



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MARCH 7, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, after a Work Session on Trucking LNG and Gasline Projects and an Executive Session on SAS114 Audit Responsibilities, 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: Clem Clooten, Electrical Inspector
Patrick B. Cole, Chief of Staff
Amber Courtney, Executive Secretary
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Ernie Misewicz, Assistant Fire Chief
Ryan Rickels, IT Director
Michael J. Schmetzer, City Engineer
Tony C. Shumate, Director Personnel/Purchasing/RM
Steve Shuttleworth, Building Official
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 commented on the work session presentation and proposed questions regarding the figures provided. He asked the Council to postpone the vote on Resolution 4462 until the questions could be answered.

Deb Hickok, Fairbanks Convention and Visitors Bureau, 101 Dunkel Street, Fairbanks. Ms. Hickok reported on the 2010 FCVB Audit and the 6% increase in bed tax dollars for 2010.

She explained that the State and Borough would be providing financial support for the efforts expended on the promotion of the Arctic Winter Games. Ms. Hickok reported that both Frontier Flying and Condor Air would be returning to Fairbanks.

Lisa Peger, 3873 Peger Rd., Fairbanks. Ms. Peger spoke about nansolate and Nano Energy Solutions.

Mike Prax, 1015 Meadow Rue, North Pole. Mr. Prax told the Council that it would be inappropriate for the government to endorse one energy proposal over another, referring to Resolution No. 4462. He explained that it is a private investment decision, not for the City, the Borough, or government in general, to support.

Mr. Roberts questioned whether private investors would support an effort of this nature for a town the size of Fairbanks.

Mr. Prax indicated that private investors would be willing to invest. He commented on the Borough Assembly's action regarding the Port Authority and appropriation of \$300,000 to evaluate the project. At the request of Mr. Matherly, Mr. Prax described Title 16 and the Borough's RFP process.

David Lerman, 126 2nd Ave., Fairbanks. Mr. Lerman indicated he filed a notice of intent to run in the October, 2011 City election. He stated that he started a website to inform the public of his platform and of the issues, *Renovation Fairbanks*.

Lake Williams, 221 Glacier Ave., Fairbanks. Mr. Williams spoke in favor of Resolution 4462. He shared that it is a project that the community desperately needs and should be actively pursued and supported.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Stiver, pulled Resolution No. 4462 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) Meeting Minutes of February 14, 2011.

PASSED and APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic #	Name	Type	Service Location	Owner Name
3467	Lin's Asian Bistro	Restaurant Eating Place	1900 Airport Way	Lin's Panda Garden Inc.
3050	Gambardella's Pasta Bella	Restaurant Eating Place	706 2 nd Avenue	Gambardella's II Inc.
3965	K&L Beverage Company LLC	Wholesale-General	945 Elizabeth Street	K&L Beverage Co LLC
617	K&L Distributors	Wholesale-General	945 Elizabeth Street	K&L Distributors Inc.
4504	Gold Rush Deli	Beverage Dispensary	3399 Peger Road #C	Upriver Inc.
4458	Iris Café and Saloon	Beverage Dispensary-Tour	900 Noble Street	J & Y Enterprises Inc.
1377	Barracuda's Beach Bar	Beverage Dispensary	1351 Cushman Street	Scruff-N-Porks Inc.
77	300 Club	Beverage Dispensary	940 Cowles Street	Karen A Meadows-Sours
1912	Gold Rush Saloon-KT's Kitchen and Deli	Beverage Dispensary	3399 Peger Road	Downriver Inc.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to WAIVE Protest on the Renewals.

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

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

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth read aloud a Proclamation for Ruby Riddle. **Mayor Cleworth** asked the Council to support the adoption of Ordinance No. 5833. **Mayor Cleworth** informed the public that the Open North American did not get funding from bed tax grant monies, but encouraged the City to support the event. **Mayor Cleworth** reported on a new non-mandatory recycling program underway in Fairbanks. **Mayor Cleworth** stated that a draft plan, with associated costs, would be forthcoming on a new dispatch center. **Mayor Cleworth** asked the Council if members would help out by attending some of the events that he is invited to.

UNFINISHED BUSINESS

a) **ORDINANCE NO. 5831** – An Ordinance to Revise FGC Section 10-401, Adopting the 2009 International Residential Code with Amendments and Setting an Effective Date. Introduced by Mayor Cleworth. Public Hearing was held at the Regular Meeting of February 28, 2011. **POSTPONED** from the Regular Meeting of February 28, 2011

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5831.

Mayor Cleworth called for Public Testimony.

Mr. Sovde thanked Mr. Shuttleworth for pointing out the mistake on the previous draft before the final vote.

Hearing no further public comments, **Mayor Cleworth**, declared Public Testimony closed

Mr. Roberts, seconded by **Mr. Gatewood**, moved to SUBSITUTE Ordinance No. 5831, As Amended.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5831, AS AMENDED, AS FOLLOWS:

YEAS: Eberhart, Gatewood, Stiver, Matherly, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5831, As Amended, ADOPTED.

- b) ORDINANCE NO. 5833 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the AFL-CIO Crafts Bargaining Unit, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Matherly, seconded by **Ms. Stiver**, moved to ADOPT Ordinance No. 5833.

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

Mr. Roberts thanked the Mayor, Mr. Cole, and the union members for their efforts in getting to agreement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5833, AS FOLLOWS:

YEAS: Matherly, Roerts, Stiver, Gatewood, Eberhart

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5833 ADOPTED.

- c) ORDINANCE NO. 5834 – An Ordinance to Amend FGC Sections 10-66 and 10-67, Adopting the 2009 International Building Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5834.

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. 5834, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Eberhart, Stiver

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5834 ADOPTED.

- d) ORDINANCE NO. 5835 – An Ordinance to Amend FGC Sections 30-31 and 30-32, Adopting the 2009 International Fire Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Gatewood, seconded by **Ms. Stiver**, moved to ADOPT Ordinance No. 5835.

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. 5835, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Eberhart, Roberts

NAYS: None

Mayor Cleworth declared the MOTION CARRIED and ORDINANCE NO. 5835 ADOPTED.

NEW BUSINESS

- a) RESOLUTION NO. 4462 – A Resolution Supporting Liquefied Natural Gas Trucking and Gasline Projects as a Way to Lower and Stabilize Energy Costs for Interior Residents. Introduced by Council Members Roberts and Gatewood.

Mr. Matherly, seconded by **Mr. Roberts**, moved to APPROVE Resolution No. 4462.

Ms. Stiver offered her appreciation for the passion surrounding the issue. She stated her concerns for the comparables offered. She questioned whether the City is in a position to choose an energy project to endorse.

Mr. Eberhart questioned what the Council expected the Resolution to do.

Mr. Roberts indicated that the Resolution is a declaration to the State that the City of Fairbanks is being crippled by high energy costs. He explained that the energy issue is really an infrastructure issue that the government should be involved in. **Mr. Roberts** stated that there are

no long term energy solutions at reasonable rates. He stated that the need is immediate and Juneau needs to know.

Mr. Eberhart asked the Mayor what the effect of the Resolution would be.

Mayor Cleworth stated that the Resolution would be sent to the Interior Delegation. He explained that there is a request for a loan from AIDA for over \$200,000,000 that would build the LNG plant and other infrastructure. He explained that a second source of funding would come from a grant for about \$45,000,000 for the build out.

Mr. Matherly shared his support for the Resolution. He stated that the citizens look to the Council to find good ideas and get behind them. He indicated that this effort is a good first step.

Mr. Gatewood stated that it is not the Council's intent to support one option over the other, but a plea to get a plan put in motion. He expressed the need as being immediate.

Mr. Eberhart clarified that his questions were not negative in nature towards the Resolution, but simply a means to better understand the intent. **Mr. Eberhart** shared that he is currently a natural gas customer.

Mr. Ewers, in response to Mr. Eberhart's disclosure, indicated that his interest is the same as the general public and no conflict exists.

Ms. Stiver clarified that her remarks were not intended to be negative. She expressed her concerns for the finances, but supports looking into energy savings options.

Mr. Matherly indicated that the numbers (finances) will be constantly moving because of the project's long term time line.

Mayor Cleworth added that the energy projects presented all have problematic issues; there is no one perfect solution out there. He reiterated the need to be open to ideas and solutions.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4462, AS FOLLOWS:

YEAS: Eberhart, Roberts, Matherly, Gatewood

NAYS: Stiver

Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4462 APPROVED.

DISCUSSION ITEMS

a) Committee Reports

Public Safety Commission. **Mr. Eberhart** reported on the February meeting.

Borough Assembly Meeting. Ms. Stiver reported on the Borough's recent meeting regarding grandfather rights, sharing that Ms. Howard's ordinance passed.

Mayor Cleworth shared that the issues at the jail have been addressed by Chief Zager.

COMMUNICATIONS TO COUNCIL

a) Code Review Commission Meeting Minutes of February 2, 2011.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood shared his appreciation for having a full Council in attendance.

Mr. Roberts thanked the presenters for the work session.

Ms. Stiver reiterated her apprehension regarding energy options for Fairbanks.

Mr. Matherly shared his enthusiasm for furthering the cause for making Fairbanks a better place to live and work. He encouraged the citizens to speak up and voice their opinions.

Mr. Eberhart thanked all parties involved with the work on the various contracts. Mr. Eberhart asked Finance to produce the figures needed to fund the PSEA arbitration award.

Mayor Cleworth called for a ten minute recess.

EXECUTIVE SESSION

a) Labor Contract Negotiations – Fairbanks Fire Fighters' Association

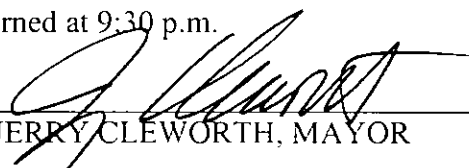
The City Council met in Executive Session to discuss labor negotiations and no action was taken.

ADJOURNMENT

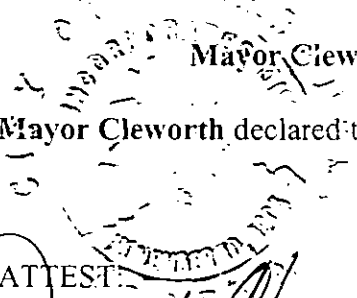

Mr. Gatewood, seconded by Mr. Roberts, moved to ADJOURN the meeting.

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

Mayor Cleworth declared the Meeting adjourned at 9:30 p.m.



JERRY CLEWORTH, MAYOR


ATTEST:


JANEY MOVENDEN, CMC, CITY CLERK

Transcribed by: DO