



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, AUGUST 22, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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

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

Absent: Bernard Gatewood, Seat C (Excused)

Also Present: Patrick B. Cole, Chief of Staff
Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
D. Danyielle Snider, Deputy City Clerk
Ryan Rickels, IT Director
Tony C. Shumate, Director Personnel/Purchasing/RM
Pat Smith, Development Manager
Jim N. Soileau, Chief Financial Officer
Laren Zager, Police Chief

INVOCATION

The Invocation was given by Deputy City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

David Pruhs, 520 Eleventh Ave, Fairbanks – Mr. Pruhs spoke to the Polaris Building issue and asked that the Council think about the whole picture before taking any action. He spoke in support of an ordinance to grant Mr. Marlow a waiver for building permit fees, but recommended setting a two-year deadline for the renovation project. He remarked that the building has been unoccupied for ten years and something needs to be done. He suggested that if the deadline was not met, the City should then start the abatement process. He shared his solution to the problem with older buildings in the downtown area that would allow owners to renovate properties without paying borough tipping fees or City building permit fees. He

mentioned the overwhelming demolition cost, should the City have to tear down the building. He stated that he foresees other older buildings in the area presenting similar problems in the near future. He concluded by recommending that the City waive the building department fees and give Mr. Marlow a chance to renovate the Polaris Building because the only alternative is demolition.

Mayor Cleworth asked Mr. Pruhs if he really believed that \$150,000 in building permit fees would really make that much difference in a \$19 million project.

Mr. Pruhs replied that he didn't believe it would, but that he believes the number shows how much engineering and cost estimation Mr. Marlow has put into the project planning.

Frank Turney, 201 Seventh Avenue, Fairbanks – Mr. Turney expressed his happiness for seeing Ms. Riddles at the meeting. He spoke to the Polaris Building dilemma, suggesting selling the property to the military to house retired/disabled veterans or destroying the building with explosives. He thanked John Morgan and the City Public Works department for helping with the upkeep of the Clay Street Cemetery while he was unable to work. He requested that the City remove the dangerous tree in the cemetery as soon as possible.

Mayor Cleworth asked Mr. Turney to meet with Mike Schmetzer after the meeting to discuss the location of the birch tree and its removal.

Amy Geiger, Fairbanks Convention and Visitor's Bureau – Ms. Geiger mentioned the quarterly e-newsletter about local activities in Fairbanks. She stated that she is the Director of Communications for the FCVB and summarized the 15 press tours scheduled this summer, including international tours. She spoke to the fantastic activities in the community throughout the summer.

Victor Buberger, PO Box 58192, Fairbanks – Mr. Buberger stated that he has been in and out of the Polaris Building for 40 years. He spoke against the City getting involved with the project. He spoke in favor of an ordinance to set a timeline, but spoke against any City funding or fee waivers.

Lloyd Hilling, 1182 Nenana Street, Fairbanks – Mr. Hilling announced that he will be running for City Council, Seat E. He stated that he first came to Fairbanks in 1975 and, on his second day here, got a job in the Polaris Building. He shared his sentiments for the structure and requested that the City do anything in its power to rescue it. He commented that it would be nice to see the City's parking garage get put to good use. He stated that, for tax payers, waiving building permit fees would be a better alternative than the City taking on the cost of demolition.

Jerry Norum, former City Council Member – Mr. Norum agreed with the statements made by Mr. Pruhs. He expressed that he sees the Polaris Building as an opportunity. He spoke of the development of Fairbanks since his first visit in 1956, stating that the City has many assets, but what is lacking is vision. He challenged the City Council to have a renewal of vision and be brave.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Eberhart, seconded by **Mr. Matherly**, moved to ADD an Executive Session to the Agenda at the end of the meeting to discuss the City's Lobbyist Contract.

Mayor Cleworth explained that the item added is not on the published agenda and only be added by unanimous consent of the Council.

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

Mayor Cleworth called for objection on Approving the Agenda, as Amended and, hearing none, so ORDERED.

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

SPECIAL ORDERS

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

Transfer of Ownership, Location and Name Change:

Type:	Package Store
License:	Brown Jug , # 4076
Licensee/Applicant:	Liquor Stores USA North, Inc.
Physical Location	No Premises
Current DBA:	Lavelle's Bistro, #4076
Licensee:	Café de Paris Catering Company
Location:	575 1 st Avenue, Fairbanks

Mr. Roberts, seconded by **Mr. Matherly**, moved to WAIVE protest.

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

Mr. Roberts asked for a status report on what the transfer would do.

Mayor Cleworth explained that Lavelle's Bistro has two liquor licenses, one of which they are selling to another company.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO WAIVE PROTEST OF THE LIQUOR LICENSE TRANSFER, AS FOLLOWS:

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

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth explained to the Council the reason for the "As Amended" version of Ordinance No. 5855 on their benches. **Mayor Cleworth** spoke positively about the new Flint Hills/GVEA partnership and how this will affect space heating in Interior Alaska. He mentioned also the University's research to replace its coal-fired facility in the hopes of providing steam heat for the campus. **Mayor Cleworth** recognized Pat Cole and other staff members for their work in getting the Northwest US Managers Association Convention to come to Fairbanks in March of 2013. **Mayor Cleworth** spoke to the finalization of the summer construction projects in Fairbanks and expressed appreciation to Mike Schmetzer and his crew for their hard work. **Mayor Cleworth** suggested Council Member(s) put together an ordinance regarding the Polaris Building so that a decision could be made. **Mayor Cleworth** thanked Ms. Bratcher for inviting him to the open house of her store. He mentioned the upcoming State of the City Address and City of Fairbanks Pig Roast. **Mayor Cleworth** asked Mike Schmetzer to come forward to speak to the RFP for the Barnette/Cushman Street Project.

Mr. Schmetzer explained that FMATS has created a project called "Complete Streets" to reconstruct and improve Barnette and Cushman Streets. He stated that there is a traffic consultant looking at different options specific to improving not only the traffic flow, but also the business climate. He stated that a number of intersections are also being looked at to see if traffic signals should be removed or added. He informed Council that once the recommendations were given by the consultant, information could be presented to the community through public meetings for input, then to the Engineering Department for design. He stated that the hope is to begin construction in 2012. He stated that the winning consultant proposal was Kinney Engineering, LLC.

Mayor Cleworth informed the Council that if the Consultant RFP is more than \$250,000 it must go before the Council in the form of a resolution or memorandum. He added that the Steering Committee is already in place, but the project is still in the planning process, and nothing is in concrete. He explained that since funding is limited, Cushman Street will be the highest priority with Barnette Street in second. **Mayor Cleworth** expressed his concern of having too many road construction projects in the downtown area at once, so he'd like to see them staggered. He was hopeful that construction on the "Complete Streets" project would commence in 2012.

UNFINISHED BUSINESS

- a) Ordinance No. 5855 – An Ordinance Amending the 2011 Budget Estimate for the Second Time. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Ms. Bratcher, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5855.

Ms. Bratcher, seconded by **Mr. Matherly**, moved to SUBSTITUTE Ordinance No. 5855, as Amended for Ordinance No. 5855.

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

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO ADOPT ORDINANCE NO. 5855 AS AMENDED, AS FOLLOWS:

YEAS: Roberts, Matherly, Bratcher, Eberhart, Stiver

NAYS: None

ABSENT: Gatewood

Mayor Cleworth declared the MOTION CARRIED and Ordinance No. 5855, as Amended ADOPTED.

- b) Ordinance No. 5856 – An Ordinance Authorizing Prepayment of all Outstanding Revenue Bonds for the Fairbanks Transportation Center. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Ms. Bratcher**, moved to ADOPT Ordinance No. 5856.

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

Mr. Eberhart asked why the prepayment of the bonds for the Fairbanks Police Department would need the consent of the voters, while this prepayment for the Fairbanks Transportation Center needs only Council approval.

Mayor Cleworth explained that they are two different types of bonds: Revenue Bonds and General Obligation Bonds. He stated that the General Obligation Bond for the Police Department will have to go before voters because it will affect the tax cap mill rate.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5856, AS FOLLOWS:

YEAS: Stiver, Matherly, Bratcher, Eberhart, Roberts

NAYS: None

ABSENT: Gatewood

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5856 ADOPTED.

Mayor Cleworth thanked the Council for adopting Ordinance No. 5856, stating that he had never known a bond to be prepaid in the history of the City of Fairbanks.

NEW BUSINESS

- a) Resolution No. 4483 – A Resolution Authorizing the City of Fairbanks to Request Funds from the Office of Homeland Security for Regional Fire Department Safety Equipment and Training in an Amount of \$50,000. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4484 – A Resolution Authorizing the City of Fairbanks to Request Funds from the Office of Homeland Security for the Replacement of a 2003 Ambulance in an Amount of \$260,000. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4485 – A Resolution Authorizing the City of Fairbanks to Request Funds from the Office of Homeland Security for the Upgrade and Modernization of Fire Protection Equipment in an Amount of \$200,000. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Ordinance No. 5857 – An Ordinance to Amend Fairbanks General Code Section 74-117(g)(3) Regarding Purpose of Hotel/Motel Tax Discretionary Grants. Introduced by Council Member Stiver.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

Committee Reports

PSEA Committee Meeting. Mr. Eberhart gave a brief report on the August 9, 2011 meeting. He mentioned the committee's discussion on changing crime statistic reporting and on shift scheduling at FPD since the new PSEA Labor Contract was signed. He added that there was a Fire Department report given by Assistant Fire Chief, Ernie Misewicz.

COMMUNICATIONS TO COUNCIL

Reappointment(s) to the Building Code Review & Appeals Commission.

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Stiver spoke to the Polaris Building issue, stating that she believes it's worth weighing the City's options and that the increase in the parking garage usage would be a huge payback for the City. She expressed her intent to draft an ordinance with the assistance of the City Attorney. She agreed with Mr. Pruhs' idea of setting a deadline for Mr. Marlow in the renovation of the

Polaris Building. **Ms. Stiver** announced the upcoming kick-off of the "Housing First" project and stated that it is a great program that helps the homeless and has expectations. She spoke of the recent Energy Fair at Chena Hot Springs and that she found the hydronic heater display particularly interesting.

Mr. Roberts stated that he was pleased to see Ordinance No. 5856 pass and that he is proud to serve on a Council striving to see the City of Fairbanks become debt-free. He added that the summer had gone by quickly and that fall was coming soon.

Mr. Eberhart announced that the City's candidacy filing period has been closed and that he was pleased to see three candidates running for Seat E and two, including himself, for Seat F. He expressed his anticipation for an ordinance to come forward on the Polaris Building. **Mr. Eberhart** stated that he was also happy to see the "Housing First" project starting up, and that it would provide housing for homeless and a medical hotel for out-of-town visitors. **Mr. Eberhart** asked to be excused for the Regular Meeting of September 12, 2011.

Mayor Cleworth called for objection regarding **Mr. Eberhart's** request to be excused on September 12, 2011 and, hearing none, so ORDERED.

Ms. Bratcher announced that the first FCVB Board Meeting was coming up and stated that she would do her best to make the upcoming Chamber Meeting. She expressed her excitement for the 2011 Municipal Election and thanked all candidates who registered.

Mr. Matherly expressed his excitement for the City's opportunity to be debt-free and for the upcoming election. He encouraged the public to get more involved. He stated his intent to attend the Chamber Meeting. He thanked **Mayor Cleworth** for giving a tour of the bleacher renovation.

Mr. Matherly, seconded by **Mr. Eberhart**, moved to go into Executive Session for the purpose of discussing the City's Lobbyist Contract.

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

Mayor Cleworth called for a five-minute recess.

EXECUTIVE SESSION

City Lobbyist Contract

The City Council met in Executive Session to discuss the City's Lobbyist Contract and no action was taken.

Mr. Eberhart, seconded by **Ms. Bratcher**, moved to IGNORE THE RFP for a new City Lobbyist Contract.

Mr. Matherly spoke in support of the motion, stating that the lobbyists are local residents and are a great voice for the City.

Ms. Stiver stated that, from her viewpoint, it wasn't so much about the performance of the City Lobbyists, as it was the question of whether or not an RFP was necessary. She spoke in support of the motion on the floor.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO IGNORE THE RFP FOR A NEW CITY LOBBYIST CONTRACT, AS FOLLOWS:

YEAS: Roberts, Eberhart, Matherly, Stiver, Bratcher

NAYS: None

ABSENT: Gatewood


Mayor Cleworth declared the MOTION CARRIED.

ADJOURNMENT

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

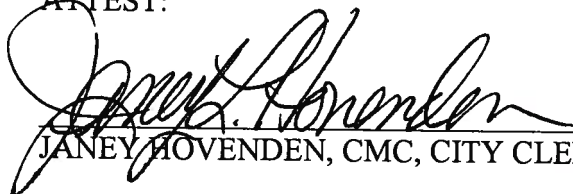
Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 8:51 P.M.



JERRY CLEWORTH, MAYOR

ATTEST:



JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DS