



FAIRBANKS CITY COUNCIL
AGENDA NO. 2011-19
REGULAR MEETING October 10, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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

7. SPECIAL ORDERS

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

Ordinance No. 5860 – An Ordinance to Amend Fairbanks General Code Section 50-205 Eliminating the Alaska Day Holiday. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

- *a) Resolution No. 4490 – A Resolution Accepting the Bid of Tempest Environmental Systems, Inc. for the Mobile Water Purification System in the Amount of \$275,000. Introduced by Mayor Cleworth.
- *b) Resolution No. 4491 – A Resolution Conditionally Accepting Maintenance Responsibility for the Portion of Helmericks Road Extending East to the Old Steese Highway, Together with Improvements to the Herb Miller Boulevard Intersection and the Helmericks Road/Old Steese Highway Intersection. Introduced by Mayor Cleworth.
- *c) Ordinance No. 5861 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article X. Towing Vehicles. Introduced by Mayor Cleworth.
- *d) 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.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

Committee Reports

12. COMMUNICATIONS TO COUNCIL

- * Reappointment and Appointment to the Chena Riverfront Commission.

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT

15. CITY CLERK'S REPORT

16. EXECUTIVE SESSION – Labor Negotiations:

- a) Fire Fighters Association.
- b) Wage Reopeners for IBEW, AFL-CIO and PSEA.

17. ADJOURNMENT

ORDINANCE NO. 5860

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE SECTION
50-205 ELIMINATING THE ALASKA DAY HOLIDAY**

WHEREAS, all but six of the City's employees are represented by a labor organization; and

WHEREAS, the terms and conditions of employment for these six employees are governed by Fairbanks General Code, Chapter 50 Personnel; and

WHEREAS, in all but one of the collective bargaining agreements currently in effect, Alaska Day is no longer a City holiday; and

WHEREAS, this ordinance makes the holidays in the personnel chapter of the code consistent with the working agreements for the majority of city employees,

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

Section 1. That Fairbanks General Code Section 50-205 is amended as follows (new text in **bold and underlined** font, deleted text in ~~strikeout font~~):

Sec. 50-205. Holidays.

(a) The following days are observed as holidays:

- (1) January 1 – New Year's Day;
- (2) Third Monday in February – Presidents Day;
- (3) Last Monday in May – Memorial Day;
- (4) July 4 – Independence Day;
- (5) First Monday in September – Labor Day;
- ~~(6) October 18 – Alaska Day~~
- ~~(67)~~ November 11 – Veterans Day;
- ~~(78)~~ Fourth Thursday in November – Thanksgiving Day;
- ~~(89)~~ December 25 – Christmas Day;
- ~~(940)~~ Personal holiday **(2)**.

(b) If a holiday falls on Sunday, the following Monday is the holiday.

(c) If a holiday falls on Saturday, the preceding Friday is the holiday.

(d) If a permanent, probationary or substitute employee volunteers to work on a holiday, an alternate day within the week preceding or following the holiday and agreed to by the employee and the department head is that employee's holiday.

(e) If a holiday falls on a permanent, probationary or substitute employee's day off, an alternate day within the week preceding or following the holiday and agreed to by the employee and the department head is that employee's holiday.

Section 2. That the effective date of this ordinance shall be the ____ day of _____ 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

Introduced by: Mayor Jerry Cleworth
Finance Committee: October 4, 2011
Date: October 10, 2011

RESOLUTION NO. 4490

A RESOLUTION ACCEPTING THE BID OF TEMPEST ENVIRONMENTAL SYSTEMS, INC. FOR THE MOBILE WATER PURIFICATION SYSTEM IN THE AMOUNT OF \$275,000

WHEREAS, the Alaska Division of Homeland Security and Emergency Management approved funding for a Mobile Water Purification System; and

WHEREAS, the system would provide clean drinking water in case of a flood, earthquake, and/or contaminated water supply; and

WHEREAS, in accordance with Fairbanks General Code Section 54-161, competitive bids were solicited for the Mobile Water Purification System; and

WHEREAS, the Fire Department's Office and the Purchasing Agent have reviewed the bids and recommend that City Council accept the bid of Tempest Environmental Systems, Inc. of Chapel Hill, NC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks, Alaska, that it authorizes the City Mayor to execute a contract in a form satisfactory to the City Attorney with Tempest Environmental Systems, Inc. for an amount not to exceed Two Hundred Seventy-Five Thousand Dollars (\$275,000.00).

PASSED AND APPROVED this _____ day of _____, 2011.

Jerry Cleworth, MAYOR

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM

Janey Hovenden, CMC, CITY CLERK

Paul J. Ewers, CITY ATTORNEY

RESOLUTION NO. 4491

**A RESOLUTION CONDITIONALLY ACCEPTING MAINTENANCE
RESPONSIBILITY FOR A PORTION OF HELMERICKS ROAD
EXTENDING EAST TO THE OLD STEESE HIGHWAY, TOGETHER
WITH IMPROVEMENTS TO THE HERB MILLER
BOULEVARD INTERSECTION AND THE HELMERICKS ROAD/OLD
STEESSE HIGHWAY INTERSECTION.**

WHEREAS, the Alaska Department of Transportation and Public Facilities (“ADOT”) has conducted an in-depth study to evaluate solutions for mitigating traffic congestion and promoting additional development in the Bentley Retail Area; the completed study recommended the improvements included in this resolution; and

WHEREAS, approximately \$15 million in funding for this project is available through the 2008 State of Alaska General Obligation (“GO”) Bonds without matching City funds; and

WHEREAS, the project will include approximately three lane miles of new/rebuilt road together with pedestrian facilities and a roundabout at the Helmericks Road/Herb Miller Boulevard intersection, as shown on the attached map; and

WHEREAS, by Resolution No. 4403 the City previously agreed to accept maintenance responsibility for the southern access to the Bentley Retail Area, which was recommended in the ADOT traffic study:

- Development of the Bentley Mall Road from College Road to the Old Steese Highway;
- Development of the Helmericks Road extension, which would extend Helmericks Road from directly south of the Sports Authority retail area to the south across the Alaska Railroad tracks and connect to the Bentley Mall Road in the area north of Sam’s Club (note, the ADOT accepted maintenance of the railroad crossing and appurtenances).

WHEREAS, the planned area improvements will utilize approximately \$15M remaining in the State GO Bond as follows:

- ADOT will construct a turning lane on the Johansen Expressway from the College Road overpass to Hunter Street. (Engineer’s Estimate \$1.5M).
- ADOT will construct the at-grade crossing of the Alaska Railroad tracks. (Engineer’s Estimate \$1.2M).
- City will construct the Bentley Mall Road and Helmericks Road extension presented under Resolution No. 4403. (Engineer’s Estimate \$6.3M).

- City will construct the improvements to Helmericks Road and the intersections with Herb Miller Boulevard and the Old Steese Highway addressed in this resolution. (Engineer's Estimate \$1.5M for Helmericks Road and intersection with Herb Miller Boulevard plus an estimated \$2 to \$3M for improvements to the Old Steese Highway (Resolution No. 4442).

WHEREAS, if designed in-house by City Engineering and constructed to City standards, the City agrees to maintain those improvements shown on the attached map; and

WHEREAS, the project cannot proceed until maintenance commitments are obtained and the City is not accepting maintenance responsibility for any other roads than shown on the attached map and is not accepting responsibility for any railroad crossing maintenance or other fees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks, Alaska, that,

1. The City will accept maintenance responsibility for the roads shown on the attached map if the project is designed by City Engineers upon agreeable terms and satisfactory evidence that the project is constructed to City standards.
2. That the developer deed a two acre parcel of land west of NC Machinery to the City for use as a snow storage site,
3. The City will receive \$250,000 from the Fred Meyer Corporation, which was placed in escrow in 2007, plus any accrued interest, in compensation for assuming maintenance of Helmericks Road,
4. All remaining funds from the GO Bond are to be utilized for improvements to the Old Steese Highway,
5. The new portion of Helmericks Road not currently maintained by the City will not be dedicated to public use; instead a public easement will be obtained.

PASSED and APPROVED this _____ day of _____, 2011.

JERRY CLEWORTH, MAYOR

AYES:
 NAYS:
 ABSENT:
 APPROVED:
 ATTEST:

APPROVED AS TO FORM

 Janey Hovenden, City Clerk

 Paul J. Ewers, City Attorney

ORDINANCE NO. 5861

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE
CHAPTER 14, ARTICLE X. TOWING VEHICLES**

WHEREAS, the City of Fairbanks (“City”) desires to institute a rotational call-out system for towing services; and

WHEREAS, the City desires to protect citizens by offering basic standards and fee schedules for companies participating in the call-out system,

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

Section 1. That Fairbanks General Code Chapter 14, Article X. Towing Vehicles, Sections 14-431 through 14-457 are hereby repealed and reenacted as follows.

ARTICLE X. TOWING VEHICLES.

Sec. 14-431. Master Operator’s License.

(a) Any tow company desiring to bid on the City’s towing contract or to be put on the City’s rotational tow list, must first obtain a Master Operator’s License from the City Clerk’s Office. The City Clerk is directed to prepare an application form for the use of applicants consistent with the requirements of this Article. The City’s rotational tow list shall be maintained by the City of Fairbanks Dispatch Center.

(b) The nonrefundable biennial fee for a Master Operator’s License will be set forth in the City’s Schedule of Fees and Charges for Services. This fee will be in addition to the regular city business license fee.

Sec. 14-432. Creation of a City Rotation Tow List

(a) Towing companies desiring to be on the City rotation tow list for use by police and fire for call-outs must:

1. Have a Master Operator’s License and a City business license.
2. Commit to a maximum response time of no more than 30 minutes from the time of the call-out.
3. Be available 24 hours per day.
4. Maintain insurance as required by the City of its towing company contractor.

(b) Charges for towing made pursuant to a call-out from the City’s rotational call-out list may be made only for the services listed below and in an amount no greater than the rates listed below. These rates may be modified periodically. No other fees may be assessed.

- | | | |
|----|--|--------------------|
| 1. | Call-out fee: 10,000 lbs. or less | \$ 85.00 |
| | Call-out fee: 10,001 to 25,000 lbs. | \$ 100.00 |
| | Call-out fee: Over 25,000 lbs. | \$ 200.00 |
| | Surcharge: Extreme weather (minus thirty degrees or colder) | \$ 25.00 |
| | Surcharge: Time on-scene exceeding one hour billable in .25 hour increments | \$ 100.00 per hour |
| 2. | Loaded mileage | \$ 4.00 per mile |
| 3. | Security fee | \$ 100.00 |
| 4. | Daily storage fee | \$ 40.00 |
| 5. | Companies offering impoundment shall establish hours during which the owner may reclaim their vehicle. These hours will be a minimum of ten hours per day, six days per week. Any person who engages in towing for impoundment must allow the owner or person entitled to lawful possession, upon request and after showing proper identification, to immediately reclaim from their impounded vehicle any pets or personal property (other than items which are an integral part of or accessories to the vehicle), either at the impound yard or at the site of impoundment. | |

(c) A towing company may be removed from the list if it is continually non-responsive or if the City receives an unreasonable number of customer complaints.

Sec. 14-433. Towing Contract for City Impounds.

(a) Any firm desiring to bid on the City’s towing and impound contract must have a Master Operator’s License.

(b) The only fees that can be charged under the City’s contract are for call-out and mileage consistent with Sec. 14-431(c), including surcharges.

(c) The contract award shall be for a two-year term.

(d) Other terms may be made a requirement of the contract under a Request For Proposals.

Section 2. That the effective date of this ordinance shall be the ____ day of _____ 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

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**

WHEREAS, the City's hotel/motel tax was implemented for the primary purpose of funding services for the promotion of the tourist industry and other economic development, and for the funding of services for the general public; and

WHEREAS, it is the intent of the Council that grants will only be awarded for the purposes and uses specified in the grant application.

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

Section 1. That Fairbanks General Code Section 74-117(f) is amended as follows (new text in **bold and underlined** font, deleted text in ~~strikeout font~~).

Sec. 74-117. – Hotel/motel tax purpose and limitation.

- (f) Organizations and agencies will be required to report to the City of Fairbanks Chief Financial Officer **that funds were used exclusively for the purposes stated in the grant application.** ~~how their funds received were spent.~~ Ten percent of these appropriations will be withheld until a **the complete** report is filed with the chief financial officer. **Prior to receiving any funding under this section, applicants must agree to reimburse the City the full amount of any grant proceeds not used for the purposes stated on the application.**

Certification that funds were used as approved is due by October 31 of the year of grant funding; funds not spent or encumbered for approved purposes must be returned by that date. An organization that fails to comply with the October 31 deadline is ineligible to seek funding for the following year, but if complete reporting and repayment is made by October 31 of the following year, the organization may reapply for future funding. An organization that does not comply within one year of the deadline is ineligible to receive funding for three additional years.

Section 2. That the effective date of this ordinance shall be the ____ day of _____ 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

City Of Fairbanks



MEMORANDUM

To: City Council Members

From: Jerry Cleworth, City Mayor

by PBC.

Subj: Chena Riverfront Commission

Date: October 10, 2011

Mr. Cameron Leonard's appointment to the Chena Riverfront Commission expires in December, 2011. To fill the vacant city-appointed seat on this commission, I hereby request your concurrence:

I request your concurrence to the appointment of Mr. Gordon Schlosser for a three-year term:

Mr. Schlosser – appointment. Term to expire: December 31, 2014.

Ms. Lee Wood's appointment to the Chena Riverfront Commission also expires in December, 2011. Ms. Wood would like to continue on this commission, therefore I request your concurrence:

I request your concurrence to the re-appointment of Ms. Lee Wood for a three-year term:

Ms. Lee Wood – re-appointment only. Term to expire: December 31, 2014.

Thank you.

ABC/



CITY OF FAIRBANKS
 Clerk's Office
 800 Cushman Street
 Fairbanks, Alaska 99701-4615
 Office: 907 459-6774
jihovenden@ci.fairbanks.ak.us

**BOARDS AND COMMISSIONS
 APPLICATION FORM**

DATE: 10-3-11

NAME: Gordon Schlosser

BOARD: Riverfront Com.

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: POB 82093 FRYS AK 82093

BUSINESS ADDRESS: _____

CELL PHONE: (907) 322-8885

WORK PHONE: ⁹⁰⁷~~(452)~~ 452-5617

HOME PHONE: (____) _____

E-MAIL: gjschlosser@rtnv.com

Statement of Interest:

Riverbank restoration, fish habitat, develop proper aesthetic usage along river, invasive species.

Brief Personal Biography (or attach resume):

attached

Professional Licenses/Training:

American Society of Landscape Architects, Arctic Eng. Landscape Architect #10653 STATE OF ALASKA, multiple training for riverbank stabilization techniques.

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

GORDON J. SCHLOSSER

711 Dalton Trail, Fairbanks, Alaska 99709

PROFESSIONAL SUMMARY

Bioengineering: Mr. Schlosser's knowledge and experience in the field of bioengineering includes the selection and design of varied river bank and inland slope stabilization treatments using woody and herbaceous species. He has a full understanding of the structural and biological characteristics of erosion control materials and native plants and their suitability and limitations for use in bioengineered systems. Mr. Schlosser has been responsible for numerous conceptual plans, permit applications, construction drawings, specification and construction. He is intimately familiar with the planning and implementation of bioengineering construction projects.

EXPERIENCE

Landscape constructor, Hamilton Acres 7, River bank restoration along 1500 lf of the Chena River. Use of coir logs, live stakes, live fascines and river access points (stairs). Project manager NRCS.

Landscape Architect/ Constructor, Doyon Estates Subdivision. River bank restoration along 500' of the Chena River. Bioengineering techniques were employed to stop erosion and re-establish fish habitat.

Constructor, Carie-Inouye-Tolbert Bank Stabilization Project. Riverbank restoration along 300' of the Chena River. Bioengineering techniques combined with hard engineering techniques were adapted to stabilize and provide fish spawning habitat.

Revegetation Specialist, McKinley Princess Hotel. Slope stabilization of 19 acres of slopes ranging from 100-200 feet in length. Techniques utilized were site specific seed and fertilizer mixes, heavy mulching, tackifier and jute mesh erosion control material. Project also included over 200 native transplants, establishment of nature and viewing trails, and the introduction of collected fireweed seed into disturbed areas around the lodge.

Landscape Architect/Contractor, River's Edge RV Park, Restored and stabilized a 300 ft. riverbank. Project included extensive research, permitting, and coordination with Fish and Game, State Parks, Plant Material Center, and local government personnel.

TECHNICAL EXPERTISE

- Project Management
- Site Restoration
- Bioengineering
- Nurseryman
- Specifications
- Design
- Construction

ORGANIZATIONS

Present: Fairbanks Beautification Commission
American Society of Landscape Architects

Past: Anchorage Beautification Committee
Urban Design Commission, Anchorage

EDUCATION

- 1999 – University of Wisconsin -- Practical Slope, Restoration Using Natural, Bioengineered and Engineered Techniques
- 1998 – International Erosion Control Association -- Erosion and Sediment Control Training Workshop in Fairbanks
- 1997 – University of Alaska-Fairbanks, Fairbanks, AK -- Studied Biotechnical Stabilization and Erosion Control
- 1983 – University of Wisconsin -- Studied Slope Stabilization and Restoration using Bioengineered Methods
- 1980 – University of Alaska-Anchorage, Anchorage, AK -- Arctic Engineering Graduate course
- 1973 – SUNY School of Environmental Sciences and Forestry, Syracuse, NY -- B.S. Environmental Sciences, B.L.A. Landscape Architecture

GORDON J. SCHLOSSER :

Landscape Architect: Alaska State Registration No. 10653

PROFESSIONAL SUMMARY

Gordon's 25 years of experience covers residential and commercial design/build, government projects, master planning and visual impact assessments. His strongest quality is his ability to produce not only aesthetic but functional and cost effective solutions to problems. This ability comes from a strong construction/maintenance background. He previously has worked for engineering firms as a landscape architect, as a grounds maintenance supervisor for UAA and for 12 years owned a landscape architectural design build firm in. All his experience involves northern climate design/build in Alaska.

EXPERIENCE

Fairbanks

Landscape Architect, 1st Ave Landscape and Street Amenities Improvement, State of Alaska D.O.T., Construction documents and landscape design between Cleary Street and Lathrop Street.

Landscape Architect / Construction, Denali Princess Wilderness Lodge, design-build landscape for new lodge, parking areas, and re-design of existing pedestrian circulation patterns.

Landscape architect/Constructor, Barnette Landing Beautification Project: Phase I and II, City of Fairbanks-Festival Fairbanks. Provided design/build services for pedestrian street amenities and landscape improvements between Cushman Street and Cleary Street. Decorative fencing, overlooks and historical sites were all part of the scope of work.

Landscape Architect, Chena River Walk Conceptual Master Plan, Investigated a bike/pedestrian upgrade along sections of the existing paths along the south side of the Chena River and new route for a trail along the north side of the River. This study encompassed the area from Lathrop Street to Peger Road, across the bridge to the north side, and back to the new Dr. Woods Bridge.

Landscape Architect/Constructor, Jillian Square Apartment Complex -- Six acre "central" quad area gutted and re-designed to include extensive contouring, irrigation system, playground, asphalt walkways and over 250 additional trees ranging in size from 8'-20' in height.

Landscape Architect/Constructor, Doyon Estates Subdivision -- River bank restoration along 500' of the Chena River. Bioengineering techniques were employed to stop erosion and re-establish fish habitat.

Landscape Architect/Constructor, Doyon Industrial Facility -- Doyon Limited

Anchorage

Landscape Architect/Constructor/Horticulturist, Independence Park PUD Subdivision --

Team Landscape Architect/Constructor, Alaska Botanical Garden Master Plan and Phase One Construction --

Landscape Architect/Constructor, BP Headquarters Landscape Renovation

TECHNICAL EXPERTISE

- Project Management
- Site Restoration
- Bioengineering
- Nurseryman
- Specifications
- Design
- Construction

ORGANIZATIONS

Present: Fairbanks Beautification Commission
American Society of Landscape Architects

Past: Anchorage Beautification Committee
Urban Design Commission – Anchorage
Alaska Horticultural Association – (Original Board Member)

EDUCATION

- 1999 – University of Wisconsin -- Practical Slope, Restoration Using Natural, Bioengineered and Engineered Techniques
- 1998 – International Erosion Control Association -- Erosion and Sediment Control Training Workshop in Fairbanks
- 1997 – University of Alaska-Fairbanks, Fairbanks, AK -- Studied Biotechnical Stabilization and Erosion Control
- 1983 – University of Wisconsin -- Studied Slope Stabilization and Restoration using Bioengineered Methods
- 1980 – University of Alaska-Anchorage, Anchorage, AK -- Arctic Engineering Graduate course
- 1973 – SUNY School of Environmental Sciences and Forestry, Syracuse, NY -- B.S. Environmental Sciences, B.L.A. Landscape Architecture