confidence in the Mayor. He explained to the public that many issues presented at Council Meetings have already been discussed at Finance Committee Meetings, which saves time. **Mr. Eberhart** spoke to the Alaska State Troopers Adventure Relay Race that took place recently, and commended the officers who participated. He stated that the race benefited the Wish Upon a North Star Foundation and Dance Theatre Fairbanks. He reminded the public that candidacy filing for City Council will open on August 1, 2012.

**Mr. Hilling** requested that the Police and Fire Chiefs present a report to the Council once a month at a regular meeting so that the public may hear the reports as well. He commended Ms. Stiver for bringing forward Ordinance No. 5887, which requires fiscal notes for ordinances and resolutions. **Mr. Hilling** spoke to Mr. Lerman’s idea of making breathalyzers available in local bars and stated that, while it may be a good idea, he’s not sure it would be appropriate for the City Council to make such a requirement of liquor establishments. He stated that Mr. Lerman’s website, *Renovation Fairbanks*, is quite impressive and encouraged the public to visit the site. **Mr. Hilling** spoke to the public restroom issue in the downtown area. He shared that he had performed his own test as to whether or not local businesses would allow the public to use their restrooms and that he had no problems. He suggested that businesses willing to make their restroom facilities accessible to the public post some sort of signage. He solicited the public for more ideas on how to solve the problem.

**Mr. Matherly** commented on the large amount of rainfall Fairbanks has seen in the month of July. He expressed his condolences for the passing of Esther Hackney. He spoke to the importance of neighbors looking out for one another and staying informed on what is happening in their neighborhoods. He stated that public restroom availability in the downtown area has never been an issue for him and that he does not want to see more signs. He expressed his appreciation for the Council’s ability to debate issues and express their opinions openly.

**Mr. Roberts** stated that he had no comments.

**Ms. Stiver** stated that she was thrilled with the turnout at the Golden Days Parade. She thanked Frank Turney for following the Rocky Rockar case and providing updates to the Council. She expressed her sympathy to the family of Esther Hackney. She spoke to the Colorado theater



shooting and offered her condolences to the families affected by the senseless tragedy. She spoke to the SAFER grant, stating that no money is "free" money. Ms. Stiver reminded everyone of the Celebration of Life for Michelle Roberts on Wednesday evening at 5:30 in the Golden Heart Plaza.

Mayor Cleworth stated that the past weekend was extremely busy for both the Fire Department and Police Department and expressed thankfulness that no one was injured in the shooting.

**ADJOURNMENT**

Mr. Hilling, seconded by Ms. Stiver, moved to ADJOURN the meeting.

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

Mayor Cleworth declared the Meeting adjourned at 10:10 P.M.

  
\_\_\_\_\_  
JERRY CLEWORTH, MAYOR

ATTEST:

*for*   
\_\_\_\_\_  
JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS