



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JUNE 11, 2012
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 2012 Abatement Presentation by Clem Clooten and Ernie Misewicz, 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
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Lloyd Hilling, Seat E
John Eberhart, Seat F

Absent: None

Also Present: Pat Cole, Chief of Staff
Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Tony C. Shumate, Director Personnel/Purchasing/RM
Laren Zager, Police Chief
Ernie Misewicz, Assistant Fire Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger spoke to the pothole problem on South Cushman and Illinois Street south of College Road. He mentioned that the height of the speed bumps in Hamilton Acres are inconsistent. He stated that the downside of grant-funded projects is a lack of funds for continual maintenance. He expressed thanks for the striping that had been done throughout the City. He recommended that City Council members visit the Charmin website to get ideas on how to solve the public restroom problem downtown. Mr. Buberger spoke to the newly construction bridge and stated that it is too low for boats to pass under.

David van den Berg, Fairbanks Downtown Association – Mr. van den Berg spoke in support of Resolution No. 4529. He read aloud portions of the Downtown Association's similar resolution

in support of the Wayfinding Downtown Project and distributed copies to the Mayor and Council. He reminded citizens that the Downtown Market is open every Monday evening throughout the summer.

Frank Turney, 201 Seventh Avenue, Fairbanks – Mr. Turney spoke to the overwhelming number of dandelions in the Clay Street Cemetery this year. He asked if the City would cover the cost of chemicals to fix the problem. He spoke to the unconstitutionality of the National Defense Authorization Act (NDAA) and the injunction that had been filed against it. Mr. Turney thanked the Mayor and City Council for passing Resolution No. 4522, which denied the use of City resources for any unconstitutional suspension of Habeas Corpus pursuant to Section 1021 of the NDAA. He stated that Borough Assembly Members Natalie Howard and Michael Dukes will be introducing a similar resolution. He spoke to the importance of the Bill of Rights.

David Lerman, 126 Second Avenue, #15, Fairbanks – Mr. Lerman spoke to the quickly approaching 2012 Municipal Election and to his intent to run for a seat on the City Council. He spoke to his website, *Renovation Fairbanks*, and invited the public to join the online discussion. He spoke to the need to develop different mission statements for the City of Fairbanks and create various task forces to accomplish those missions, particularly in regards to renovation. He suggested the implementation of a Renovation Task Force made up of Fairbanks property owners who could draft an ordinance that would waive building fees for properties undergoing renovation. He spoke also to the need for a DUI Task Force and stated that citizens should be invited to be more actively involved in local government.

Mr. Eberhart asked Mr. Lerman if he was aware of the City's Public Safety Commission.

Mr. Lerman replied that he was aware of the commission but had never attended the meetings.

Mr. Eberhart suggested that Mr. Lerman attend the meetings and share his ideas about a DUI Task Force with the Commission.

Mr. Lerman stated that he would like to attend the meetings but is not able to do so due to his job.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Eberhart pulled Resolution No. 4529 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

a) Regular Meeting Minutes of May 7, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of May 21, 2012

PASSED and APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth stated that the approval of Resolution No. 4528 marks the sixth mill rate reduction in seven years. He stated that he has continued to attend the meetings regarding the movement of the F-16's from Eielson Air Force base. He expressed disappointment in the discussion regarding demolition of various structures at the base, some of which are fairly new. He stated that it appears the Air Force is not inclined to reverse the relocation operation. **Mayor Cleworth** addressed the energy issue in the Fairbanks area and expressed hope for a Liquid Natural Gas (LNG) plant on the North Slope with more than sufficient capacity for the Interior's needs. He spoke to the different possibilities in infrastructure for implementation of a LNG distribution system. He stated that, so far, the best idea for distribution is LNG trucking. **Mayor Cleworth** informed the Council that the Golden Heart Utilities (GHU) loan will need to be discussed at a regular or special Finance Committee Meeting.

NEW BUSINESS

- a) Resolution No. 4527 – A Resolution Authorizing the City Mayor to Apply for and Accept a FFY2012 Bulletproof Vest Partnership Grant. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4528 – A Resolution Fixing the Rate of Tax Levy for Municipal Purposes for the 2012 Real Property Tax of the City of Fairbanks, Alaska. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4529 – A Resolution by the City of Fairbanks Supporting the Downtown Wayfinding Project. Introduced by Mayor Cleworth.

Mr. Roberts, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4529.

Mr. Eberhart asked for clarification on what the Wayfinding System is and the extent and cost of services for the project.

Mayor Cleworth asked Deb Hickok, President of the Fairbanks Convention and Visitor's Bureau (FCVB), to come forward to answer questions regarding the Wayfinding Project.

Ms. Hickok, in response to Mr. Eberhart's inquiry, explained that the Wayfinding Project is a directional signage program for the downtown area. She added that now is an opportune time for

the project due to the significant amount of road construction in the area. She stated that a design process has been proposed in hopes of keeping signage simple and well-orchestrated. She provided examples of proposed signage. She stated that Mike Schmetzer had indicated that some City funding may already be budgeted for the new signage.

Mr. Roberts asked what types of things the signage would be used for.

Ms. Hickok replied that they would be used for points of interest, the parking garage, City Hall, City Police and various other landmarks or structures approved by the community.

Mr. Roberts asked how the determination would be made to allow private businesses to be included in the signage.

Ms. Hickok stated that it would have to go through a public meeting process.

Mayor Cleworth pointed out to the Council that the signage is color-coded in the example provided by Ms. Hickok. He indicated that there could be some problems with the signage meeting DOT requirements, which may result in a limited scope for the project.

Mr. Gatewood asked about the time frame for the project and why it was being brought forward now.

Mayor Cleworth replied that, like Ms. Hickok mentioned, now is a favorable time to begin the project with all the construction downtown. He clarified that there is not a critical time constraint on the project at this time. In response to Mr. Eberhart's earlier inquiry regarding the extent and cost of services for the project, **Mayor Cleworth** stated that most of the signage could be manufactured at the City's Public Works facility and that continued maintenance would fall on the City. He added that he did not foresee a funding issue.

Mr. Hilling asked about the cost of the design process.

Ms. Hickok replied that Mike Schmetzer estimated the cost of design at \$60,000 - \$70,000.

Mayor Cleworth stated that most of that funding would come from FMATS. He added that the design process would take quite a bit of time.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4529 AS FOLLOWS:

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

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and Resolution No. 4529 APPROVED.

- d) Resolution No. 4530 – A Resolution to Apply for and Accept Funding from the Alaska Division of Homeland Security and Emergency Management for Fiscal Year 2013 Local Emergency Planning Committee (LEPC). Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Ordinance No. 5884 – An Ordinance Amending FGC 2-651 Regarding the Preparation of the Annual Budget Estimate and Accounting Terminology and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- f) Ordinance No. 5885 – An Ordinance Amending Fairbanks General Code Section 78-572 Special Events Permit Requirements. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

Committee Reports

Fairbanks Convention and Visitor's Bureau Board Meeting – Mr. Hilling stated that the board has not met since April and will not meet again until August.

COMMUNICATIONS TO COUNCIL

- a) Memo Requesting Delegation of Authority to Assign Fund Balance

Mayor Cleworth explained that the purpose of the Memo is to delegate the authority of assigning the fund balance to the City's Chief Financial Officer.

Mr. Gatewood, seconded by **Mr. Roberts**, moved to APPROVE the Memo Requesting Delegation of Authority to Assign Fund Balance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MEMO REQUESTING DELEGATION OF AUTHORITY TO ASSIGN FUND BALANCE AS FOLLOWS:

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

NAYS: None

Mayor Cleworth declared the MOTION CARRIED.

- b) Appointment to the Permanent Fund Review Board

APPROVED on the CONSENT AGENDA

- c) Reappointment to the Board of Plumber Examiners

APPROVED on the CONSENT AGENDA

- d) Reappointment to the Bed Tax Discretionary Fund Committee

APPROVED on the CONSENT AGENDA

COUNCIL MEMBERS' COMMENTS

Mr. Hilling stated that he has no comments.

Mr. Eberhart thanked Mayor Cleworth for attending the meetings regarding Eielson AFB and for keeping the Council informed. He announced that the next Public Safety Commission Meeting would be June 12, 2012 at the Fairbanks Police Department. He shared some items on the meeting's agenda: role of the Commission, possible changes to City Code pertaining to abuse of the 9-1-1 system, appointment of a Committee Chair and department reports. **Mr. Eberhart** asked to be excused for the Regular City Council Meeting of June 25, 2012 due to travel and time difference.

Mr. Gatewood, seconded by **Mr. Roberts**, moved to EXCUSE Mr. Eberhart from the Regular Meeting of June 25, 2012.

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

Mr. Matherly stated that he has no comments.

Mr. Hilling asked if a date could be set for the Finance Committee Meeting to discuss the GHU loan.

Mayor Cleworth replied that the soonest the Finance Committee could meet to discuss the issue would likely be July 10, 2012.

Mr. Hilling moved to tentatively schedule a Finance Committee Meeting on July 10, 2012 to discuss the GHU loan.

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

Mr. Gatewood thanked Darren Franz for his service on the Permanent Fund Review Board and welcomed Mr. Franz's replacement, Kara Moore. He also thanked Jeff Johnson for his long-time commitment to the Committee. He commented on the long-awaited summer weather. He congratulated graduates in the community.

Mr. Roberts expressed appreciation for the 2012 Abatement Presentation earlier in the evening. He thanked Mr. Ewers for his assistance to the Building Department in the abatement process. He echoed Mr. Eberhart's gratitude to Mayor Cleworth for his involvement with the Eielson AFB meetings.

Ms. Stiver stated that she is getting off to a slow start with the Local Improvement District (LID) Ad Hoc Committee, but hopes she will have a full committee roster within a week. She reminded everyone of the upcoming Midnight Sun Festival on Sunday, June 24, 2012 and of the Downtown Market on Monday evenings.

Mayor Cleworth encouraged Ms. Stiver to begin holding LID Committee meetings, even if membership was lacking.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to go into Executive Session for the purpose of discussing the Annexation Appeal.

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

Mayor Cleworth called for a five minute recess.

EXECUTIVE SESSION

Annexation Appeal

The City Council met in Executive Session to discuss the FNSB Annexation Appeal. Direction was given to staff and no action was taken.

ADJOURNMENT

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

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

Mayor Cleworth declared the Meeting adjourned at 8:30 P.M.



JERRY CLEWORTH, MAYOR

ATTEST:



JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS