



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JANUARY 24, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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

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

Absent: None

Also Present: Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Michael Schmetzer, City Engineer
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

Tim Sovde, 402 Bonnifield, Fairbanks. Mr. Sovde spoke about the discussions had during the January 10, 2011 Council meeting, FNSB Ordinances 2010-56 and 2010-55, and the failed ordinance put forward by the Borough regarding a road standard policy.

Lisa Peger, 3873 Peger Rd., Fairbanks. Ms. Peger thanked the Council for the savings to the City with the installation of the LED lights. She also spoke about potential energy savings through Nanotech Energy Solutions.

Pamela Samash, 1617 Bridgewater Rd., Fairbanks. Ms. Samash spoke about the safety of the community; specifically, frequent accidents in problematic intersections. She also asked the Council to look closely at the fluoride issue and consider removing fluoride.

David McIsaac, 511 Ketchikan Ave., Fairbanks. Mr. McIsaac spoke in favor of Resolution 4454 and spoke against FNSB Ordinance 2010-56. He asked the Council to support FNSB Ordinance 2010-55.

Mike Prax, 1015 Meadow Rue, North Pole. Mr. Prax spoke in favor of Resolution 4454 and against FNSB Ordinance 2010-56.

Corwin Bassett, 515 Iditarod Ave., Fairbanks. Mr. Bassett spoke in favor of Resolution 4454.

Ryan Tufford, 543 Baranof St., Fairbanks. Mr. Tufford spoke in favor of Resolution 4454.

Logan Schiler, Mile 57, Richardson Hwy. Mr. Schiler spoke in favor of Resolution 4454.

Tell Burger, 864 Sirlin Drive, North Pole. Mr. Burger spoke in favor of Resolution 4454 and spoke against FNSB Ordinance 2010-56.

David Pruhs, 520 11th Avenue, Fairbanks. Mr. Pruhs shared that he is an appointed planning commissioner representing the City of Fairbanks. He spoke in support of Resolution 4454 and spoke about the process that the Planning Commission underwent while reviewing/drafting FNSB Ordinance Nos. 2010-56 and 2010-55. He indicated that he is not in support of 2010-56.

David van den Berg, 410 Cushman Street, Fairbanks. Mr. van den Berg shared his opinion that the Council speaks inconsistently. He spoke about FNSB Ordinance 2010-09, an Ordinance which was supported by the City Council, through a resolution.

Victor Buberge, PO Box 58192, Fairbanks. Mr. Buberge spoke about roundabouts, heavy traffic areas, and relaxing chauffeur license requirements.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Bratcher, pulled Resolution No. 4454 from the Consent Agenda.

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

City Clerk Hovenden read the Consent Agenda into the record.

SPECIAL ORDERS

- a) 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 and Name Change:

Type: Beverage Dispensary
License: **Drop Inn Lounge, # 328**
Licensee/Applicant: N & P Enterprises, LLC
Physical Location: 1420 Cushman Street
Current DBA: Drop In/EI Sombrero, #328
Licensee: Foxx Inc.
Location: 1420 Cushman Street

Mr. Eberhart, seconded by Mr. Roberts, moved to WAIVE Protest.

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

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

b) 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 #	Establishment Name	License Type	Premise Location	Owner Name
725	Midnite Mine	Bev. Dispensary	308 Wendell Ave	Borealis Investments
1047	Silver Spur	Bev. Dispensary	285 Romans Way	Jacobson Brothers Inc
3282	Sam's Club #6603	Package Store	48 College Road	Sam's West Inc
3687	Thai House Restaurant	Rest/Eating Place	412 Fifth Ave.	Chalermpon Boonprasert
4464	Fred Meyer #224	Package Store	930 Old Steese Hwy	Fred Meyer Stores Inc
4547	Chili's Grill & Bar	Bev. Dispensary	506 Merhar Ave.	Duke Investments LLC
4763	Bobby's Downtown	Bev. Dispensary	609 Second Ave	Delta Epsilon Inc
2982	Carlson Community Ctr	Recreational Site	2010 Second Ave	SMG of Alaska Inc
336	Eagles F.O.E.#1037	Club	2001 First Ave.	Frat Order of Eagles 1037
4507	Miguel's Restaurant	Bev. Dispensary	1235 Airport Way Ste 1	Miguel's LLC
3020	American Leg. Post 57	Club	1634 Cushman St	American Legion Post #57
2512	2 Go Mart #114	Package Store	2110 Peger Rd	Tesoro Northstore
4216	2 Go Mart #115	Package Store	99 College Rd	Tesoro Northstore
4565	2 Go Tesoro	Package Store	3569 S Cushman	Tesoro Northstore

Mr. Eberhart, seconded by Ms. Bratcher, moved to WAIVE Protest for all above referenced renewals, except Silver Spur and Eagles F.O.E.#1037.

Mayor Cleworth called for Public Testimony.

David Prubs commented on the past due taxes owed by the Eagles. He stated that he is the new Treasurer and that the Fraternal Order of Eagles no longer wants a liquor license. He asked the Council to deny the request for renewal.

Mayor Cleworth, hearing no additional speakers, declared Public Testimony closed.

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

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

NAYS: None

Mayor Cleworth declared the MOTION CARRIED.

Mr. Roberts, seconded by **Mr. Matherly**, moved to PROTEST the Request for Renewals for Silver Spur and Eagles F.O.E. #1037 until Back Taxes are Paid in Full.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST, AS FOLLOWS:

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

NAYS: None

Mayor Cleworth declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth stated that the City is working on a new design of the Old Steese Hwy at Trainer Gate Road. He indicated that meetings with residents are scheduled to discuss roundabouts and speed humps. **Mayor Cleworth** indicated that Helmricks Road is maintained by the businesses that are in the area and that the street is not owned or maintained by the City. He did state that discussions with the area owners would begin so that the traffic issues can be addressed. **Mayor Cleworth** stated that FNSB Ordinance 2010-09 would go before the Borough on Thursday. **Mayor Cleworth** stated that the City would be looking at the amortization of the City's bonds regarding the downtown transportation center. He explained that the City has two debts: one is on the police station with the bonds retiring in 2014, and the second is the parking structure with an amortization schedule. He indicated that paying down the bonds costs the City about \$200,000 a year. He stated that the bonds could be paid off early with a \$200,000 yearly savings. He stated that the Finance Committee would review that and submit its findings to the Council. **Mayor Cleworth** shared that the interior does not have a unified energy plan. He indicated that one should be drafted and submitted to the legislature for funding. He stated that FEDCO is looking at plans and that the Council needs to join with the Borough to inform the legislature that the interior has short term energy cost problems and that solutions are needed.

UNFINISHED BUSINESS

- a) ORDINANCE NO. 5827 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by Mr. Gatewood, moved to ADOPT Ordinance No. 5827.

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

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

NEW BUSINESS

- a) RESOLUTION NO. 4454 – A Resolution Expressing Concerns about FNSB Ordinance 2010-56 and Amendments to Title 18 of the Borough Code of Ordinances. Introduced by MAYOR CLEWORTH.

Mr. Matherly, seconded by Ms. Bratcher, moved to APPROVE Resolution No. 4454.

Ms. Bratcher spoke to appeal rights, extending the 12 month grace period, and change permits.

Mayor Cleworth explained the grandfather structure and the appeal process.

Mr. Roberts shared his support for the resolution and thanked Mr. Prubs for his input.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4454, AS FOLLOWS:

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

Mayor Cleworth declared the MOTION CARRIED and
RESOLUTION NO. 4454 APPROVED.

- b) RESOLUTION NO. 4455 – A Resolution Authorizing the City of Fairbanks to Request Funds from the Department of Homeland Security U.S. Fire Administration Assistance to Firefighters Grant Program for the 2010 Fire Prevention and Safety Grant in an Amount of \$50,000. Introduced by MAYOR CLEWORTH.

PASSED and APPROVED on the CONSENT AGENDA.

- c) ORDINANCE NO. 5828 – An Ordinance to Amend FGC Section 46-5 Disposal of Firearms Held as Evidence. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- d) ORDINANCE NO. 5829 – An Ordinance to Amend FGC Sections 10-276 and 10-277, Adopting the 2011 National Electrical Code with Local Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

- e) ORDINANCE NO. 5830 – An Ordinance to Amend FGC Sections 10-136 and 10-137, Adopting the 2009 Uniform Plumbing Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Public Safety Commission. **Mr. Eberhart** reported on the recent meeting; including programs for inebriates, the Community Service Patrol, a damp shelter, a housing-first project, ISO ratings, and the usual police and fire reports.

Fairbanks Convention and Visitor's Bureau. **Ms. Bratcher** reported on the recent meeting; including new members, an independent travel report, a busy 2011 schedule, and downtown tourist drops.

FMATS Policy Committee. **Mr. Roberts** reported on the recent meeting; including the allocation of \$5 million from the legislature to FMATS.

Fairbanks Parking Authority. **Mr. Matherly** reported on the recent meeting; including parking issues and the role that the FPA plays.

COMMUNICATIONS TO COUNCIL

- a) Presentation by City Engineer on Signature Street Concept and Street Repairs for 2011.

Michael Schmetzer provided a report on City street repairs scheduled for 2011 and the new signature street concept.

COUNCIL MEMBERS' COMMENTS

Ms. Stiver spoke to the Borough's ordinance and the City's consistent position in that the process should be voluntary. **Ms. Stiver** spoke to the zoning issue before the Borough, encouraging folks to support the City's resolution.

Mr. Matherly thanked Mr. Schmetzer for his report.

Ms. Bratcher spoke about the recent events in support of the Arctic Winter Games bid. She shared her support for the "Local First" campaign and encouraged folks to attend and support.

Ms. Bratcher indicated that the zoning and land-use issues are important and the Council should respect the opinions of the specialists. Ms. Bratcher stated that she would not be available for March 7, 2011 meeting and asked to be excused.

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

Mr. Eberhart thanked Mr. Schmetzer for his detailed report. Mr. Eberhart reiterated the Mayor's concerns about energy costs in Fairbanks and expressed his support for an energy plan for the interior. He thanked the lobbyists for their reports.

Mr. Gatewood spoke about the FCVB meeting, the upcoming Heart Walk, the MLK Program, and Vision Fairbanks. Mr. Gatewood repeated his support of Vision Fairbanks. He indicated that parts of the Plan may not be workable or doable, but that he does support the Plan in general.

Mr. Roberts expressed his support for creating an energy plan for the interior. He expressed his disappointment in the announcement that the Princess Hotel would not be bringing the tourists to the downtown area.

Mr. Gatewood, seconded by Mr. Matherly, moved to go into Executive Session for the purpose of discussing Labor Negotiations.

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

Mayor Cleworth called for a ten minute recess.

EXECUTIVE SESSION

- a) Labor Contract Negotiations

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

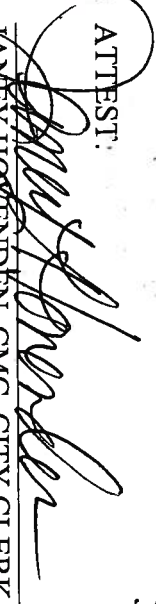
ADJOURNMENT

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

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

Mayor Cleworth declared the Meeting adjourned at 9:15 p.m.

ATTEST:


JANEY HOWENDEN, CMC, CITY CLERK
Transcribed by: DO


JERRY CLEWORTH, MAYOR