



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2012-02  
**REGULAR MEETING January 23, 2012**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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REGULAR MEETING

I 7:00 P.M.

1. ROLL CALL

2. INVOCATION

3. FLAG SALUTATION

4. CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five (5) minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phone, electronic and messaging devices.

5. APPROVAL OF AGENDA AND CONSENT AGENDA

(Approval of Consent Agenda passes all routine items indicated by an asterisk (\*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda).

6. APPROVAL OF PREVIOUS MINUTES

\*a) Regular Meeting Minutes of October 24, 2011.

\*b) Regular Meeting Minutes of November 14, 2011.

7. SPECIAL ORDERS

The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the below-referenced Liquor License

Application(s) for renewal. Public Testimony will be taken and limited to five (5) minutes.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
54	American Legion Post #11	Club	129 1st Avenue	Dorman H Baker Post #11
542	Husky Lounge	Bev. Dispensary-Seasonal	1521 E Cushman	The Kishan Group Inc
710	Mecca Bar	Beverage Dispensary	549 2nd Ave	JRB Inc
995	Safeway Store #2754	Package Store	3627 Airport Way	Safeway Inc
999	Oaken Keg #3410	Package Store	30 College Road	Safeway Inc
3381	Food Factory	Rest/Eating Place	44 College Road	CNR Enterprise LLC
4156	Holiday #622	Package Store	2300 S Cushman St	Holiday Alaska Inc.
4170	Lavelle's Bistro	Bev. Dispensary	575 1st Avenue	Café de Paris Catering Co
4232	Kodiak Jack's	Bev. Dispensary	537 Gaffney	JSR Inc
4344	Siam Dishes	Restaurant/Eating Place	338 Old Steese Hwy	Air Choummittaphanh & Southsakone Pheunmany
4395	Boston's	Bev. Dispensary	1243 Old Steese Hwy	Goethe LLC
4941	Seoul Gate Restaurant	Rest/Eating Place	958 Cowles Street	Chong Pak

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5873 – An Ordinance to Repeal FGC Sec. 50-286 Regarding PERS Participation by Elected Officials and Personnel Code Employees. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.
- b) Ordinance No. 5874 – An Ordinance Ratifying an Amendment to the Current Labor Agreement Between the City of Fairbanks and the Public Safety Employees Association (PSEA). Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

- \*a) Resolution No. 4506 – A Resolution to Change the Location of the Meetings of the City Council on February 06, 2012, to Comply with Continuity of Operation Plan (COOP) Requirements. Introduced by Mayor Cleworth.

- \*b) Resolution No. 4507 – A Resolution Authorizing the Extraterritorial Extension of Fire Suppression Services by Contract. Introduced by Mayor Cleworth.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

- \*a) Board of Plumber Examiners Meeting Minutes of October 4, 2011.
- \*b) Public Safety Commission Meeting Minutes of December 13, 2011.
- \*c) Reappointments to the Board of Plumber Examiners.
- \*d) Appointment and Reappointments to the Landscape Review Board.

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT

15. CITY CLERK'S REPORT

17. ADJOURNMENT



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, OCTOBER 24, 2011  
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  
Bernard Gatewood, Seat C  
Jim Matherly, Seat D  
John Eberhart, Seat F

Absent: Emily Bratcher, Seat E (Excused)

Also Present: Warren Cummings, Fire Chief  
Paul Ewers, City Attorney  
Janey Hovenden, City Clerk  
Ryan Rickels, IT Director  
Tony C. Shumate, Director Personnel/Purchasing/RM  
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**

Frank Turney, 201 7<sup>th</sup> Avenue, Fairbanks – Mr. Turney thanked the voters for electing Lloyd Hilling and congratulated Mr. Eberhart on his reelection to the Council. He spoke to a polygraph examination of police officers for internal investigations. He spoke against the increase of certain fees in the City's towing ordinance. Mr. Turney mentioned small measures that could be taken to cut costs in the Fairbanks Fire Department budget.

Tim Sovde, 402 Bonnifield, Fairbanks – Mr. Sovde encouraged the Council to reexamine the City's fee schedule; he specifically recommended lowering building permit fees in order to promote renovation.

Lance Roberts, PO Box 83349, Fairbanks – Mr. Roberts apologized for not having attended the City Council meeting on June 27, 2011, when the police contract was passed. He stated that he was on Citizen's Review Committee in 2007 and gave specifics on the wage and cost of living

comparison between the City of Fairbanks Police Department and other municipalities of equivalent size. He added that the results showed FPD employees were 15% - 20% higher than their comparables. Mr. Roberts spoke against the proposed roundabout at the Old Steese/Helmericks intersection stating that the intersection was far too busy and a roundabout would only cause more congestion.

Dan Yount – Mr. Yount complained about the poor parking in downtown Fairbanks, stating that he has received parking citations because of signs that weren't visible enough.

**Ms. Stiver** asked Mr. Yount to provide the specific locations he was referring to so that the signage could be examined.

Mr. Yount explained that one area was on 2<sup>nd</sup> Avenue and the other at 250 Cushman.

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

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

**Mr. Roberts** pulled Resolution No. 4492 from the Consent Agenda.

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

City Clerk Hovenden read the Consent Agenda into the record.

### **APPROVAL OF PREVIOUS MINUTES**

Meeting Minutes of June 27, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

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

**Mayor Cleworth** stated that North Haven has taken over the hotel on Fort Wainwright and they will enter into a PILT agreement with the City. He stated that they made some recommendations to the City at a recent meeting and the Council will have the opportunity to look over and respond to their proposal in a future Executive Session. **Mayor Cleworth** explained the reasoning behind the City's Capital Priorities in Resolution No. 4492. He further explained that a lump sum of all City street improvement projects may be submitted to the state instead of listing each project individually. He offered his personal position on ANWR and requested that the Council give their input on whether or not the City should take a formal stance on the issue. **Mayor Cleworth** announced that the City's 2012 Budget was almost completely drafted and would be provided to Council within the next week. He spoke to the meeting of the FNSB Economic Development Commission and the two Resolutions that were brought up involving the City: 1) a request that the City of Fairbanks modify its code on hydronic heaters, and 2) a request for a tax exemption for the Dance Theater of Fairbanks, located in the old fire station. He added that the resolution regarding hydronic heaters was advanced to the Borough Assembly.

He stated that the City's policy has always been against granting tax exemptions to non-profit organizations, but that the recommendation to grant a partial tax exemption was advanced to the Borough Assembly. **Mayor Cleworth** recommended a change in the City code to formalize the City's policy on tax exemptions. He briefly explained the background of Ordinance No. 5861 regarding towing and pointed out that the rotation list and licensing requirements would be completely voluntary. **Mayor Cleworth** acknowledged concern for the proposed roundabout at Old Steese and Helmericks. He explained that while the plan is not yet finalized, the hope is that all the proposed roundabouts would be large enough to accommodate the heavy traffic and large commercial vehicles.

### **UNFINISHED BUSINESS**

- a) Resolution No. 4489 – A Resolution to Amend the City Schedule of Fees and Charges for Services. Introduced by Mayor Cleworth. POSTPONED from the Regular Meeting of September 19, 2011.

**Ms. Stiver**, seconded by **Mr. Gatewood**, moved to SUBSTITUTE Resolution No. 4489, as Amended.

**Ms. Stiver** explained the reasoning behind the substitution.

**Mr. Gatewood** asked about the rationale behind the increase in emergency vehicle fees.

**Ms. Stiver** replied that the increase is a flat rate charged to the individual who caused the accident, regardless of the number of vehicles damaged in the accident.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO SUBSTITUTE RESOLUTION NO. 4489, AS AMENDED, AS FOLLOWS:

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

**Mayor Cleworth** declared the MOTION CARRIED.

**Mr. Roberts** spoke in support of Resolution No. 4489, as Amended. However, he indicated that the intent of the increased ambulance fee in the original resolution was to offset the deletion of the emergency response fee. Since that fee was no longer being deleted, he recommended the ambulance fees be lowered to their original amount.

**Mr. Roberts**, seconded by **Ms. Stiver**, moved to AMEND Resolution No. 4489, as Amended, to change Ambulance Service fees from \$1,050 for Advanced Life Support to \$1,000 and from \$850 for Basic Life Support to \$800.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO AMEND RESOLUTION NO. 4489, AS AMENDED, AS FOLLOWS:

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

**Mayor Cleworth** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4489, AS AMENDED, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Eberhart, Roberts

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED and Resolution No. 4489, as Amended, APPROVED.

- b) Ordinance No. 5861 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article X Towing Vehicles. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Mr. Roberts**, moved to ADOPT Ordinance No. 5861.

Frank Turney – Mr. Turney suggested the Council amend Ordinance No. 5861 to waive impound fees for vehicles that are the sole source of transportation for a family. He inquired about the number of citizens the City has compensated for missing possessions after an impound.

Shawn Ross, Alaska Towing Association, PO Box 80242, Fairbanks – Mr. Ross spoke in favor of Ordinance No. 5861, stating that it makes the code more clear. He offered his opinion on hours of operation, manned offices, and storage fees.

**Mr. Roberts** asked for clarification on Mr. Ross' suggestion for hours of operation and his proposal for eliminating storage fees when offices are closed.

Mr. Ross replied that regular hours of six days per week, ten hours per day is too much and that daily storage fees should not be charged if offices are closed.

**Mayor Cleworth** asked Mr. Ross what he would suggest for required hours of operation.

Mr. Ross offered 10 AM – 5 PM, Monday thru Friday, 12 PM – 3 PM on Saturday, and owner's choice on Sunday.

Elizabeth Grizwold, Gabe's Towing, PO Box 84452 – Ms. Grizwold expressed her appreciation for the cleanup of Ordinance No. 5861. She pointed out that the ordinance would only regulate City call-outs, which is a small percentage of all tows. She spoke to Section 14-432(b)(5), addressing minimum hours of operation and suggested lessening the minimum requirement. She proposed that companies be available by appointment during closed hours. She recommended that the towing fees mirror the City's impound fees.

**Mr. Matherly** asked Ms. Grizwold what administrative fee would be reasonable.

Ms. Grizwold replied that \$250 is fair. She spoke to the rising costs of operating a business and compared her current rates with the City's proposed rates.

Lance Roberts, PO Box 83449, Fairbanks – Mr. Roberts spoke to more leniency to the public on City impounds and gave a brief account of an acquaintance’s recent experience with a City impound. He suggested that storage fees should not be charged for days when an impound yard is not open for business. He spoke against the City’s requirement for a Master Operator License, stating that it was nothing more than a tax.

**Mayor Cleworth** asked that Mr. Roberts provide more information on the impound to which he referred. Mayor Cleworth requested that clarification be made as to the actual cause of impound, with the assistance of the City Attorney.

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

**Mayor Cleworth** spoke to the recent changes in the City’s impound fees and the reasons behind those changes.

**Ms. Stiver**, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5861, Section 14-432(b)(5) by striking “ten hours per day, six days per week” and replacing with “eight hours per day, five days per week.”

**Mr. Matherly** asked if the intent of the motion was to require specific hours of operation or only a minimum number of hours per day and days per week that a company must be open for business.

**Ms. Stiver** stated that her intent was to set minimum hours and days only.

**Mr. Gatewood** spoke in favor of requiring that tow companies be available by appointment during hours of closure.

**Mr. Roberts** stated that while the proposed hours are good hours from an operation standpoint, they are not necessarily preferred by the working public. He suggested that tow companies be required to carry Saturday hours or at least operate by appointment after hours.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO AMEND ORDINANCE NO. 5861, AS FOLLOWS:

YEAS: Matherly, Roberts, Stiver, Gatewood, Eberhart

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED.

**Mr. Roberts**, seconded by **Mr. Gatewood**, moved to AMEND Ordinance No. 5861, as Amended, Section 14-432(b)(4), to add “(May only be charged on days vehicles are available for retrieval by owner).”

**Ms. Stiver** suggested that the proposed amendment may encourage the industry to provide after-hours service by appointment.



A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5861, AS AMENDED, AS FOLLOWS:

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

**Mr. Eberhart**, seconded by **Mr. Roberts**, moved to AMEND Ordinance No. 5861, as Amended, Section 14-433(b), by striking “Sec. 14-431(c)” and replacing with “Sec. 14-432(b).”

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 5861, AS AMENDED, AS FOLLOWS:

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

**Ms. Stiver** spoke to the heavy administrative workload in the towing industry and offered discussion on adding a fee to recover those costs.

**Mayor Cleworth** stated that administrative fees fluctuate greatly from company to company and that he believes the fees as presented in Ordinance No. 5861 are sufficient.

**Mr. Eberhart** spoke to the addition of an administrative fees and suggested two options.

**Mr. Roberts** recommended moving forward without an additional fee for the sake of simplicity. He added that if there was no money to be made on the City’s rotation list, no one would sign up.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5861, AS AMENDED, AS FOLLOWS:

YEAS: Gatewood, Roberts, Eberhart, Matherly, Stiver  
NAYS: None  
**Mayor Cleworth** declared the MOTION CARRIED and ORDINANCE NO. 5861, AS AMENDED, ADOPTED.

- c) Ordinance No. 5862 – An Ordinance to Amend Fairbanks General Code Section 74-117(f) Providing that Hotel/Motel Tax Grants May Only be Used for the Purposes Stated on the Application. Introduced by Council Member Stiver. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Ms. Stiver**, moved to ADOPT Ordinance No. 5862.

Tim Sovde, 402 Bonnifield, Fairbanks – Mr. Sovde spoke in support of Ordinance No. 5862.

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

**Mr. Eberhart** asked Ms. Stiver the purpose of Ordinance No. 5862.

**Ms. Stiver** explained that the intent of the ordinance is to improve the accountability and reporting of organizations on how bed tax dollars are spent and to clarify the discretionary fund's purpose and limitation.

**Mr. Gatewood** asked where unused grant dollars are deposited when they are reimbursed back to the City from an organization.

**Ms. Stiver** explained that, while that rarely happens, she believes those dollars go into the General Fund.

**Mr. Roberts** inquired as to how an organization would certify that grant dollars were used for the intended purpose and if an auditing team would be required.

**Ms. Stiver** replied that the auditing system was already in place through the City's Finance Department.

**Mayor Cleworth** added that in order to receive the final ten percent of their allotted grant dollars, organizations must file the appropriate paperwork with the City's Finance Department.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5862, AS FOLLOWS:

YEAS: Eberhart, Roberts, Stiver, Matherly, Gatewood

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED and ORDINANCE NO. 5862 ADOPTED.

### **2011 MUNICIPAL ELECTION**

a) Certification of the 2011 Municipal Election Results

**Mr. Matherly**, seconded by **Ms. Stiver**, moved to CERTIFY the 2011 Municipal Election Results.

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

b) Oath of Office

Ms. Hovenden swore in newly elected Council Member, Lloyd Hilling, and incumbent Council Member, John Eberhart.

## **NEW BUSINESS**

- a) Resolution No. 4492 – A Resolution Stating the City’s Capital Priorities for the State 2012-13 Fiscal Year. Introduced by Mayor Cleworth.

**Mr. Gatewood**, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4492.

**Mayor Cleworth** invited the Council to offer their input for the City’s Capital Priorities.

**Mr. Roberts** agreed with Mayor Cleworth that the City should ask for a lump sum for street construction projects and allocate funding to projects as the Council sees fit.

**Ms. Stiver** asked for confirmation that the City was requesting roughly \$7 million towards street improvement.

**Mayor Cleworth** affirmed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4492, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Hilling, Eberhart, Roberts  
NAYS: None  
**Mayor Cleworth** declared the MOTION CARRIED and RESOLUTION NO. 4492 APPROVED.

## **DISCUSSION ITEMS**

### Committee Reports

Public Safety Commission – **Mr. Eberhart** gave a brief report on various discussion items at the October 11, 2011 meeting: polygraph tests for employees, role of the Public Safety Commission, FPD recruitment report, arrest vs. citation at officer’s discretion, and FFD grant report. He added that the next PSC meeting would be held November 8, 2011 at City Hall.

**Mayor Cleworth** suggested the next meeting be rescheduled due to the conflict with the AML Conference.

## **COUNCIL MEMBERS’ COMMENTS**

**Mr. Matherly** welcomed Mr. Hilling and congratulated Mr. Eberhart on his reelection. He addressed the public comment regarding the frustration of parking in the downtown area. He stated that it is not the Fairbanks Parking Authority’s (FPA) intent to discourage people from visiting downtown Fairbanks. **Mr. Matherly** encouraged the public to appeal parking citations if they feel they were cited unfairly because the FPA board is reasonable. He stated his support for the development of ANWR.

**Mr. Hilling** expressed his joy in being back on the City Council. He remarked that the City is headed in a good direction and he would like to see it continue in that path. He stated his intent to be objective in negotiations and deliberations, without preconceptions. He committed to vote his conscience and make decisions based on what he believes is right for the City of Fairbanks.

**Mr. Eberhart** congratulated and welcomed Mr. Hilling back to the City Council. He briefly discussed ANWR and stated that he is not in support of its development. **Mr. Eberhart** asked to be excused for the Regular Meeting of November 14, 2011.

**Mayor Cleworth** called for objection regarding **Mr. Eberhart's** request to be excused on September 14, 2011 and, hearing none, so ORDERED.

**Mr. Gatewood** offered his congratulations to Mr. Eberhart and Mr. Hilling. He stated his appreciation for his fellow Council Members and Mayor Cleworth. He expressed his hesitation in sending a letter of support for ANWR development from the City and indicated that he was uncertain about his stance on the issue.

**Mr. Roberts** welcomed back Council Members Hilling and Eberhart. He spoke to City fees and his mindfulness of keeping them in good balance. He affirmed his support of opening ANWR, stating that the City of Fairbanks would benefit from more oil in the pipeline. He added that Alaska's dependency on oil makes it necessary for development.

**Ms. Stiver** spoke to the Arctic Innovation Competition that took place at the University of Alaska, Fairbanks. She shared an invitation to an upcoming meeting at the Morris Thompson Center regarding health effects of hydronic heaters. She recommended that the City Building Department research alternate heating devices to permit within City limits. **Ms. Stiver** suggested that the Public Safety Commission appoint a new member, active in the towing business, to take recommendations from the industry on fees and general complaints. She addressed ANWR, stating that it would be beneficial for the State of Alaska. She added that she is in favor of development, but she is unsure about the City taking a position on the issue.

**Mayor Cleworth** asked for clarification on Ms. Stiver's suggestion of a possible code change regarding hydronic heaters and whether or not that research would address "grandfathered" devices only or open it up to new technology.

**Ms. Stiver** replied that she would like to see research and recommendations for alternate heating devices that could give local consumers more affordable options for heating their homes.

**Mr. Hilling**, seconded by **Mr. Matherly**, moved to go into Executive Session for the purpose of discussing AFL-CIO and IBEW Labor Negotiations.

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

**Mayor Cleworth** called for a five minute recess.

**EXECUTIVE SESSION**

Labor Contract Negotiations - ALF-CIO and IBEW

The City Council met in Executive Session to discuss Labor Negotiations for AFL-CIO and IBEW. Direction was given to staff and no formal action was taken.

**ADJOURNMENT**

**Mr. Roberts**, 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 10:05 p.m.

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JERRY CLEWORTH, MAYOR

ATTEST:

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JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, NOVEMBER 14, 2011  
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, following annual presentations from The Fairbanks Convention and Visitor's Bureau and the Fairbanks Economic Development Corp, 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  
Emily Bratcher, Seat E

Absent: John Eberhart, Seat F (Excused)

Also Present: Pat Cole, Chief of Staff  
Warren Cummings, Fire Chief  
Paul Ewers, City Attorney  
Janey Hovenden, City Clerk  
Ryan Rickels, IT Director  
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**

Tim Sovde, 402 Bonnifield, Fairbanks – Mr. Sovde spoke to new technology in hydronic heating and asked that the Council reconsider the ban on the devices. He expressed concerns with Resolution No. 4495, asking about the driving force behind its introduction. He spoke in favor of Resolution No. 4497 regarding the cultivation of industrial hemp in Alaska.

Patrick Endres, 2923 Moose Mountain Road, Fairbanks – Mr. Endres, President of Fairbanks Youth Advocates Board of Directors, spoke to Resolution No. 4493 and youth at risk in the Fairbanks community. He provided a brief history on the planning for the facility and summarized a five-year business plan. He stated that grant funding would go towards renovation of the already-owned structure. Mr. Endres described the program and encouraged the Council to support local youth by approving Resolution No. 4493.

Marylee Bates, 1290 Saint Anton Drive, Fairbanks – Ms. Bates, Program Director for Fairbanks Youth Advocates, addressed the Council regarding the proposed project for the CDBG. She stated that the Youth Advocates’ mission to facilitate life transitions for at-risk youth fits well with the CDBG purpose of providing long-term support for community programs. Ms. Bates addressed the following concerns: liability, sustainability and credibility. She spoke to the great need for a youth facility in the Fairbanks area and encouraged the Council to support Resolution No. 4493.

**Ms. Stiver** asked about the current value of the property vs. the estimated value after renovation; when the Youth Advocates Board of Directors was created; and how many homeless youth there are in the Fairbanks area under the age of 12 and between the ages of 12 and 17.

Ms. Bates replied that the value at the time of purchase was estimated at \$179,000; she guessed that the value after renovation would be around \$500,000. Ms. Bates added that the Board of Directors started meeting in November of 2008. She stated that the number of homeless teens is much harder to quantify than those under 12 years of age, but that the FNSB School District may be able to provide those numbers. She stated that the State OCS places younger children in homes, but older children are more difficult to find a home for. She indicated that actual numbers have not been documented.

**Mr. Roberts** remarked that Ms. Bates had spoken well, addressing concerns that the Council may have. He spoke to the risk that the grant would impose upon the City and Fairbanks taxpayers. He asked how best to minimize the liability.

Ms. Bates suggested that a small group be formed to brainstorm ideas that would insure minimal liability.

**Mr. Gatewood** inquired as to the capacity of the proposed facility.

Ms. Bates replied that the building would house up to ten youth at a time, with a maximum stay of 21 days.

**Mr. Matherly** asked what would occur during that 21-day period.

Ms. Bates summarized the steps of the program from intake to release. She stated that they are looking into host homes for those youth who may be unable to reunite with their family.

**Mayor Cleworth** asked if there was a mortgage on the home. He also inquired as to when the business plan was brought to the City.

Ms. Bates replied that there is no mortgage and that the business plan was brought to the City on Thursday.

**Mayor Cleworth** apologized for the misinformation he provided to the Fairbanks Daily News Miner on how grant funds would be appropriated.

Ms. Bates confirmed that the funds will be strictly used for renovation of the existing structure.

Linda Setterberg, 109 Kniffen Road, Fairbanks – Ms. Setterberg, Executive Director of Wellspring Revival Ministries, spoke to the overwhelming need for a youth facility in the community. She explained that their Safe Place Program is in jeopardy due to a lack of shelter for youth in need. She provided a detailed statement on the mission of Joel's Place, including its history, staff, finances, and uncertain future. She spoke in support of the Community Development Block Grant (CDBG) for Fairbanks Youth Advocates.

**Ms. Stiver** asked if the backing for Youth Advocates from Joel's Place, Fairbanks Native Association, Fairbanks Counseling, Access Alaska, and Presbyterian House translated into dollar amounts or mission support only.

Ms. Setterberg stated that she could only speak for Joel's Place, but that their support does have a cash value.

Drenda Tigner, Presbyterian Hospitality House, 209 2<sup>nd</sup> Avenue, Fairbanks – Ms. Tigner spoke in support of the Youth Advocates Program due to the long wait list. She provided a brief history of the Presbyterian Hospitality House and how substantially it has grown over the years. She provided encouraging statistics on the academic progress of students in her organization's program.

**Mr. Hilling** inquired as to the age range of the children in the Hospitality House program.

Ms. Tigner answered that the children in the residential program are ages 12-18, but that foster care is provided to children as young as three years of age. She added that they also offer programs for young adults ages 18-24.

**Mr. Matherly** asked if the proposed facility would overlap with the services provided by the Hospitality House.

Ms. Tigner replied that there would be no overlap due to the waiting list and the lack of space to meet the large demand of children in need. She explained that the Hospitality House operates at 95-100% capacity at all times, unlike another program in Fairbanks.

**Ms. Stiver** asked to which program Ms. Tigner was referring. **Ms. Stiver** also asked if the Presbyterian Hospitality House would be willing to assume some responsibility to help mitigate liability.

Ms. Tigner replied that the Boys and Girls Home often has many empty beds. In response to Ms. Stiver's question regarding liability, she stated that the matter would have to be brought up before her board.

Sarah Finnell, 555 Fairbanks Street, Fairbanks – Ms. Finnell spoke in favor of the CDBG grant and the Youth Advocates Program. She provided a brief background of her experience with youth in the Fairbanks community. She asked the Council to reflect on their own teenage years and what was important to them at that time. She spoke to the basic needs of the young people



she has helped over the years—needs such as shelter, food, personal safety, and adult guidance. She quoted an interview with a homeless young lady who told her story of what it was like to be homeless.

Heather Shaddock, Access Alaska Youth Employment Specialist – Ms. Shaddock spoke to Access Alaska’s mission and Resolution No. 4493. She stated that homelessness is one of the major barriers encountered when trying to help youths reach their goals. She provided staggering statistics of the high school drop-out rate for students with disabilities. She shared a story of a youth that had been in the Access Alaska Program. She spoke to the safety and protection of the youth in Fairbanks and encouraged the City of Fairbanks to invest in the advocacy program.

Barbara Tyndall, 2511 Clydesdale Drive, North Pole – Ms. Tyndall, Youth Advocates Board of Directors member, spoke of her prior experience in working with youth in Alaska. She remarked that there are two common things that most youth desire: a job and a caring adult in their life. She spoke to the general lack of parental guidance in recent years.

Hank Bartos, 3514 Hoonah Drive, North Pole – Mr. Bartos stated his support for the CDBG. He advised that the biggest concern in accepting the grant was the additional requirements by the state once the money is released by the federal government. He suggested that the Council accept the federal guidelines, but negotiate with the state on liability issues. He spoke to accepting these types of grants in the future to benefit the community.

**Mr. Hilling** asked Mr. Bartos to elaborate on the timeline of the negotiation process in which he suggested the City take part.

Mr. Bartos recommended that if there was any hesitation by the City Council to accept the CDBG, they should first approach the administrators of the Department of Commerce and Economic Development to discuss the process.

Frank Turney, 201 7<sup>th</sup> Avenue, Fairbanks – Mr. Turney spoke to the bleak future of homeless youth without help from the community and the mission of homeless outreach programs, questioning if the ultimate objective was to place children in permanent homes. He asked if the programs confiscate the juveniles’ PFD’s. Mr. Turney spoke in support of Resolution No. 4497 and thanked Mr. Hilling for introducing it. He thanked John Brading for providing research and information on hemp products to State of Alaska Legislators. He spoke of the film put on by the U.S. government Department of Agriculture during World War II, titled *Hemp for Victory*, that encouraged hemp cultivation in the United States. He listed a few of the more than 25,000 products made from hemp, and spoke to how it could help lower energy costs. Mr. Turney cautioned comparing hemp and marijuana. He added that the two plants do not grow well together and are vastly different in their composition.

**Mr. Gatewood** asked why marijuana growth was not conducive to hemp cultivation.

Mr. Turney replied that marijuana plants cause hemp plants to go to seed.

Steve Ginnis, 288 Shannon Drive, Fairbanks Native Association – Mr. Ginnis spoke in support of Resolution No. 4493, stating that youth homelessness is an increasing problem in the Fairbanks community. He commented that safety of young people far outweighs the risk of accepting the CDBG proposal. He expressed his belief in the success of the Fairbanks Advocates Program. Mr. Ginnis thanked Mayor Cleworth for introducing the resolution.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger thanked Mike Schmetzer for his rapid response in repairing the sidewalk on South Cushman. He also thanked Fairbanks Police Officer Rigdon and FPD for assisting him until his stalled vehicle could be moved from the Airport/Richardson intersection. He expressed hope that the Police Department could remain fully staffed in spite of the recently high turnover rate. Mr. Buberger thanked all the citizens who testified on behalf of the proposed youth facility and spoke in favor of the CDBG grant. He recommended the placement of portable restrooms throughout the downtown area in order to reduce the amount of human waste that has to be removed and to eliminate the intrusion on downtown businesses. He concluded by requesting that the Council find a solution. Mr. Buberger spoke to the bad air quality on the Richardson Highway near Fort Wainwright and on First Avenue.

Dave Bates, 1290 Saint Anton Drive, Fairbanks – Mr. Bates, Director of Clearwater Counseling and founder of Hope Counseling Center, summarized his résumé and gave a brief history of his work with the youth in the Fairbanks area.

David Lerman, 126 2<sup>nd</sup> Avenue, #15, Fairbanks – Mr. Lerman expressed his satisfaction that Resolution No. 4497 regarding hemp was before the Council. He suggested the City form a Renovation Task Force for the rebuilding of dilapidated structures in Fairbanks and waive all associated building permit fees, stating that renovation helps reduce crime and drug trafficking. Mr. Lerman spoke to his campaign for a City Council seat in 2012.

**Mr. Matherly** asked Mr. Lerman if the owner of his apartment complex, Smith Apartments, was granted a waiver of fees to renovate the property. He also asked how the City would determine who should receive a waiver of fees and who shouldn't.

Mr. Lerman replied that, to his knowledge, the owner of Smith Apartments did not receive a waiver. He stated that all renovation of rundown property should be granted a waiver. He explained that by eliminating building fees, the property values would increase, thus increasing taxes.

Lance Roberts, PO Box 83449, Fairbanks – Mr. Roberts asked if agenda packets and meeting information could be accessed on the City website. He spoke against Resolution No. 4497. He stated that if there are farmers in the area, they should be the ones petitioning for the legalization of its cultivation. He added that he does not believe it is the City's place to take a position on the hemp issue. He suggested that there is a bigger agenda behind the push for its legalizing hemp. He spoke in favor of more drug enforcement by the Fairbanks Police. He stated that there are many other important issues on which the City Council should be focusing their attention.

**Mr. Hilling** asked Mr. Roberts if he could see the potential economic benefits to the City of Fairbanks by making hemp cultivation legal.

Mr. Roberts replied that he did not see potential employment opportunities in the City because hemp cultivation would likely take place outside City limits; however, he acknowledged that any economic development in the area would benefit the City of Fairbanks in some way.

**Mayor Cleworth** clarified for Mr. Roberts that all City Council meeting agendas, audio recordings, meeting minutes, ordinances and resolutions were available online at the City of Fairbanks website.

Ann LaFavore, 3840 Old Nenana Highway, Fairbanks Youth Coalition – Ms. LaFavore spoke to the immense local support by similar organizations for the Youth Advocacy Program. She stated that she had tried to bring some homeless youth to speak to the Council about their experiences, but due to the weather and other factors, they were unable to make it. She acknowledged the risk of accepting the CDBG, but stated that it would be irresponsible to do nothing.

Leonard Thiltgen, 2263 Bridgewater Drive, Fairbanks – Mr. Thiltgen referenced the article on the CDBG in the Fairbanks Daily News Miner. He acknowledged the need for youth programs, but stated his concerns as a citizen for the City's liability. He asked who would be responsible for grant money allocation and cautioned that there are too many variables in regards to City liability.

**Mayor Cleworth** called for a five-minute recess.

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

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

**Mr. Roberts**, pulled Resolution No. 4493 from the Consent Agenda.

**Mr. Hilling** pulled Resolution No. 4497 from the Consent Agenda.

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

City Clerk Hovenden read the Consent Agenda into the record.

#### **APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of July 18, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

b) Regular Meeting Minutes of July 25, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Regular Meeting Minutes of August 8, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

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

**Mayor Cleworth** stated that he had attended the court hearing on the Bill Stroeker estate case and complimented Detective Gibson on his detective work. He added that everything in the theft had been recovered with the exception of about five notes that had a total value of less than \$1,000. He referenced an article in the Fairbanks Daily News Miner regarding the diminishing number of van rides for the Community Service Patrol. He stated that the statistics were encouraging and that he believes the homeless situation is improving in the downtown area. He gave a brief report on the AML Conference at the Westmark Hotel and commended City Staff for various presentations. Mayor Cleworth corrected an earlier statement that the City had over \$11 million in the General Fund; he stated that after voters elected to pay off outstanding bonds at the October 2011 election, the balance was now at roughly \$8 million.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 5863 – An Ordinance Amending the 2011 Budget Estimate for the Third Time. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5863.

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

**Mr. Gatewood** remarked that it is nice to see costs lower than what was budgeted.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO ADOPT ORDINANCE NO. 5863, AS FOLLOWS:

YEAS: Gatewood, Stiver, Hilling, Matherly, Roberts

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED and Ordinance No. 5863 ADOPTED.

- b) Ordinance No. 5864 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article XIII Business Licensing Regarding Application Information and Fees. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

**Mr. Gatewood**, seconded by **Mr. Hilling**, moved to ADOPT Ordinance No. 5864.

**Mayor Cleworth** called for Public Testimony.

Lance Roberts – Mr. Roberts stated that the changes in Ordinance No. 5864 were trivial, but he suggested that business licensing fees were a sales tax. He indicated that all fees charged to a business are passed on to the consumer.

**Mr. Hilling** asked if Mr. Lance Roberts was opposed to the City's business licensing fees.

Mr. Lance Roberts replied that he objected to taxes in general, but that this was less onerous than a property tax.

**Mr. Roberts** spoke to the origins of the City's business license requirement, recalling the need for the fee because of the cap on the property tax mill rate. He advised future City Councils to lower business licensing fees if the property tax cap were ever removed.

**Mr. Hilling** asked for clarification on the proposed changes in the City's business licensing fees.

**Mayor Cleworth** provided clarification on the changes.

**Mr. Matherly** asked what the collection rate is for business licensing and what the consequences are for non-compliance. He also inquired about the City's auditing process.

**Mayor Cleworth** answered that there is a position in the Finance Department responsible for monitoring and auditing business licensing. He added that the proposed changes in Ordinance No. 5864 would affect only six large-grossing businesses in the City. He spoke to the history of the tax cap in relation to business licensing fees.

**Mr. Hilling** asked if those six company names could be disclosed.

**Mayor Cleworth** replied that number of companies was an estimate and that the information was confidential.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5864, AS FOLLOWS:

YEAS: Gatewood, Roberts, Matherly, Stiver, Hilling

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED and Ordinance No. 5864 ADOPTED.

### **NEW BUSINESS**

- a) Resolution No. 4493 – A Resolution Authorizing the City of Fairbanks to Participate in the FFY2011 Community Development Block Grant (CDBG) Program. Introduced by Mayor Cleworth.

**Mr. Roberts**, seconded by **Mr. Gatewood**, moved to APPROVE Resolution No. 4493.

**Mayor Cleworth** asked Margarita Bell to provide a staff report on the Community Development Block Grant.

Ms. Bell provided a staff report and explained the Community Development Block Grant process. She clarified that Resolution No. 4493 was only for authorization to apply for the grant and that, in the event that the City was awarded the money, another resolution would have to be approved by the Council to accept the funds. She spoke to the community support offered at the required public hearing in October for the CDBG.

**Mr. Matherly** thanked Ms. Bell for her time. He inquired about the City of Fairbanks' history with the CDBG, stating his understanding that this was the first time an outside agency was involved. He asked what the block grant funds have been used for in the past.

Ms. Bell explained that prior block grant funding went towards City property or projects, so they did not require a match. She indicated that this grant would be different because it involves a building that is not owned by the City.

**Ms. Stiver** asked for clarification on who the applicant of the grant is and what criteria must be met in order to be successful in applying.

Ms. Bell stated that the City of Fairbanks would be the applicant, applying on behalf of Clearwater Ministries. She added that sustainability is a factor of the grant application, and that in order for them to keep the grant money, the renovation will have to be successful. Ms. Bell spoke to the many factors involved in a successful application: community support, organization management, and purpose (outreach to low- and middle-income residents). She explained that the program must be sustained for a minimum of five years before liability to the City is withdrawn.

**Mr. Matherly** commented that there is no guarantee that the City's grant application will be successful.

**Mr. Gatewood** asked if the City has an indirect rate.

Ms. Bell replied that if the grant is approved, the City would be reimbursed for the administration of the grant; but if the project was not successful, that reimbursement would have to be returned with the rest of the grant dollars.

**Mr. Roberts** asked about the time frame for the grant and asked if Resolution No. 4493 could be postponed.

Ms. Bell stated that the grant deadline was December 2, 2011, but that if the resolution was postponed, it would eliminate the secondary plan to apply for funding of a fire engine.

**Mr. Hilling** asked if authorization to apply obligated the City to accept funds granted.

Ms. Bell replied that there would be no obligation for the City to accept funding.

**Mr. Hilling** asked if the \$250,000 grant match was based on 25% of the total grant and in what terms the match would be made.

Ms. Bell confirmed that the match is 25% of the grant total, and that the match would change if renovation costs were revised. She explained that the grant does not support operating costs, with the exception of administration, and that the funds would strictly support renovation. Ms. Bell stated, that to the best of her knowledge, the organization intends to make an in-kind contribution for the \$250,000 match by using the appraisal value of the building along with a donation.

**Mr. Hilling** asked to whom the building ownership goes upon completion of the renovation. He asked about the organization's means of financial support.

Ms. Bell replied that Clearwater Ministries will retain ownership and that they receive in-kind support for staffing. She stated that they also plan to apply for various grants through the Fairbanks North Star Borough and other sources.

**Ms. Stiver** asked for clarification on who has to make the 25% match.

Ms. Bell clarified that the City is required to make the match, but that the organization will be obligated to make that match as part of the agreement between the City of Fairbanks and Clearwater Ministries.

**Ms. Stiver** asked why the secondary plan for the CDBG could not be in place if Resolution No. 4493 was postponed and failed.

Ms. Bell replied that there was only one more City Council Meeting before the grant deadline and that would not allow enough time for a replacement resolution to be approved.

**Mayor Cleworth** suggested that, if Resolution No. 4493 is postponed, an alternate resolution to apply for the grant to purchase a fire engine could be prepared if the current proposal fails.

**Mr. Hilling** stated his support for Resolution No. 4493, given the City still has the option to back out of accepting the grant.

**Mr. Gatewood** stated his firm support for Resolution No. 4493. He commented that while the proposed business plan isn't rock solid, it appears that Youth Advocates has a strong Board of Directors and a good plan. He stated his belief that the lives of homeless youth are more important than the financial risk to the City.

**Ms. Stiver** acknowledged the importance of the issue at hand, and stated her respect for the project plan. She hesitated with the approval of Resolution No. 4493 due to the inexperience of the Youth Advocates organization and the financial liability that would fall upon the City.

**Mr. Matherly** reflected upon his experience as a banker and the desired qualities of an applicant: tenacity, passion, good history in the community. He spoke to the value of the public testimony and community support expressed earlier in the meeting. He stated his unequivocal support for Resolution No. 4493.

**Mr. Hilling** thanked Mr. Gatewood for his comments. He expressed his support for Resolution No. 4493.

**Ms. Stiver** stated that she would support the project if it was backed by a long-standing organization in the community who would be willing to share the risk.

**Mr. Roberts** stated that he shared Ms. Stiver's concerns. He asked Ms. Stiver if she would like to postpone the resolution until the next meeting to see if such support could be obtained, or move forward with the authorization to apply for the CDBG and hope that the support will follow.

**Ms. Stiver** replied that her intent from the beginning has been to postpone.

**Mr. Roberts**, seconded by **Ms. Stiver**, moved to POSTPONE Resolution No. 4493 until the Regular Meeting of November 21, 2011.

**Mr. Gatewood** stated his respect for his fellow Council Members and added that postponing Resolution No. 4493 was more than fair.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4493, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Hilling, Stiver

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED and Resolution No. 4493 POSTPONED to the Regular Meeting of November 21, 2011.

- b) Resolution No. 4494 – A Resolution Amending the City Schedule of Fees and Charges for Service. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4495 – A Resolution Adopting Governmental Accounting Standards Board (GASB) Statement 54 & Fund Balance Policy. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4496 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Division of Homeland Security and Emergency Management Under the FFY2011 Homeland Security Grant Program. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Resolution No. 4497 – A Resolution Urging the Alaska State Legislative and Executive Branches to Make Expressly Legal the Cultivation of Industrial Hemp in the State of Alaska. Introduced by Council Member Hilling.



**Mr. Hilling**, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4497.

**Mr. Hilling**, seconded by **Mr. Gatewood**, moved to AMEND Resolution No. 4497 by striking “small-scale (“illegal”) producers in the Delta region and” in the third paragraph.

**Mr. Matherly** asked Mr. Hilling the reasoning behind the entire third paragraph of the resolution, and why the term “illegal” had been used.

**Mr. Hilling** indicated that the reason for the third “WHEREAS” was because of the variety of local demands for hemp. He explained that he would like to strike the portion that referred to illegal production in the Delta region because it was hearsay.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4497, AS FOLLOWS:

YEAS: Hilling, Roberts, Stiver, Matherly, Gatewood

NAYS: None

**Mayor Cleworth** declared the MOTION CARRIED.

**Mr. Gatewood** indicated that he had done some research on hemp products and could see some benefits. He referenced Mr. Lance Roberts’ testimony and expressed his own conflict in supporting the legalization of hemp, stating his fears that it may be misinterpreted as support for marijuana growth. He stated that the two products are so closely aligned that it is difficult to separate them and see the value of hemp cultivation. He stated his hesitation to support the resolution solely because he could not afford to be associated with the legalization with marijuana in any way.

**Mr. Matherly** stated that he has always associatedd hemp and marijuana, but offered the possibility that the two may be very different. He recognized that “pot growers” will always cultivate marijuana illegally, but if hemp is a viable product that will be beneficial to the community, he would be willing to broaden his horizons and extend his support for Resolution No. 4497, as Amended.

**Mr. Hilling** stated that the U.S. is the largest importer of raw hemp in the world. He listed various common products that contain hemp and the possibilities for its use in fuel. He addressed the concern of the correlation between hemp and marijuana and stated that he doesn’t believe the comparison is an issue.

**Mr. Gatewood** asked for clarification on the pollination process if the two products grow closely.

**Mr. Hilling** replied that if marijuana and hemp are cultivated closely, the THC in the hemp will increase while the THC in marijuana will decrease.

**Mr. Roberts** clarified that Resolution No. 4497, as Amended, would not legalize the cultivation of hemp, rather, it would ask the state to reconsider the benefits of its production.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4497, AS AMENDED, AS FOLLOWS:

YEAS: Stiver, Matherly, Hilling, Roberts  
NAYS: Gatewood  
**Mayor Cleworth** declared the MOTION CARRIED and Resolution No. 4497, as Amended, APPROVED.

### **DISCUSSION ITEMS**

#### Committee Reports

Permanent Fund Review Board – **Mr. Gatewood** gave a brief report on the November 2, 2011 meeting.

Bed Tax Discretionary Fund Committee – **Ms. Stiver** gave an update on the number of applicants for the 2012 disbursement and informed Council that presentation meetings would be scheduled for December.

FMATS Policy Committee – **Mr. Roberts** announced the committee's upcoming meeting on November 16, 2011 in the DOT Conference Room.

### **COMMUNICATIONS TO COUNCIL**

- a) Approval of the 2012 City Council Meeting Schedule

**Mr. Gatewood**, seconded by **Mr. Matherly**, moved to ADOPT the 2012 City Council Meeting Schedule.

Ms. Hovenden informed the Council that Mr. Eberhart (not present) had requested to move the February 13, 2012 meeting to February 27, 2012.

**Mayor Cleworth** called for objection to the revised schedule and, hearing none, so ORDERED.

- b) Permanent Fund Review Board July 20, 2011 Meeting Minutes

ACCEPTED on the Consent Agenda.

- c) Reappointment to the Bed Tax Discretionary Committee

APPROVED on the Consent Agenda.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Stiver** expressed her hope that Clearwater Ministries could obtain local support and move forward with the project.

**Mr. Roberts** commented on the busy season with budget approval approaching. He stated that he looks forward to seeing fellow Council Members at the budget review meetings.

**Mr. Gatewood** stated his appreciation for citizen participation in public testimony and expressed his respect for fellow Council Members. He spoke to the Champions for Children dinner he recently attended that honored three outstanding Fairbanks citizens and offered his thanks to those individuals.

**Mr. Hilling** expressed his appreciation for the public participation in the meeting. He spoke briefly to the CDBG and conveyed hope that Clearwater Counseling could find support for their project. He thanked Mr. Turney for helping educate him on the hemp issue. He spoke to smaller federal government and the constitution.

**Mr. Matherly** echoed Mr. Gatewood's sentiments about serving with fellow Council Members. He thanked Ms. Hovenden and the Clerk's Office for their service to the City Council.

**Mayor Cleworth** gave a brief update on the renovation of the City Hall gymnasium.

**Mr. Matherly**, seconded by **Mr. Roberts**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Negotiations.

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

**Mayor Cleworth** called for a five minute recess.

### **EXECUTIVE SESSION**

Labor Contract Negotiations – AFL-CIO

The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations. Direction was given to staff and no formal action was taken.

### **ADJOURNMENT**

**Mr. Roberts**, 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 10:40 P.M.

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JERRY CLEWORTH, MAYOR

ATTEST:

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JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## MEMORANDUM

TO: Mayor Jerry Cleworth  
City Council Members

FROM: Janey Hovenden, CMC, City Clerk

SUBJECT: Renewal of Liquor License

DATE: January 18, 2012

Attached you will find the notification of liquor license renewals from the State ABC Board for the following liquor licenses. You will also find responses received from the Fire Department, Finance Department and Police Department:

Lic #	Establishment Name	License Type	Premise Location	Owner Name
54	American Legion Post #11	Club	129 1st Avenue	Dorman H Baker Post #11
542	Husky Lounge	Bev. Dispensary-Seasonal	<del>1521 E Cushman</del> <b>NO LOCATION</b>	The Kishan Group Inc
710	Mecca Bar	Beverage Dispensary	549 2nd Ave	JRB Inc
995	Safeway Store #2754	Package Store	3627 Airport Way	Safeway Inc
999	Oaken Keg #3410	Package Store	30 College Road	Safeway Inc
3381	Food Factory	Rest/Eating Place	44 College Road	CNR Enterprise LLC
4156	Holiday #622	Package Store	2300 S Cushman St	Holiday Alaska Inc.
4170	Lavelle's Bistro	Bev. Dispensary	575 1st Avenue	Café de Paris Catering Co
4232	Kodiak Jack's	Bev. Dispensary	537 Gaffney	JSR Inc
4344	Siam Dishes	Restaurant/Eating Place	338 Old Steese Hwy	Air Choummittaphanh & Southsakone Pheunmany
4395	Boston's	Bev. Dispensary	1243 Old Steese Hwy	Goethe LLC
4941	Seoul Gate Restaurant	Rest/Eating Place	958 Cowles Street	Chong Pak

Pursuant to FGC Sec. 14-178 the Council must determine whether or not to protest liquor license renewals after holding a public hearing.

Please note that there are no departmental protests. See the attached documentation on the Husky Lounge.

Please contact me if you need any further information.



# State of Alaska

## Department of Public Safety

# Alcoholic Beverage Control Board

Sean Parnell, Governor  
Joseph A. Masters, Commissioner

January 18, 2012

### Renewal Application Notice

City of Fairbanks

Attn: City & Borough Clerks

VIA EMAIL: [jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us) & [pphillips@co.fairbanks.ak.us](mailto:pphillips@co.fairbanks.ak.us)

DBA	Lic Type	Lic #	Owner	Premise Address
American Legion Post #11	Club	54	Dorman H Baker Post #11	129 1st Avenue
Husky Lounge	Beverage Dispensary- Seasonal	542	The Kishan Group Inc	1521 E Cushman
Mecca Bar	Beverage Dispensary	710	JRB Inc	549 2nd Ave
Safeway Store #2754	Package Store	995	Safeway Inc	3627 Airport Way
Oaken Keg #3410	Package Store	999	Safeway Inc	30 College Road
Alaska Salmon Bake	Restaurant/Eating Place - Seasonal	1639	Intra-Sea Inc	2300 Airport Way
Food Factory	Restaurant/Eating Place	3381	CNR Enterprise LLC	44 College Road
Holiday #622	Package Store	4156	Holiday Alaska Inc.	2300 S Cushman St
Lavelle's Bistro	Beverage Dispensary	4170	Café de Paris Catering Co	575 1st Avenue
Kodiak Jack's	Beverage Dispensary	4232	JSR Inc	537 Gaffney
Siam Dishes	Restaurant/Eating Place	4344	Air Choummittaphanh & Southsakone Pheunmany	338 Old Steese Hwy
Boston's	Beverage Dispensary	4395	Goethe LLC	1243 Old Steese Hwy
Seoul Gate Restaurant	Restaurant/Eating Place	4941	Chong Pak	958 Cowles Street

We have received a renewal application for the above listed licenses within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

**Alcoholic Beverage Control Board**  
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is “arbitrary, capricious and unreasonable”. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

*/s/ Christine C. Lambert*

Christine C. Lambert

Licensing & Records Supervisor

269-0359

Christine.lambert@alaska.gov

**Alcoholic Beverage Control Board  
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.  
 FIRE DEPARTMENT  
 FAIRBANKS POLICE DEPT.

DATE: December 22, 2011

FROM: CITY CLERK'S OFFICE  
RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 12/21/2011 (60 DAY DUE DATE 02/19/2012)

DATE RESPONSE DUE: 01/17/2012 for City Council Meeting of 01/23/2012

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
54	American Legion Post #11	Club	129 1st Avenue	Dorman H Baker Post #11	(907)452-2228
542	Husky Lounge	Bev. Dispensary- Seasonal	1521 E Cushman	The Kishan Group Inc	(775)575-9911
710	Mecca Bar	Beverage Dispensary	549 2nd Ave	JRB Inc	(907)978-9264
995	Safeway Store #2754	Package Store	3627 Airport Way	Safeway Inc	(907)374-4000
999	Oaken Keg #3410	Package Store	30 College Road	Safeway Inc	(907)456-8501
3381	Food Factory	Rest/Eating Place	44 College Road	CNR Enterprise LLC	(907)452-3313
4156	Holiday #622	Package Store	2300 S Cushman St	Holiday Alaska Inc.	(952)830-8700
4170	Lavelle's Bistro	Bev. Dispensary	575 1st Avenue	Café de Paris Catering Co	907)450-0555
4232	Kodiak Jack's	Bev. Dispensary	537 Gaffney	JSR Inc	907)456-5151
4344	Siam Dishes	Restaurant/Eating Place	338 Old Steese Hwy	Air Choummittaphanh & Southsakone Pheunmany	907)452-7419
4395	Boston's	Bev. Dispensary	1243 Old Steese Hwy	Goethe LLC	907)458-9222
4941	Seoul Gate Restaurant	Rest/Eating Place	958 Cowles Street	Chong Pak	907)456-2060

NO PROTEST:       PROTEST

### REASONS OR COMMENTS

DEPARTMENT  
SIGNEE: [Signature]  
SIGNATURE

12/27/11  
DATE

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM. ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715  
Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.  
 FIRE DEPARTMENT  
 FAIRBANKS POLICE DEPT.

DATE: December 22, 2011

FROM: CITY CLERK'S OFFICE  
RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 12/21/2011 (60 DAY DUE DATE 02/19/2012)

DATE RESPONSE DUE: 01/17/2012 for City Council Meeting of 01/23/2012

Lic #	Establishment Name	License Type	Premise Location	Owner Name	Phone
✓ 54	American Legion Post #11	Club	129 1st Avenue	Dorman H Baker Post #11	(907)452-2228
542	Husky Lounge	Bev. Dispensary- Seasonal	1521 E Cushman	The Kishan Group Inc	(775)575-9911
✓ 710	Mecca Bar	Beverage Dispensary	549 2nd Ave	JRB Inc	(907)978-9264
✓ 995	Safeway Store #2754	Package Store	3627 Airport Way	Safeway Inc	(907)374-4000
✓ 999	Oaken Keg #3410	Package Store	30 College Road	Safeway Inc	(907)456-8501
✓ 3381	Food Factory	Rest/Eating Place	44 College Road	CNR Enterprise LLC	(907)452-3313
✓ 4156	Holiday #622	Package Store	2300 S Cushman St	Holiday Alaska Inc.	(952)830-8700
✓ 4170	Lavelle's Bistro	Bev. Dispensary	575 1st Avenue	Café de Paris Catering Co	907)450-0555
✓ 4232	Kodiak Jack's	Bev. Dispensary	537 Gaffney	JSR Inc	907)456-5151
✓ 4344	Siam Dishes	Restaurant/Eating Place	338 Old Steese Hwy	Air Choummittaphanh & Southsakone Pheunmany	907)452-7419
✓ 4395	Boston's	Bev. Dispensary	1243 Old Steese Hwy	Goethe LLC	907)458-9222
✓ 4941	Seoul Gate Restaurant	Rest/Eating Place	958 Cowles Street	Chong Pak	907)456-2060

NO PROTEST: ✓  PROTEST ~~THE~~ HUSKY LOUNGE

REASONS OR COMMENTS - UNABLE TO CONTACT. LOCATION UNDER CONSTRUCTION  
TO BE AN ALCOHOL TREATMENT CENTER

DEPARTMENT  
SIGNEE: [Signature]  
SIGNATURE

JAN 6 2012  
DATE

NOTE: THIS COMPLETED FORM MUST BE RETURNED TO THE CITY CLERK'S OFFICE BY THE DATE INDICATED ABOVE. YOU MAY E-MAIL OR FAX (459-6710) THE FORM. ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.



## Janey J. Hovenden

---

**From:** Warren B. Cummings  
**Sent:** Wednesday, January 18, 2012 11:02 AM  
**To:** Janey J. Hovenden  
**Cc:** Jerry Cleworth; Ernie D. Misewicz; Ron Templeton-FFD  
**Subject:** RE: Husky Lounge Contact Information

Janey , Fire Dept. agrees and withdrawals protest , Warren.

---

**From:** Janey J. Hovenden  
**Sent:** Wednesday, January 18, 2012 9:27 AM  
**To:** Warren B. Cummings  
**Cc:** Jerry Cleworth  
**Subject:** FW: Husky Lounge Contact Information

Warren,

If you agree, I plan to include this information as backup and address the situation in my cover memo, basically stating that in light of the information provided by the ABC Board, the fire department no longer wishes to recommend protesting the renewal.

OK?

Janey



---

**From:** Lambert, Christine C (DPS) [mailto:christine.lambert@alaska.gov]  
**Sent:** Wednesday, January 18, 2012 8:04 AM  
**To:** Janey J. Hovenden  
**Subject:** RE: Husky Lounge Contact Information

Janey,

My apologies, I did not realize this license had not been changed to a no premise license. I have updated the database to reflect the change. I have attached the third waiver application which states that the property has been sold.

A beverage dispensary – seasonal license allows the licensee to operate only six months out of the year. It is used for seasonal locations, but has also been requested when waivers are being applied for, as it lowers the cost of the waivers. The cost of the license is half of the full year.

The third waiver is usually granted by the ABC Board but a clear warning is stated that a fourth waiver will more than likely not be granted. I attach the letter we sent to the Kishan Group regarding the waiver approval and warning regarding any consequent waivers.

Again, I sincerely apologize for not having this license properly placed in a no premise situation. We are slowly cleaning up here and I am confident that within the year the licensing team will have things in a much improved state. If you have any other questions, do not hesitate to ask.

Chris

*Christine C. Lambert*  
Records & Licensing Supervisor  
ABC Board  
907-269-0359

---

**From:** Janey J. Hovenden [mailto:jjhovenden@ci.fairbanks.ak.us]  
**Sent:** Tuesday, January 17, 2012 11:41 AM  
**To:** Lambert, Christine C (DPS)  
**Subject:** RE: Husky Lounge Contact Information  
**Importance:** High

Chris,

Yes, can you send me the waive application too and whatever information they submitted. I need to provide the Council with additional information. Currently, that location is a "wet" shelter. There is no liquor establishment to inspect and we can't make contact with anyone at The Kishan Group.

What is the difference between a regular Beverage Dispensary License and a Beverage Dispensary-Seasonal license?

What is the policy for someone requesting a "third" waiver? I thought at one time there was a limit to how many times they can receive a waiver.

Is there a reason they haven't transferred it to a "no premise" license?

Sorry for all these questions, but they have come up during staff meeting and I know that the Fire Department is going to recommend protesting the renewal.

Thank you for your time,

Janey

Janey Hovenden, CMC  
Municipal City Clerk  
City of Fairbanks  
(907) 459-6774  
[jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us)

---

**From:** Lambert, Christine C (DPS) [mailto:christine.lambert@alaska.gov]  
**Sent:** Monday, January 09, 2012 8:26 AM  
**To:** Janey J. Hovenden  
**Subject:** RE: Husky Lounge Contact Information

Janey,

The third waiver application I received in October has a contact number of 775-829-4611. I have changed our database to reflect the new contact phone number. If I can be of further service, let me know.

Chris

*Christine C. Lambert*  
Records & Licensing Supervisor  
ABC Board  
907-269-0359

---

**From:** Janey J. Hovenden [mailto:jjhovenden@ci.fairbanks.ak.us]  
**Sent:** Friday, January 06, 2012 11:00 AM  
**To:** Lambert, Christine C (DPS)

**Cc:** Warren B. Cummings  
**Subject:** Husky Lounge Contact Information  
**Importance:** High

Christine,

We are unable to contact anyone from the Kishan Group Inc., to inspect the Husky Lounge. The telephone number we have is (775)575-9911. Do you have a better contact number for them?

Janey Hovenden, CMC  
Municipal City Clerk  
City of Fairbanks  
(907) 459-6774  
[jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us)





# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## LIQUOR LICENSE RESPONSE FORM

TO:  FINANCE DEPT.  
 FIRE DEPARTMENT  
 FAIRBANKS POLICE DEPT.

DATE: December 22, 2011

FROM: CITY CLERK'S OFFICE

RE: LIQUOR LICENSE ACTION - RENEWALS

DATE NOTICE RECEIVED AT CLERKS OFFICE: 12/21/2011 (60 DAY DUE DATE 02/19/2012)

DATE RESPONSE DUE: 01/17/2012 for City Council Meeting of 01/23/2012

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4941	Seoul Gate Restaurant	Rest/Eating Place	958 Cowles Street	Chong Pak	907)456-2060

NO PROTEST:  PROTEST

### REASONS OR COMMENTS

DEPARTMENT  
SIGNEE:

SIGNATURE

DATE

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ANY QUESTIONS CALL OUR OFFICE AT 459-6774. THANK YOU.

**ORDINANCE NO. 5873**

**AN ORDINANCE TO REPEAL FGC SEC. 50-286 REGARDING PERS PARTICIPATION BY ELECTED OFFICIALS AND PERSONNEL CODE EMPLOYEES**

**WHEREAS**, Fairbanks General Code Section 50-286 was enacted at a time when elected officials and employees covered by the city's personnel code were participating in the state's Public Employee Retirement System; and

**WHEREAS**, since that time, the City removed personnel code employees and elected officials from its PERS participation agreement; and

**WHEREAS**, Section 50-286 is out of date and should be removed from the Code;

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

**SECTION 1.** That Fairbanks General Code Section 50-286 is hereby repealed.

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of January 2012.

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

**ORDINANCE NO. 5874**

**AN ORDINANCE RATIFYING AN AMENDMENT TO THE CURRENT  
LABOR AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE  
PUBLIC SAFETY EMPLOYEES ASSOCIATION**

**WHEREAS**, the current Collective Bargaining Agreement (“CBA”) between the City and the PSEA contained provisions that allowed for renegotiation regarding wages and benefits for 2012; and

**WHEREAS**, tentative agreement has been reached on an amendment to the CBA which incorporates the labor goals of the City Council, is consistent with the terms of other recently adopted labor contracts, and has been approved by the membership of the bargaining unit.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY  
OF FAIRBANKS, ALASKA, as follows:**

Section 1. That the attached amendment to the 2011 collective bargaining agreement is hereby ratified.

Section 2. That the effective date of this ordinance shall be the \_\_\_\_\_ day of January 2012.

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

COLLECTIVE BARGAINING AGREEMENT

BETWEEN

THE CITY OF FAIRBANKS

AND

THE PUBLIC SAFETY EMPLOYEES ASSOCIATION

FAIRBANKS POLICE DEPARTMENT CHAPTER

2011 - 2013

Updated December 23, 2011

This Agreement is reached between the City of Fairbanks (hereinafter referred to as the "City") and the Public Safety Employees Association (hereinafter referred to as "the Association" or "PSEA") for the uses and purposes herein mentioned.

[ATTACHED ARE ONLY THOSE SECTIONS FOR WHICH AMENDS ARE PROPOSED.  
NEW LANGUAGE IS IN **BOLD/UNDERLINED FONT**; DELETIONS ARE IN ~~STRIKEOUT FONT~~]

## Section 9.2 Health Benefits.

- A. For each member, the City shall contribute \$1,000 per month to PSEA's Health and Welfare Trust Plan effective 1/1/2011. ~~Effective 1/1/2012, this contribution shall increase to \$1,050 per month and effective 1/1/2013 this contribution shall increase to \$1,100 per month.~~ Effective 8/16/12, this contribution shall increase to \$1,040 per month. (Updated 12/23/11)

## Section 10.1.

- F. Abbreviated Workweek Option for Police Department members, more commonly referred to as the 3/12's Workweek Option. (12/23/11 update)

Concept and Purpose: FPD and PSEA agree that the spirit behind offering a shortened (36-hour) workweek for a limited number of sworn members is to provide an opportunity for members to enjoy significant (four-day) weekend periods off-duty while still maintaining viable and otherwise unaffected full-time employment. This abbreviated workweek shall be in the form of three, 12-hour shifts per week. The goals of this program are (1) to better accommodate members who have compelling interests outside the department in such personal things as closer child- or elder-care, growing a side business, or pursuing further education; (2) to afford the department an influential retention and recruiting tool for employment overall; and (3) reduce fatigue and support higher morale for those members who neither want nor need significant overtime engagement.

Overall Description: In its simplest form, the program is intended to merely redefine the workweek down from 40 hours to 36 (and to do so by way of three, 12-hour shifts), leaving all other provisions of the underlying Collective Bargaining Agreement (CBA) intact. Specifically:

- Leave accrual remains as provided in the CBA.
- PERS time-in-service accrual remains unaffected, and the City would continue to make contributions as normal (though perhaps based on a smaller reported income).
- All seniority provisions and accrual remains as currently specified, to include all applicable bidding processes.

Resolving Conflicts: Although the introduction of the abbreviated workweek option is intended to be as transparent and consistent with all provisions of the underlying CBA, it cannot be perfectly so. Not every provision of the underlying CBA applies to this program, and some provisions in this Letter of Agreement supersede equivalent provisions in the CBA. Proper guidance in administering this program is to be gained by blending both documents rationally. In cases where insufficient language or multiple interpretations exist,



both parties will discuss the matter with good-faith efforts to reconcile the difference. Beyond that, the standard grievance process can be invoked.

Overtime: The nature of the abbreviated workweek brings with it some modifications to how overtime can be administered. The following list describes specific overtime provisions that are unique to 12-hour shifts:

1. When measured weekly, overtime will accrue only after a full 40 hours of duty have been performed. As an example, a participating member who worked his or her three, 12-hour shifts and then reports to work, say, an eight-hour block on day four would be paid four hours at straight time (to achieve a weekly 40 hours), and four hours at time and a half.
2. When measured daily, overtime accrues at this rate: Those hours of work (a) over 12 consecutive hours up to 13 hours, or (b) over 12 hours in any day up to 13 hours, will be paid at the basic rate plus shift differential multiplied by one and a half. Those hours of work (a) over 13 hours in any day, or (b) those hours of work over 13 consecutive hours, will be paid at the basic rate plus shift differential multiplied by two. NOTE: Personal leave other than for injury or illness taken during a day qualifies as work time for computing overtime worked beyond the scheduled shift hours on a single day.
3. Any hours which a member is required to work during his or her four-day weekend which prevents the employee from having forty-eight consecutive hours off will be paid at the base rate plus shift differential times two. Where this provision may conflict with other straight time/overtime language, this provision shall prevail (in favor of the employee).
4. Members shall receive at least eight hours of straight pay for each holiday, as normal. If a member is directed to not work a holiday, the City will credit them straight time pay commensurate with his or her normal work shift. If the member works on the holiday, he or she will be paid the Holiday Rate for regular scheduled hours worked. Hours worked in excess of the normal work shift shall be paid at the basic rate, plus shift differential multiplied by two.
5. Nothing herein precludes a participating member from bidding on posted overtime, as normal, subject to any restrictions placed on other members as well (such as grants that do not allow payment via compensatory time).
6. Consistent with 10.5 C. 3) of the underlying contract, no member will

routinely work more than 14 hours in a work day, nor be forced to work overtime on all of his or her off-duty days. In such instances, the next least senior member in that classification may be assigned to work.

Miscellaneous Provisions: The following items shall apply to participating members:

1. Meal Breaks and Allowances: Being subject to recall while on meal breaks, officers shall be considered to be in "on-duty" status during those breaks. One meal break of 30 minutes shall be afforded about midway through a shift for each participating, on-duty member. Members shall be paid \$10.00 in meal compensation if they work more than 2 hours beyond their normal shift.
2. Management Rights: The City retains the unilateral right to eliminate this program should it prove to have inappropriate operational or fiscal impact. Notice of such termination shall abide by current CBA provisions for adequate notice of affected personnel. Further, the City can limit the number of participants in the program. Should the number of vacancies be less than the number of bidders, normal bidding seniority shall prevail.
3. Employee Obligations: The abbreviated workweek is designed to be an employee benefit, so there is no expectation of continued participation. Employees may bid for a posted 3/12s shift at each bidding cycle. Further, leaving that shift mid-cycle for exigent circumstances will be considered by the Chief of Police as it would for any other shifting system.
4. Field Training: The abbreviated workweek is an inappropriate schedule for any type of field training or satisfaction of probationary periods. As such, no recruit or current employee recently promoted or put on any type of probationary period will be allowed to bid the abbreviated workweek.
5. Field Training Officers: Certified FTOs are invited to bid for the abbreviated workweek if they desire. However, it is the department's resolute policy to provide recruits with the best training possible, which includes matching up the most appropriate FTO with the individual recruit. This requires that the department reserve the right to remove an FTO from the 3/12s schedule temporarily, and only for the amount of time necessary, to properly train new employees. All effort will be made to minimize this disruption.

#### Section 10.5 Overtime/Premium Pay.

*(See also, Article 4 and sections 7.12(B) and 8.9)*

## A. Overtime

- 1) For members who work a five/eight shift, all work performed in excess of forty (40) hours within a week or eight (8) hours within a twenty-four hour period shall be paid at one and one-half (1.5) times the basic rate of pay. Overtime shall be measured in one-half (1/2) hour increments. For purposes of this section, the employees' first duty day establishes the first day of the week. The twenty-four (24) hour period for purposes of determining overtime begins at the commencement of the employee's duty assignment.
- 2) A member who works a 4/10 schedule shall be paid overtime for all hours worked in excess of ten (10) hours of work in any one day non-holiday.
- 3) Any member who is required to work any hours which prevents them from having forty-eight (48) consecutive hours off will be paid at the basic rate plus shift differential, if any, multiplied by 2.

**Clarification: Both parties agree that this does not apply to members working a standard, 5/8s workweek. Instead, any required overtime that deprives the member working 5/8s of 24 consecutive hours off shall be paid at the basic rate plus shift differential times two. (12/23/11 update)**

- 4) Personal Leave, other than for injury or illness, taken during a day does qualify as work time for purposes of computing overtime worked beyond scheduled shift hours on a single day.
- 5) When a member works overtime hours on a shift that qualifies for shift differential pay, the City shall compute overtime pay on the basis of the following formula: Basic hourly rate plus shift differential, if any, multiplied by 1.5.
- 6) Those hours of work over twelve (12) hours in any day will be paid at the basic rate plus shift differential multiplied by two (2). Those hours of work over twelve (12) consecutive hours will be paid at the basic rate plus shift differential multiplied by two (2).
- 7) All volunteered overtime is paid at the basic rate, plus any shift differential, multiplied by 1.5

### **Section 10.7 Compensatory Time Off.**

Except for grant funded positions or assignments where compensatory time is not reimbursed, compensatory time off in lieu of overtime may be accrued, at

the member's discretion, at the appropriate overtime rate. Compensatory time off shall be taken at mutually agreeable times. Any compensatory time earned must be taken **during the calendar year in which it's earned or paid at the end of that calendar year** if possible or paid at the member's next anniversary date ~~at the member's basic rate on the day prior to said anniversary date.~~ **Members may be allowed to carry over compensatory time into the following year with approval from the Mayor.** Should a member separate from service for any reason, the member's compensatory time shall be paid at termination at the dollar value in effect at the date of termination. (12/23/11 update)

### **Section 12.7 Leave Without Pay.**

- A. At the request of the employee, the City Mayor may grant an employee leave without pay when it is in the best interest of the City to do so.
- B. The employee request may be considered when the employee has shown by his or her record to be of more than average value to the City and where it is desirable to retain the employee even at some sacrifice. During the employee's approved leave of absence at the discretion of the Department Head and with the prior written approval of the City Mayor, the employee's position may be filled by limited-term appointment, temporary promotion or temporary reassignment of any employee. At the expiration of the leave without pay the employee has the right to, and shall be reinstated to, the position vacated if the position still exists; or, if not, to any other vacant position in the same class. Approved leave without pay shall not constitute a break in service, but any period in excess of ten (10) days in any calendar year may not be creditable for vesting or retirement under the State of Alaska Public Employee's Retirement System. Longevity credits for purposes of completing probation, pay anniversary date and accumulation of leave benefits shall be suspended during the period of leave without pay. City medical benefits shall continue during any period of leave without pay.
- C. At the request of the employee, the City Mayor may grant an employee a voluntary reduction in hours if and when the City Mayor determines it is in the best interest of the City to do so.
- D. Seniority rights shall remain unchanged for an employee during any period of leave without pay taken in accordance with the provisions of this section. ~~This sub-section does not apply to Maternity Leave Without Pay.~~

**Clarification: The last sentence is eliminated. The new language reads only "Seniority rights shall remain unchanged for an employee during any period of leave without pay taken in accordance with the provisions of this section."**  
(12/23 update)

**Section 18.3 Pay Scale.**

<b>Classification</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>	<b>Year 7</b>
<b>Sergeant</b>	31.00	32.51	34.15	34.99	35.83	36.17	36.50
July 1, 2010 @ 3.5%	32.09	33.65	35.35	36.21	37.08	37.44	37.78
July 1, 2011 @ 2.5%	32.89	34.49	36.23	37.12	38.01	38.37	38.72
<b>Detective</b>	30.39	31.30	32.82	33.66	34.45	34.77	35.10
July 1, 2010 @ 3.5%	31.45	32.40	33.97	34.84	35.66	35.99	36.33
July 1, 2011 @ 2.5%	32.24	33.21	34.82	35.71	36.55	36.89	37.24
<b>Police Officer</b>	26.50	27.84	29.22	31.28	32.50	32.80	33.11
July 1, 2010 @ 3.5%	27.43	28.81	30.24	32.37	33.64	33.95	34.27
July 1, 2011 @ 2.5%	28.11	29.53	31.00	33.18	34.48	34.80	35.13
<b>P.O. Recruit I</b>	22.53	-	-	-	-	-	-
July 1, 2010 @ 3.5%	23.32	-	-	-	-	-	-
July 1, 2011 @ 2.5%	23.90	-	-	-	-	-	-
<b>P.O. Recruit II</b>	23.86	-	-	-	-	-	-
July 1, 2010 @ 3.5%	24.70	-	-	-	-	-	-
July 1, 2011 @ 2.5%	25.31	-	-	-	-	-	-
<b>P.O. Recruit III</b>	25.18	-	-	-	-	-	-
July 1, 2010 @ 3.5%	26.06	-	-	-	-	-	-
July 1, 2011 @ 2.5%	26.71	-	-	-	-	-	-
<b>Dispatcher</b>	19.62	20.60	21.62	23.14	24.05	24.27	24.50
July 1, 2010 @ 3.5%	20.31	21.32	22.38	23.95	24.89	25.12	25.36
July 1, 2011 @ 2.5%	20.81	21.85	22.94	24.55	25.51	25.75	25.99
<b>Lead Dispatcher</b>	20.61	21.62	22.72	24.30	25.26	25.48	25.72
July 1, 2010 @ 3.5%	21.33	22.38	23.52	25.15	26.14	26.37	26.62
July 1, 2011 @ 2.5%	21.86	22.94	24.10	25.78	26.80	27.03	27.29

<b>Front Desk Call Taker</b>	17.65	18.54	19.46	20.83	21.66	21.84	22.06
July 1, 2010 @ 3.5%	18.27	19.19	20.14	21.56	22.42	22.60	22.83
July 1, 2011 @ 2.5%	18.72	19.67	20.64	22.10	22.98	23.17	23.40
<b>Admin. Assistant</b>	19.62	20.60	21.62	23.14	24.05	24.27	24.50
July 1, 2010 @ 3.5%	20.31	21.32	22.38	23.95	24.89	25.12	25.36
July 1, 2011 @ 2.5%	20.81	21.85	22.94	24.55	25.51	25.75	25.99
<b>Evidence Custodian</b>	20.61	21.62	22.72	24.30	25.26	25.48	25.72
July 1, 2010 @ 3.5%	21.33	22.38	23.52	25.15	26.14	26.37	26.62
July 1, 2011 @ 2.5%	21.86	22.94	24.10	25.78	26.80	27.03	27.29
<b>Evidence Custodian II</b>	19.62	20.60	21.62	23.14	24.05	24.27	24.50
July 1, 2010 @ 3.5%	20.31	21.32	22.38	23.95	24.89	25.12	25.36
July 1, 2011 @ 2.5%	20.81	21.85	22.94	24.55	25.51	25.75	25.99
<b>Custodian</b>	17.56	18.44	20.14	20.92	22.18	22.39	22.58
July 1, 2010 @ 3.5%	18.17	19.09	20.84	21.65	22.96	23.17	23.37
July 1, 2011 @ 2.5%	18.63	19.56	21.37	22.19	23.53	23.75	23.95
<b>Clerk</b>	15.90	16.74	17.57	18.44	19.17	19.36	19.54
July 1, 2010 @ 3.5%	16.46	17.33	18.18	19.09	19.84	20.04	20.22
July 1, 2011 @ 2.5%	16.87	17.76	18.64	19.56	20.34	20.54	20.73
<b>Lieutenant</b>	35.38	36.35	37.33	38.32	39.34	39.71	40.07
July 1, 2010 @ 3.5%	36.62	37.62	38.64	39.66	40.72	41.10	41.47
July 1, 2011 @ 2.5%	37.53	38.56	39.60	40.65	41.73	42.13	42.51

- A. Subject to the terms of Addendum 2, the above pay scale will be increased by 4% effective 8/16/12 ~~effective 7/1/12 and 7/1/13~~, the pay scale will be increased by the amount of the annual change in the Consumer Price Index for Anchorage Alaska, provided that the change shall not be less than 1.5% and not greater than 3.5%. (Updated 12/23/11)

**RESOLUTION NO. 4506**

**A RESOLUTION TO CHANGE THE LOCATION OF THE MEETINGS  
OF THE CITY COUNCIL ON FEBRUARY 06, 2012, TO COMPLY WITH  
CONTINUITY OF OPERATIONS PLAN (COOP) REQUIREMENTS**

**WHEREAS**, the City of Fairbanks, in order to qualify for Homeland Security grant funds, must have a Continuity of Operations Plan in place for the municipal departments; and

**WHEREAS**, the COOP calls for simulated testing of the procedures established for an emergency; and

**WHEREAS**, the COOP tests require that the municipality examine functionality “off-site” from the normal work facility and that the City Council meet at a location other than the City Council Chambers; and

**WHEREAS**, the City would like to move the meetings scheduled for February 06, 2012, to the City-Owned Public Works Facility at 2121 Peger Road, Fairbanks, Alaska; and

**WHEREAS**, FGC 2-113 states that any change of location requires City Council approval by resolution,

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Fairbanks approves the relocation of the council meetings scheduled for February 6, 2012, to the city-owned Public Works Facility at 2121 Peger Road.

**PASSED and APPROVED this 23rd Day of January 2012.**

\_\_\_\_\_  
Jerry Cleworth, Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTION:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, City Clerk CMC

\_\_\_\_\_  
Paul Ewers, City Attorney

**RESOLUTION 4507**

**A RESOLUTION AUTHORIZING THE EXTRATERRITORIAL  
EXTENSION OF FIRE SUPPRESSION SERVICES BY CONTRACT**

**WHEREAS**, fire suppression is an essential municipal service that protects life and property; and

**WHEREAS**, there are adjacent properties outside the boundaries of the City that are currently unprotected by any Fire Department and could be well-served by the City Fire Department on a contractual basis; and

**WHEREAS**, should such adjacent properties seek fire suppression services, the City should be able to offer its services at a rate equivalent to that of other service area providers who could offer fire suppression services,

**NOW, THEREFORE, BE IT RESOLVED** that, subject to the requirements of FGC Sec. 2-656, the Mayor is authorized to enter into agreements for extraterritorial fire suppression services with contiguous unprotected properties at a rate equivalent to that of other service area providers who could offer the same services.

**PASSED AND APPROVED AND EFFECTIVE THIS 23RD DAY OF JANUARY 2012.**

\_\_\_\_\_  
**Jerry Cleworth, City Mayor**

AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, CMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney



*City Of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: Jerry Cleworth, City Mayor  
Subj: Resolution 4507  
Date: January 23, 2012

A handwritten signature in blue ink, appearing to be "JC", is written over the "From:" line.

---

Last year we visited the issue of fees we would charge to offer fire protection in areas of south Fairbanks that are outside our boundaries. The issue arose after one of the firms we provided service for requested to be annexed into the University Fire Service Area. The mill rate for the Service Area was less than the City rate which prompted the request. I brought this to the Finance Committee asking if there would be support in making our rate competitive with the Service Area. At that time, there was little support to change our fee structure.

Since then, we learned that Lakeview Terrace had been sold and now the current owners are also requesting to be annexed into the University Fire Service Area. This is potentially a significant future development, and it would be desirable to be able to provide service there. Simply viewing this from a public safety perspective, the City is much closer and can provide a higher level of service.

The council may not wish to change current policy. However, I believe it is our duty to bring this forward for your discussion and consideration.

Thank you.

JBC/abc



CITY OF

**FAIRBANKS**

**BOARD OF PLUMBER EXAMINERS**

**MEETING MINUTES**

LOCATION: Council Chambers

CHAIR: Mike Desmond

DATE: October 4, 2011

RECORDER: Stephen Anderson

for Clem Clooten, Building Official / Secretary

TIME: 12:00 – 1:30 PM

TOPIC	DISCUSSION	ACTION
Call to Order		12:30
Attendance		Mike Desmond, Chairman Mike Sexton, Mike Patrick, James Trickey, Stephen Anderson for Clem Clooten
Unfinished Business	Approval of Test Items Revised 4/12/11 for 2009 Code Adoptions: P04041211, P05041211, P06041211, P15041211, P16041211, P17041211, P18041211, P29041211, P30041211, P33041211, P34041211, P35041211, P36041211, P37041211, P38041211, P39041211, P40041211, P41041211, P42041211, P43041211, P44041211, P45041211	Approved without revision
New Business	Review & Approval of Test Items revise for 2009 Code Adoptions; P01xxxxxx, P02073108, P03073108, P07073108, P08xxxxxx, P09073108, P10073108, P11xxxxxx, P12073108, P13073108, P14073108, P19xxxxxx, P20073108, P21xxxxxx, P22073108, P23073108, P24073108, P25073108, P26xxxxxx, P27xxxxxx, P28xxxxxx, P31032609, P32042209,	Approved & Renumbered as follows: P01100411, P02100411, P03100411, P07100411, P08100411, P09100411, P10100411, P12100411, P13100411, P14100411, P19100411, P20100411, P21100411, P22100411, P23100411, P24100411, P25100411, P26100411, P27100411, P28100411, P32100411, Rejected for Revision & further review: P11xxxxxx, P31032609,
Other		
Next Meeting & Adjournment	Next meeting 1 <sup>st</sup> Quarter of 2012	Adjourned at 1:30 PM without setting next meeting date

# PUBLIC SAFETY COMMISSION

December 13, 2011  
11:30 AM  
Fairbanks Police Department

PSC Members:	Peter Stern (Seat C - 2013)	Buzzy Chiu (Seat D - 2011)
	Frank Eagle (Seat E - 2012)	Nate Werner (FPD Representative)
	John Eberhart (Seat A - 2011)	Greg Taylor (FFD Representative)
	Bill Satterberg (Seat B - 2012)	

## Meeting Minutes

CALLED TO ORDER: 11:36 am

ATTENDANCE:

PSC Members: Peter Stern, Frank Eagle, John Eberhart, Bill Satterberg, Buzzy Chiu, Nate Werner and Greg Taylor

PSC Members Absent: None

Others in attendance: Mayor Jerry Cleworth; Paul Ewers-CAO; Director Stephanie Johnson – FECC; Chief Laren Zager and Lt. Erik Jewkes-FPD; Asst Chief Ernie Misewicz, Dominic Lozano and Lisa Howard-FFD.

ADOPT AGENDA: Agenda adopted without changes.

PUBLIC COMMENT: None

MINUTES: The minutes of the November 8, 2011 meeting were approved without changes.

OLD BUSINESS –

**Possible Code Changes to Infractions** Mayor Cleworth reported that this issue was discussed in a lengthy meeting attended by the Mayor, Chief Zager and Lt. Jewkes among others. He thought that redundancy with State codes should be avoided whenever possible, as then prosecution is a on the State \$'s. As for transitioning some offenses from misdemeanors to violations, there are a variety of factors at play. If a person is arrested, they spend at least a night in jail and the City foots the bill. If a summons is issued, it creates work for the City Attorney's Office. He also said that consideration was being given to seek reimbursement for incarcerations, with the best case estimate being about 60% cost recovery.

Chief Zager said that there may be cases in which even though it is the same charge as the state has, there may be extra language that makes it valuable to retain what may appear to be a redundant charge. Other than that case, he supports redundancies being eliminated. Lt. Jewkes is working on reviewing the City Code for identifying those redundancies. He is also supportive of officers having more options than just arrest or not arrest. As for making some misdemeanors violations, consideration has to also be given to the fact that sometimes having the ability to arrest is a valuable tool, too, in order to break up a situation.

Bill Satterberg pointed out that sometimes the effect of an arrest can be good for the individual. Paul Ewers said that generally having some offences as violations is best, as they do not involve jail time and they do generate revenue for the City. However, moving things from a misdemeanor to a violation would mean that the ability to arrest is removed. He said that at one time many of these misdemeanors were violations and the code was re-written to make them misdemeanors. This committee will continue to work on this issue and a presentation on this topic will be presented at the next meeting.

**Role of the Public Safety Commission** Peter Stern reviewed the discussions of the last few months on this subject, resulting in a variety of items for consideration, ranging from expansion of commission roles to sun setting it. He felt the first order of business was to determine whether the committee should continue to exist before deciding the scope and details of its role. A motion was made by Bill Satterberg, seconded by Frank Eagle to sunset the City of Fairbanks Public Safety Commission. This is a recap of the discussion that followed:

*Satterberg* – the commission has potential to be of significant value if it is used by the City Council. It needs to have more power. If it is simply to receive reports then there is no real purpose for it to exist.

*Chief Zager* – the commission seems to have been created for a specific purpose and the purpose was served. It either needs to be given a new mission or sunset. A new task force can be created if there is a specific topic that requires study.

*Peter Stern* – through the years the commission has been involved in a variety of issues, to include school resource officers, air quality, and various annexation proposals. In the case of the airport annexation, the commission did not support it. It has also evaluated some grants under consideration by the Police and Fire departments, and in some cases has supported, and in other cases had not supported them. Those not supported were not applied for. The commission works at the behest of the Mayor and City Council, and it has been rare we were given issues to study. In most cases, commission members have brought up issues they felt needed discussion, such as the SRO's, pan handling and open container ordinances. He also mentioned there was value in listening to reports from people and agencies involved in the inebriate problem.

*Mayor Cleworth* – As a council member when the commission was formed, he was concerned it would simply be a cheerleading squad for the public safety departments. He doesn't think adding PW to the scope of the commission would accomplish anything except to add another report which would take up the rest of the time.

*Frank Eagle* – the commission could offer a service to the council by investigating and providing recommendations for public safety related issues that may not be popular but are in the best public interest, like having red light cameras.

*John Eberhart* – as a council member he finds the department reports very helpful to know what is going on and to have information to take back to the Council. Through participation in the commission he often has more current information than other council members – using the council debate on police department staffing levels at the meeting the night before as an example.

Bill Satterberg moved to postpone the motion until feedback was received from the Mayor and City Council with regards to their vision of the commission, with Frank Eagle agreed. A short discussion of the role, should the commission continue, was held, with the following points made:

*Stephanie Johnson* – the commission is composed of subject matter experts in the various fields of public safety, as well a selection of public representatives, and she believes that the recommendations of the commission should carry weight with the council, and be sought for public safety related issues, including budgets, grants, and level of services.

*Mayor Cleworth* – repeated his concern that the commission would be a cheerleading squad for the public safety departments. Would the commission take into consideration the financial limitations of the City? Would it be willing to support reducing funding to a public safety department to increase funding for another department deemed to be a higher priority in the city as a whole?

*Paul Ewers* – if the commission continues it should have a higher profile. If it is to serve as a public point of contact for public safety issues, then people need to know it exists and how to contact them.

*Buzzy Chui* – supports expanding the commission to include Public Works and adding additional members to represent those issues. She thinks the commission's support for CSP and its funding problems has been of benefit to the community and envisions CSP continuing as an ongoing issue for the commission.

REPORTS: (kept brief due to length of old business)

**FPD Report**

Chief Zager had Yumi McColloch distribute the monthly statistical report. Of interest was to note the significant reduction in traffic citations in November, due to the vacation of one daytime officer, showing that one officer more or less does make a difference.

**FFD Report**

Asst Chief Misewicz distributed the FFD statistics. He reported the city is participating in the statewide Alaska Shield 2012 Homeland Security exercises in February, which will include exercising the City's Continuity of Operations Plan (COOP) in the event of a large disaster that affected city buildings and services. An oxygen generator purchased primarily for use by Fairbanks Memorial Hospital in the event that the oxygen supply (it comes to Fairbanks via truck) is disrupted by a large disaster is being trained on this week and will be going into service after the training is complete. A new firefighter has been hired to fill the current vacancy, and he will start on January 3<sup>rd</sup>.

**FECC Report**

Director Johnson reported the FECC currently still has one opening. She distributed the statistics for 911 calls (land line & cell phone) taken at the center for the year. The report also gives the actual number of events handled by the center during the same time frame, broken down by agency types.

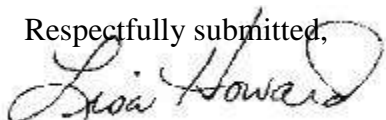
**CLOSING COMMENTS:**

Bill Satterberg recommends the public safety departments have a single Christmas related photo taken.

**NEXT MEETING:** January 10, 2012 – Fairbanks Fire Department

**MEETING ADJOURNED** at 1:02 PM

Respectfully submitted,



Lisa Howard, FFD

*City Of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: Jerry Cleworth, City Mayor *JC*  
Subj: Board of Plumber Examiners  
Date: January 23, 2012

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Terms for four members of the Board of Plumber Examiners have expired, and one seat has been vacated.

I request your concurrence to the **reappointment** of the following citizens:

Mr. Michael Sexton – Term to expire: June 30, 2014  
Mr. Mike Desmond – Term to expire: June 30, 2014  
Mr. James Trickey – Term to expire: June 30, 2013  
Mr. Mike Patrick – Term to expire: June 20, 2012 (Mr. Patrick will continue short-term, but wishes to resign when another Board member can be found.)

All nominees are previous members of this board.

Thank you.

ABC/

*City Of Fairbanks*

**MEMORANDUM**



To: City Council Members  
From: Jerry Cleworth, City Mayor  
Subj: Landscape Review Board  
Date: January 23, 2012

*JC*

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There are currently four vacancies on the Landscape Review Board: three of the vacancies are the result of term expirations, the fourth is a vacancy resulting from the resignation of a Board Member, Lisa Gambardella.

I request your concurrence to the **re-appointment** of:

Mr. Richard Heieren. Term to expire: December 31, 2014

Mr. Thomas McArdle. Term to expire: December 31, 2014

Mr. Matthew Prouty. Term to expire: December 31, 2013

Please note, the appointments listed above have been staggered so that term expirations do not occur for all members in the same year.

In order to fill the seat vacated by resignation, I also request your concurrence to the appointment of:

Ms. Julie Engfer. Term to expire: December 31, 2013

Thank you.

ABC/



CITY OF FAIRBANKS  
 Clerk's Office  
 800 Cushman Street  
 Fairbanks, Alaska 99701-4615  
 Office: 907 459-6774  
[jjhovenden@ci.fairbanks.ak.us](mailto:jjhovenden@ci.fairbanks.ak.us)

**BOARDS AND COMMISSIONS  
 APPLICATION FORM**

DATE: 1/13/2012  
 NAME: Julie Engfer  
 BOARD: Landscape Review Board

The information provided below will be made available to the public. The Clerk's Office will provide a mailing address, at least one phone contact, and an e-mail address, please indicate your preferred method of contact with the public by placing a check mark in the appropriate box(es).

- RESIDENCE ADDRESS: \_\_\_\_\_
- MAILING ADDRESS: 516 Second Ave Ste 318, Fairbanks, AK 99701
- BUSINESS ADDRESS: \_\_\_\_\_
- CELL PHONE: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_
- WORK PHONE: (907) 456 - 1984
- HOME PHONE: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_
- E-MAIL: julie@festivalfairbanks.org

**Statement of Interest:**

As a person who works with downtown beautification I am interested in serving on the Landscape Review Board.

**Brief Personal Biography (or attach resume):**

Julie Engfer is a 29 year resident of Fairbanks. She is the office manager at Festival Fairbanks, Inc. a 501(c)(3) non-profit.

**Professional Licenses/Training:**

Please return this application to the City Clerk's Office.

FOR INTERNAL USE ONLY

Date Seated on Board	Date of Resolution or Council Action	Term Dates