



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, APRIL 23, 2018  
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 a 5:00 p.m. Work Session on City Marijuana Regulations, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Joy Huntington, Seat A  
June Rogers, Seat B  
Valerie Therrien, Seat C  
Jonathan Bagwill, Seat D  
Jerry Cleworth, Seat E  
David Pruhs, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Christina Rowlett, Risk Manager/Purchasing Agent  
Angela Foster-Snow, HR Director  
Mike Meeks, Chief of Staff  
Jim Styers, Fire Chief  
Carmen Randle, Chief Financial Officer  
Eric Jewkes, Police Chief

City Clerk Danyielle Snider read the Mission Statement of the City of Fairbanks.

**INVOCATION**

The Invocation was given by City Clerk Danyielle Snider.

**FLAG SALUTATION**

Mayor Matherly asked Ms. Rogers to lead the Flag Salutation.

**CITIZENS' COMMENTS ON CONSENT AGENDA ITEMS**

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

**APPROVAL OF AGENDA AND CONSENT AGENDA**

Mr. Bagwill, seconded by Ms. Rogers, moved to APPROVE the Agenda and Consent Agenda.

Mr. Bagwill, seconded by Mr. Pruhs, moved to add an Executive Session on IBEW Labor Negotiations to the Agenda.

**Mayor Matherly** called for objection to the APPROVAL of the Agenda, as Amended, and hearing none, so ORDERED.

City Clerk Snider read the Consent Agenda into the record.

**APPROVAL OF PREVIOUS MINUTES**

- a) Regular Meeting Minutes of March 5, 2018.

APPROVED on the CONSENT AGENDA.

**SPECIAL ORDERS**

- a) The Fairbanks City Council considered a request for a Restaurant Designation Permit for the following Beverage Dispensary Liquor License:

Type: Beverage Dispensary, License #3997  
DBA: BPO Elks Lodge #1551  
Licensee/Applicant: BPO Elks Lodge #1551  
Physical Location: 1003 Pioneer Road, Fairbanks, Alaska

**Ms. Huntington**, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Restaurant Designation Permit application.

**Mr. Pruhs** declared a conflict of interest in voting on the item and stated that he is a member of the Elks Lodge.

**Ms. Therrien** stated she is an Elk's Lodge member as well and must recuse herself also.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE RESTAURANT DESIGNATION PERMIT APPLICATION AS FOLLOWS:

YEAS: Bagwill, Cleworth, Rogers, Huntington  
NAYS: None  
ABSTAIN: Therrien, Pruhs  
**Mayor Matherly** declared the MOTION CARRIED.

- b) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Renewal:

Lic. #	DBA	License Type	Licensee	Address
4816	Mayan Palace	Beverage Dispensary	Taco Azteca, Inc.	3401 Airport Way

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to WAIVE PROTEST on the Liquor License Application for Renewal.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

YEAS:           Huntington, Bagwill, Therrien, Pruhs, Cleworth, Rogers

NAYS:           None

**Mayor Matherly** declared the MOTION CARRIED.

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

### a)     Special Reports

Jerry Evans, 101 Dunkel Street, Fairbanks – Mr. Evans stated he is the Public Relations Manager at Explore Fairbanks and reported on upcoming events in the community. He stated February and March were very busy months for hosting media tours, one of which was the Washington Post to report on the aurora borealis. He thanked the Council for reinvesting bed tax dollars into destination marketing.

Brittany Smart, 907 Terminal Street, Fairbanks – Ms. Smart stated she is attending on behalf of Fairbanks North Star Borough (FNSB) Mayor Karl Kassel. She stated the biggest issue the Borough is currently dealing with is the backlog of building maintenance. She stated the Assembly is considering waiting a year before revisiting what needs to be done with Mary Siah.

**Mayor Matherly** reported he will be attending the Mayor's Charity Ball to benefit the United Way the following weekend. He stated he spends a lot of time following up on complaints and issues relating to snow, water, and potholes. He reported Public Works is already working on potholes and that anyone can call to report potholes. He stated he has heard some vicious things about Mayor Kassel; he stated that people should give Mayor Kassel a chance because of the tough spot he is in. **Mayor Matherly** stated that property owners need to care for their property because the government cannot swoop in and fix private property. He spoke to how efficiently the Work Session went and stated he was pleased that everyone who signed up got to speak.

## **DISCUSSION ITEMS**

### a)     Committee Reports

Legislative Priorities Meeting – Ms. **Therrien** stated the committee met the previous week and will meet again the following week. She shared that she spoke with Representative Adam Wool who is optimistic that the Alaska Industrial Development and Export Authority (AIDEA) financing bill would be voted on before the end of the session. She stated the Permanent Fund Review Board would be meeting in Chambers the following Wednesday.

FMATS Policy Committee – Mr. **Cleworth** reported that the Fairbanks Metropolitan Area Transportation System (FMATS) changed their name to Fairbanks Area Surface Transportation (FAST) Planning, and they have adopted new bylaws and Articles of Incorporation to become a standalone entity. He stated all parties involved are trying to work things out by October 1.

Fairbanks Diversity Council (FDC) – Ms. Rogers stated the FDC met recently, and she shared her excitement about the commitment of new members. She stated that the FDC currently has 17 members, and she believes the more voices it has, the better it is.

Explore Fairbanks Board of Directors – Mr. Bagwill stated Explore Fairbanks had a Board retreat at the Taste of Alaska Lodge, and it was helpful to get up to speed.

### WRITTEN COMMUNICATIONS TO COUNCIL

- a) Fairbanks Diversity Council Meeting Minutes of March 13, 2018

ACCEPTED on the CONSENT AGENDA.

- b) Appointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

### CITIZENS' COMMENTS

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney reported that Mr. Buberger is in Thailand. Mr. Turney spoke to people not picking up after their dogs when out in public and to the dangers of parvo. He stated Mary Siah Recreational Center does not need to be torn down and spoke well of the woman it was named after. He stated someone should start a non-profit organization and assume care of the facility. Mr. Turney stated the architect flip-flopped on his assessment of the structural integrity of the building, and a third party should be able to evaluate it too. He thanked the Council for hosting the work session on cannabis and shared that he does not smoke cannabis because he prefers to eat it. He stated he is ready for Nature's Releaf to open so he can purchase medicinal cannabis.

Jim Gower, 3018 Riverview Drive, Fairbanks – Mr. Gower stated that he is wearing a red shirt in opposition to marijuana; he spoke out against alcohol also. He stated he is a realtor and indicated that he is selective about who he works with. He asked the Council to use common sense when adopting marijuana regulations.

Shoshana Kun, 326 Wedgewood Drive, #E27, Fairbanks – Ms. Kun thanked the Council for their time and asked that the issues of onsite consumption and buffer zones be separated out and considered under a separate ordinance. She stated she is a chemical dependence counselor through the State of Alaska and that she supports onsite consumption. Ms. Kun stated she does not want marijuana licenses to become commodities like liquor licenses. She stated tourists deserve the right to have a safe place to consume cannabis when they visit the City of Fairbanks.

Kathy Ottersten, 1435 3rd Avenue, Fairbanks – Ms. Ottersten stated that recently a group of people in Anchorage who were meeting to discuss non-violent protest were bear sprayed. She stated that ten of the individuals had to seek medical attention, and she finds it deeply disturbing. Ms. Ottersten stated there is no room for violence in civics, and she hopes the Council will condemn that kind of hate.

Dan Peters, 2604 Davis Road, Fairbanks – Mr. Peters pointed out that two alcohol licenses passed without any discussion earlier in the meeting and stated that one day the cannabis industry would be the same. He spoke in favor allowing onsite consumption, and he quoted the “liberty and justice for all” portion of the Pledge of Allegiance. He stated that everyone should be treated equally.

Connie Moore, Fairbanks – Ms. Moore stated she read in the Anchorage Daily News that Alaskans want “higher octane” marijuana. She stated that when she was expecting a child in 1979, her physician told her she could drink a beer or glass of wine on a regular basis; she added that we now know that is not okay. Ms. Moore spoke to the pain management movement which resulted in a real problem with opioid addiction and abuse. She stated she does not see marijuana going away, and it would behoove the community to proceed in a carefully orchestrated manner that respects everyone. She spoke to the known effects of marijuana use.

### **COUNCIL MEMBERS’ COMMENTS**

**Ms. Therrien** thanked everyone who came out to testify; she stated it seemed to be a very balanced group of speakers. She thanked Explore Fairbanks for inviting her to attend their banquet on Saturday; she stated it was fun.

**Mr. Cleworth** asked when the Chief of Police would provide input on proposed marijuana regulations, and he asked if the Chief would be comfortable giving a staff report.

Chief of Police Eric Jewkes stated that there are three issues: proximity/distance issues, limitations on retail licenses, and onsite consumption. He stated that while it is up to the City Council to determine a retail license limit, it would be easier to increase the number later than to decrease it. He stated he likes the simplicity of measuring buffer distances by a straight line versus pedestrian route. He stated he has not looked at the zoning to see what a 500-foot versus a 750-foot buffer would look like. He expressed doubt that the City has the resources to be the social experiment for onsite consumption, and he recommended that the Council let others come up with a model of how to deal with the issue. He mentioned that one more issue to consider may be hours of operation.

**Ms. Therrien** stated people have been using marijuana for a long time, and she asked how many DUIs have resulted from marijuana use in the past decade. Chief Jewkes stated he did not know because the only way to know whether a driver is impaired by marijuana is by a blood test.

**Mr. Pruhs** asked Chief Jewkes to, within the next week, provide the Council with a report on public safety responses to marijuana cultivation and retail facilities since January 1, 2017.

**Ms. Huntington** stated the Council seems concerned with potential issues; she asked if any industry-related arrests have occurred. Chief Jewkes stated there have been arrests but not a troubling number; he stated in his experience business owners are professional and responsible.

**Mr. Rogers** thanked those who took the time to speak to the issues; she stated it was an exceptional meeting, and she commended Ms. Moore specifically for her comments. **Ms. Rogers** stated that the Council should seek regulations that are respectful to everyone.

**Mr. Pruhs** asked for reports from the Building Department, Clerk’s Office, and the Attorney’s Office on all complaints filed regarding existing marijuana facilities inside the City.

**Ms. Bagwill** stated he appreciated the format of the Work Session, and he thinks it ran according to the intended plan. He stated the Council should seek to come up with a win-win for everyone in setting regulations, but there may not be a way to please everyone; he spoke to the importance of compromise. **Mr. Bagwill** stated he has spoken with some of the owners in the marijuana industry, and they have come up with good business models. He stated that when the dust settles the Council needs to do what is right for the City. He shared that he recently attended the memorial service for former City Council Member Jerry Norum, and he spoke highly of Mr. Norum. He congratulated City Dispatcher Angela Modrell for her assistance in delivering a baby over the phone.

**Ms. Huntington** thanked everyone for coming to the meeting with a respectful attitude. She echoed Mr. Bagwill's sentiments that the Work Session went very smoothly; she commented that the marijuana industry is new and patience is critical during the regulation process.

**Mr. Bagwill**, seconded by **Ms. Huntington**, moved to go into Executive Session to discuss Fairbanks Firefighter Union (FFU) and International Brotherhood of Electrical Workers (IBEW) labor negotiations.

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

**Mayor Matherly** called for a brief recess.

#### EXECUTIVE SESSION

- a) FFU Labor Negotiations
- b) IBEW Labor Negotiations

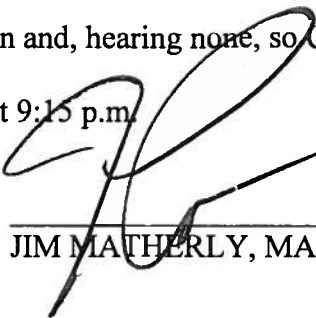
The City Council met in Executive Session to discuss FFU and IBEW labor negotiations. Direction was given to the negotiating team, and no action was taken.

#### ADJOURNMENT

**Ms. Therrien**, seconded by **Mr. Bagwill**, moved to ADJOURN the meeting.

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

**Mayor Matherly** declared the meeting adjourned at 9:15 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB