



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, APRIL 9, 2012
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: Vivian Stiver, Seat A (Telephonic)
Chad Roberts, Seat B
Bernard Gatewood, Seat C
Jim Matherly, Seat D
Lloyd Hilling, Seat E

Absent: John Eberhart, Seat F (Excused)

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, Deputy City Clerk
Ernie Misewicz, Assistant Fire Chief
Tony C. Shumate, Director Personnel/Purchasing/RM
Laren Zager, Police Chief

INVOCATION

The Invocation was given by Deputy City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Tim Sovde, 302 Bonnifield Street, Fairbanks – Mr. Sovde thanked the Public Works Department for keeping the street-flooding under control in his neighborhood during the winter break-up season.

David Pruhs, 324 Brandt Street, Fairbanks – Mr. Pruhs spoke to Frank Turney's role as grounds keeper of the Clay Street Cemetery. He gave a brief summary of Mr. Turney's history in maintaining the Cemetery and commended his work. He urged the City Council to keep Frank Turney's position at the Cemetery.

Mayor Cleworth asked Mr. Pruhs to address the funding the Commission has received to place new headstones on many of the old gravesites.

Mr. Pruhs briefed the Council on the new headstones purchased for the Cemetery with City Bed Tax Discretionary funds. He stated that the labor to install the headstones would be performed

by the Clay Street Cemetery Commission. He announced that two local mining companies, Fort Knox and Pogo Mine, have also pledged \$5,000 each towards the purchase of new headstones. Mr. Pruhs spoke highly of the members of the Clay Street Cemetery Commission and commented that his time spent serving on the Commission has been very fulfilling.

Frank Turney, 201 7th Avenue, Fairbanks – Mr. Turney thanked Mr. Pruhs for his kind words. He quoted the recent article in the Fairbanks Daily News Miner (FDNM) regarding his future employment as the grounds keeper at the Clay Street Cemetery. He clarified that the issue that has put his employment into question has nothing to do with the IRS as the article stated; rather, it was due to a PERS issue. He requested an apology from the City's Personnel Director and the FDNM for the misinformation.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger spoke on behalf of Frank Turney in regards to Mr. Turney's continued employment as the Clay Street Cemetery grounds keeper. He commented that the arrangement is likely the most cost-effective way for the City to keep the Cemetery maintained. Mr. Buberger spoke to the need for public restroom facilities in the downtown area. He thanked the Public Works Department for their hard work, but pointed out that there are some new potholes that need repaired due to the spring break-up. He specifically addressed a pothole on Illinois Street as a hazard to vehicles.

Gene Salzman, 2807 Riverview Drive, Fairbanks – Mr. Salzman vocalized his dissatisfaction with Public Works in regards to recent snow removal efforts in his neighborhood. He explained that the snow was plowed, but not removed.

David Lerman, 126 2nd Avenue, Fairbanks – Mr. Lerman stated his intent to run for candidacy in the 2012 Municipal Election. He spoke to his website, *Renovation Fairbanks*, as the nucleus of his campaign and invited the public to join the online discussion. He spoke to the "world-class" renovation at his own residence, Smith Apartments, and how renovation can reduce crime. He suggested that the City form a Renovation Task Force to develop an ordinance that would waive building permit fees for those dilapidated properties in need of renovation.

Marylee Bates, 1290 Saint Anton Drive, Fairbanks – Ms. Bates spoke in support of the Community Development Block Grant (CDBG) on behalf of Clearwater Ministries. She shared that there is a great need for an emergency shelter for runaways and homeless youth in the Fairbanks area. She provided statistics for the number of homeless youth in the Fairbanks North Star Borough School District and for the number of runaway youths reported in 2011 by the Fairbanks Police Department. She thanked the City Council for passing Resolution No. 4493 in November, 2011, which authorized the City of Fairbanks to participate in the CDBG Program. She spoke in support of Resolution No. 4518, which would authorize the City to accept the grant funding on behalf of Clearwater Ministries. She read excerpts from a letter written by Dolly Caswell, an Alaskan who speaks to the issues of human trafficking, the sexual exploitation of children, youth homelessness, and family violence.

Mr. Hilling asked to what time frame the statistics on homeless youth pertained and what ages the statistics included.

Ms. Bates replied that the statistics she listed were for the 2011-2012 school year and included students from Kindergarten through twelfth grade.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

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

Deputy City Clerk Snider read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of January 23, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

b) Regular Meeting Minutes of February 6, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

c) Regular Meeting Minutes of February 27, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

d) Regular Meeting Minutes of March 5, 2012.

PASSED and APPROVED on the CONSENT AGENDA.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth expressed sadness for the recent passing of Judge Connelly and spoke to the many contributions that Judge Connelly made to the Fairbanks community over the years. **Mayor Cleworth** spoke to the article in the News Miner regarding the possible consolidation of City Emergency Services. He clarified that, while the idea was briefly considered, it is not the direction the City will take at this time. He commented that the Public Safety Commission will be looking into the concept more in-depth to see how other municipalities across the nation have been successful with the consolidation. He indicated that there would be many hurdles to overcome before implementation of the concept, and that it is only being explored and researched at this time. **Mayor Cleworth** announced the military parade in honor of returning soldiers that will take place on May 12, 2012 from Fort Wainwright, through downtown Fairbanks, and ending at Pioneer Park. He applauded the Police and Public Works Departments for their work in preparing for the parade. **Mayor Cleworth** shared that there is an upcoming Borough ordinance that, if adopted, could change the way property taxes are collected. He stated that there are two main parts to the ordinance: an extension of property foreclosure one year

longer than what is currently in place; and a property tax deferral for owners who qualify as low-income (as defined by the ordinance). He stated that the low-income deferral could be problematic. **Mayor Cleworth** stated that he will be meeting with General McLeod at Eielson Air Force Base (EAFB) along with the North Pole and Borough Mayors to discuss the relocation of the F-16's from EAFB to joint base Ft. Richardson/Elmendorf. He vocalized concern that standard procedures have not been followed in the process. **Mayor Cleworth** stated that this is the time of year for potholes; he asked that anyone who notices a hazardous pothole contact Public Works immediately. He commended Public Works for their quick response in repairing the roads. He spoke to the issue of Frank Turney's employment as the caretaker of the Clay Street Cemetery. He stated that PERS prefers businesses to hire employees vs. independent contractors because they benefit more from employees. He added that the City is doing everything in its power to fix the problem. **Mayor Cleworth** addressed Mr. Salzman's complaint about snow removal in the Riverview Drive area. He commented that some of the criticism may be justified.

UNFINISHED BUSINESS

- a) Ordinance No. 5879 – An Ordinance Ratifying an Amendment to the Current Labor Agreement between the City of Fairbanks and the International Brotherhood of Electrical Workers. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5879.

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

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO ADOPT ORDINANCE NO. 5879, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Hilling, Roberts

NAYS: None

ABSENT: Eberhart

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5879 ADOPTED.

- b) Ordinance No. 5880 – An Ordinance Amending Fairbanks General Code Section 1-15 by Adding a Correctional Facility Surcharge. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5880.

David Lerman – Mr. Lerman spoke in support of Ordinance No. 5880.

Mr. Roberts spoke in support of Ordinance No. 5880 as a cost-saving measure for the City.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5880, AS FOLLOWS:

YEAS: Hilling, Roberts, Stiver, Matherly, Gatewood

NAYS: None

ABSENT: Eberhart

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5880 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4517 – A Resolution Authorizing the City Mayor to Apply for and Accept a FFY2013 Preservation Assistance Grant for Smaller Institutions from the National Endowment for the Humanities. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4518 – A Resolution Authorizing the City of Fairbanks to Accept a FFY2011 Community Development Block Grant (CDBG) for a Homeless Shelter. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4519 – A Resolution Authorizing the City of Fairbanks to Request Funds from the Department of Homeland Security U.S. Fire Administration Assistance to Fire Fighters Grant Program for the FFY2011 Fire Prevention and Safety Grant. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4520 – A Resolution to Apply for and Accept Funding from the Bureau of Justice for the FFY2012 Edward Byrne Memorial Justice Assistance Grant (JAG). Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Resolution No. 4521 – A Resolution Expressing Our Concern and Opposition to Movement of the 18th Aggressor Squadron at Eielson Air Force Base to Joint Base Elmendorf/Richardson (JBER). Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- f) Ordinance No. 5881 – An Ordinance Amending Fairbanks General Code by Adding Section 46-329 Abuse of 911 System. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

COMMUNICATIONS TO COUNCIL

- a) Public Safety Commission Meeting Minutes of February 14, 2012.

ACCEPTED on the CONSENT AGENDA.

- b) Chena Riverfront Commission Meeting Minutes of March 5, 2012.

ACCEPTED on the CONSENT AGENDA.

- c) Reappointment to the Landscape Review & Appeals Commission.

APPROVED on the CONSENT AGENDA.

- d) Memo Concerning Lease of Old City Hall to the Fairbanks Downtown Association.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Hilling chose not to make a comment.

Mr. Matherly spoke to the beautiful weather. He wished Mayor Cleworth good luck in the upcoming meetings concerning EAFB. He spoke to snow removal in the Riverview Drive area, stating that he hasn't personally noticed a poor effort by Public Works. He encouraged the public to report if something doesn't seem right with a City service. He commented on the great loss to the community with the passing of Judge Connelly. He expressed appreciation for Mr. Pruhs' testimony on behalf of Clay Street Cemetery and Frank Turney.

Ms. Stiver stated that she is looking forward to being home soon. She thanked Mayor Cleworth for bringing forward Ordinance No. 5880.

Mr. Gatewood spoke to his recent attendance at the 36th Annual Business Leader of the Year Award Ceremony put on by the School of Management at UAF. He announced that this year's recipient of the award went to Dan Gavora. He commented that Mr. Gavora's father was the very first recipient of the award, which made it more special. He congratulated Dan Gavora for his accomplishment. He spoke in support of Mr. Turney's continued role as the caretaker of the Clay Street Cemetery and added that he would be willing to help in any way he could.

Mr. Roberts spoke to his trip to Juneau to meet with Interior Delegates as a City Representative for the 2012 Capital requests. He shared that the meetings went well and expressed hope that the legislature would approve the City's requests. **Mr. Roberts** echoed Mr. Gatewood's comments on Frank Turney's future role as the caretaker of Clay Street Cemetery. He commented on the beautiful spring weather. He offered his condolences to the families of those who were involved in the fatal accident on Nordale Road. He asked Mayor Cleworth if the FFA Labor Negotiations were nearing an end.

Mayor Cleworth explained that Pat Cole is out of town, but will meet with the FFA Representative when he returns. He added that the contract negotiations should be complete by May 1, 2012. He thanked Mr. Gatewood and Mr. Roberts for representing the City in Juneau.

Mr. Hilling asked if the partial snow removal in City neighborhoods was an oversight or deliberate.

Mayor Cleworth replied that he is unsure as to why only half the snow berms were removed. He stated that Mike Schmetzer would be able to answer questions regarding snow removal.

CITY ATTORNEY'S REPORT

Mr. Ewers, in light of Judge Connelly's passing, expressed sadness in the loss of former District Court Judge Crutchfield. He commented on Judge Crutchfield's gentlemanly manner and demeanor.

ADJOURNMENT

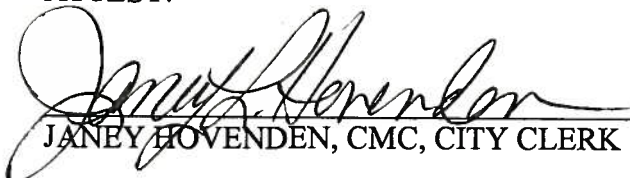
Mr. Matherly, seconded by **Mr. Roberts**, moved to ADJOURN the meeting.

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

Mayor Cleworth declared the Meeting adjourned at 8:05 P.M.


JERRY CLEWORTH, MAYOR

ATTEST:


JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS