



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, AUGUST 21, 2017  
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 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  
Valerie Therrien, Seat C  
Jonathan Bagwill, Seat D  
Jerry Cleworth, Seat E  
David Pruhs, Seat F

Absent: June Rogers, Seat B (Excused)

Also Present: Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Jeff Jacobson, Public Works Director  
Mike Meeks, Chief of Staff  
Stephanie Johnson, Dispatch Center Manager  
Carmen Randle, Chief Financial Officer  
Michael Sanders, Housing & Homeless Coordinator  
Angela Foster-Snow, HR Director  
Eric Jewkes, Police Chief  
Jackson Fox, City Engineer  
Jim Styers, Fire Chief

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

**INVOCATION**

The Invocation was given by City Clerk Snider.

**FLAG SALUTATION**

Ms. Huntington led the Flag Salutation.

**CITIZEN'S COMMENTS**

Brittany Smart, 907 Terminal Street, Fairbanks – Ms. Smart reported that Borough Mayor and staff recently returned from an Alaska Municipal League (AML) Conference in Haines, Alaska. She stated that the Alaska Municipal Managers Association (AMMA) is exploring ways to build and train the municipal manager workforce on the local level. She stated that Governor Walker attended and spoke at the conference. She provided an update on VISTA projects at the Fairbanks North Star Borough (FNSB). She introduced VISTA State Program Officer Alyssa Bostian to the Council.

Alyssa Bostian, Corporation for National and Community Service (CNCS) – Ms. Bostian stated that the CNCS is a federal agency most commonly referred to as AmeriCorps. She stated that she has been visiting VISTA sites in the Fairbanks area and will continue to visit more. She thanked the Council for having national service programs in Fairbanks.

Christine Charron, 1214 20th Avenue, Fairbanks – She stated that she is an AmeriCorps VISTA hosted by Access Alaska for the Pre-employment Transition Services Program. She updated the Council on the organization's Summer Work Program; she thanked local businesses, individuals, and organizations who supported the program. She stated that sixteen students from five different high schools participated in the program and she talked about some of the activities the program involves. She introduced a student named Adrien who participated in the program.

**Mr. Bagwill** asked whether the program is provided annually.

Ms. Charron stated that it is her first year being involved with the program, but it is the second year for the program itself. She stated the program would continue as long as there is funding.

Adrien Johnson, 1522 Farmers Loop Road, Fairbanks – Mr. Johnson stated that he has gained patience and experience from the program. He stated that he has also gotten his first job because of the program. He stated that the program teaches young people about how to write a resume, and it promotes a positive attitude. He stated that his first job is at Old Navy. He stated that he attends West Valley High School as a senior.

Meagan Scheer, 100 10th Avenue, Fairbanks – Ms. Scheer stated that Access Alaska is a center for independent living which assists the elderly and people with disabilities. She stated that she is very proud of the students who participated in the Summer Work Program. She spoke about how the program helped showcase the skills of Fairbanks youth to local businesses. She stated that the program was a huge success. Ms. Scheer stated that they plan to start the Pre-employment Transition Services Program in September which will teach students about self-advocacy, interview skills, resumes, job shadowing and other things. She thanked everyone in the community who helped make the program possible.

Margaret McLean, 1522 Farmers Loop Road, Fairbanks – Ms. McLean stated that she is Adrien's grandmother. She expressed appreciation for all that the program did for her grandson; she stated that Adrien's confidence level and abilities have grown enormously.

Cheryl LaFollette, Fairbanks Senior Center Senior Companion Program Coordinator – Ms. LaFollette stated that the Center was excited to receive the grant last September, and she listed the accomplishments of the organization since receiving the grant. She stated that the program currently has fourteen volunteers serving twenty clients. She stated that her program is in need of more volunteers, and she listed the criteria for volunteering. She stated she is proud to be a part of the program.

Steve Mitchell, 615 2nd Street, Fairbanks – Mr. Mitchell stated that he is the Vice President of the Fairbanks Drama Association (FDA) and Fairbanks Children's Theater. He stated that he has served as a volunteer bar manager at the FDA for adult productions; he stated that the bar is

never open during children's theater productions. He stated that the bar service received caterer's permits through the Big I for forty years but has received the permits through Bobby's Downtown for the past ten years. Mr. Mitchell stated that all proceeds from the bar go towards operating expenses of the FDA. He stated that the Alcohol and Marijuana Control Office (AMCO) processes the caterer's permits and that the permit fees have increased drastically over the years. He indicated that the bar has been a fundraising source for theater, but the increased fees are hampering those efforts. Mr. Mitchell stated someone recently recommended a Theater License through the AMCO office which would allow Bobby's Downtown to obtain the required liquor licensing for the theater at a much lesser cost to the organization. He stated that the license would also eliminate 430 pages of paperwork over a two-year period. He encouraged the City Council to approve of the license when it comes before them. He stated that he will speak with the City Clerk about how to get the item on the agenda.

Brenda Sadler, 3831 Kensington Avenue, North Pole – Ms. Sadler stated that she began teaching in 1969 and retired from the FNSB School District in 2013. She introduced the Council to a program called "Classroom Grandparents" which is a program that has evolved from an older program called "Foster Grandparents." She stated that although she is retired she still serves as a substitute teacher in the district. Ms. Sadler shared that, due to budget cuts, some elementary schools have lost programs that provide extra instruction and help to struggling students. She stated that the district does not provide aides to elementary classes unless there are over 30 students. She stated that the Classroom Grandparents program is looking for qualified senior citizens who have a passion for children and want to work in the classroom. She distributed a brochure to City Council Members outlining the criteria a senior citizen must meet to participate. She stated she is nearly 70 years old, but she loves to substitute teach.

Darlene Supplee, 218 Betty Street, Fairbanks – Ms. Supplee stated she is the Executive Director at the Senior Center, and she gave a report on their construction project. She reported they have applied for a grant that will allow for the dish room to be redone. She stated they are also looking into grants to fund a restroom remodel and a security system.

Kelley Hegarty, 501 Prospectors Trail, Fairbanks – Ms. Hegarty stated she is a member of the Arcadis Team that has been selected to draft the Eielson Regional Growth Plan. She stated that as many as 3,000 new people will be coming to Eielson when the F-35s arrive, so preparations are already being made for housing. She spoke to the many meetings she has attended while working to prepare for the increased population. She stated the military has been a wonderful partner to work with, and they have been active at every meeting.

**Ms. Huntington** asked Ms. Hegarty to speak to the likelihood of local people filling new jobs at Eielson. Ms. Hegarty stated that they are looking into the current unemployment rate and the qualifications of those who are unemployed to see how people might match up with new jobs. She indicated that there will be some highly technical civilian jobs that are likely to be filled from the outside. She offered to present at a Council work session to give a full update.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he noticed the ducks are already flying south, and he encouraged Public Works to hurry up and fill the potholes. He stated the City applies for grants for everything under the sun and asked why nobody has applied for a pothole grant. He stated he has driven in Council Members' neighborhoods, and they never

have pothole problems in their neighborhood. He stated that Barnette Street is full of potholes. He stated the Council wants to raise taxes but not fill potholes.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated it is too bad that the cannabis tax revenues could not be used for pothole repair. He spoke favorably about Officer Elzey and the positive rapport he has with the people downtown. He spoke to poor voter turnout locally, and he encouraged everyone to “don’t be a dope, get out and vote” on October 3. He stated that he ate four fudge cannabis brownies before the meeting, and he feels very relaxed.

Jeff Jacobson, 2121 Peger Road, Fairbanks – Mr. Jacobson stated he drove through the South Side to check out the pothole situation, and he has directed his staff to focus on the area. He stated it was a very wet August, and the roads were affected greatly.

**Ms. Therrien** asked if Public Works would be going down South Cushman to fill potholes. Mr. Jacobson replied that they would fill as many potholes as possible before it gets too cold.

Michael Farrell, P.O. Box 83327, Fairbanks – Mr. Farrell welcomed Mr. Bagwill to the Council and shared that he appreciated his comments at the last meeting. Mr. Farrell stated he is an Uber driver, and he has had many clients ask him to take them to a marijuana store. He stated he appreciates the conversations he has had with the Mayor regarding bed taxes, but it is a conversation he would like to have with the entire Council. He stated he does not think that an employee of a non-profit which accepts City funds should have a higher wage than the Mayor.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin distributed handouts he prepared in 2012 and 2013 regarding Schaeffer Cox; the materials contained photographs of other notable people such as Congressman Don Young and Representative Tammie Wilson. Mr. Griffin referenced a recent newspaper article relating to Cox’s conviction; he reported that federal court judges discussed what may happen if one of Cox’s most serious convictions were thrown out. He stated that the judges were particularly critical of the government’s case for Cox’s conviction of solicitation to commit murder. He stated that a person should not be convicted of such a charge if the people being conspired against do not actually exist. He stated that Mr. Cox has been rotting in jail for over six years, and he has a family; he indicated he may write the appeals court. He stated he believes Mr. Cox is a harmless, smart man but that he does not believe he would have actually killed anyone.

Hearing no more requests for public comment, **Mayor Matherly** declared Public Testimony closed.

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Ms. Therrien**, seconded by **Ms. Huntington**, moved to APPROVE the Agenda and Consent Agenda.

**Mr. Pruhs** pulled the Recommendation for Appointment to the FNSB Planning Commission under Communications to Council from the Consent Agenda.

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

City Clerk Snider read the Consent Agenda, as Amended, into the record.

### **APPROVAL OF PREVIOUS MINUTES**

- a) Regular Meeting Minutes of June 5, 2017

APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of June 19, 2017.

APPROVED on the CONSENT AGENDA.

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

**Mayor Matherly** recognized Lead Emergency Dispatcher and Supervisor Bonnie Nolan who has worked in Dispatch since 1987. He stated Ms. Nolan will soon be retiring, and she and her husband plan to travel the United States. He spoke to some recent events he attended, and he thanked Julie Jones for putting together the 50-year commemoration of the flood; he thanked all those involved in putting up the high-water markers that were installed.

### **UNFINISHED BUSINESS**

- a) The Fairbanks City Council considered the following New Liquor License Application and Restaurant Designation Permit. POSTPONED from the Regular Meeting of August 7, 2017; a public hearing was held at that time.

Type: Restaurant/Eating Place, License #5585  
DBA: Jazz Bistro on 4th  
Applicant: Bluenote Create, Inc.  
537 4th Avenue, Suite B, Fairbanks, Alaska

**Mayor Matherly** asked Council members if it would be okay to reopen public hearing to hear from the restaurant owner. No members objected.

Lenora Byam, 527 4th Avenue, Suite B, Fairbanks – Ms. Byam, representative for Jazz Bistro, stated she met with Chief of Staff Mike Meeks and provided the Clerk with a copy of the lease agreement. She stated the restaurant loses a lot of business because they cannot sell beer and wine onsite. She stated the Jazz Bistro is a unique restaurant with an emphasis on music. She stated she does not intend to promote a destructive environment at the establishment.

**Mr. Pruhs** asked how long Jazz Bistro has been in business; Ms. Byam replied they have been open for nearly two years. She stated that upon signing the property lease, it was understood that at some point they would like to add a beer and wine license to the restaurant.

**Ms. Therrien** stated the landlord was concerned with people going upstairs to harass her tenants. Ms. Byam stated she locks the door to the business every day; she stated that the restaurant



shares a foyer with the tenants. **Ms. Therrien** asked whether the owner, Dorothy Bradshaw, still objects to the liquor license. Ms. Bradshaw stated that she no longer objects.

**Mr. Bagwill**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the New Liquor License Application and Restaurant Designation Permit.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney asked the Council why they are not concerned with the tenants living in the building who are participating in the wellness program.

Hearing no more requests for public comment, **Mayor Matherly** declared Public Testimony closed.

**Mr. Cleworth** stated that he appreciates both parties working toward a solution together.

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

YEAS:           Huntington, Bagwill, Therrien, Pruhs, Cleworth

NAYS:           None

ABSENT:       Rogers

**Mayor Matherly** declared the MOTION CARRIED.

b) Ordinance No. 6057 – An Ordinance Amending the 2017 Operating Budget for the Fourth Time and Amending the Capital Budget for the Second Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6057.

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to SUBSTITUTE Ordinance No. 6057, as Amended, for Ordinance No. 6057.

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

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

**Mr. Cleworth** asked Chief Financial Officer Carmen Randle to explain the \$85,000 decrease to Engineering Grant Recovery. Ms. Randle stated that unless the project speeds up, she does not see how they can recover those funds in time. **Mr. Cleworth** asked if she could go back and log hours on the contamination claim. Ms. Randle stated that would go into the newly-established claims and judgments account, not the grant.

**Mr. Pruhs** asked how much unappropriated money is left in the Capital Fund. Ms. Randle stated there is a very small amount left.

**Mr. Cleworth** stated that at the beginning of the year there was \$127,000 in unappropriated funds.

**Mr. Pruhs** stated it looks like the Council is going to need a plan for setting aside funding for projects in 2018, 2019, and 2020. He requested that Mr. Fox work with members of the Finance Committee to identify how much the Council needs to set aside each year to plan for the projects.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6057, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Pruhs, Huntington, Bagwill, Therrien  
NAYS: None  
ABSENT: Rogers  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6057, as Amended, ADOPTED.

- c) Ordinance No. 6058 – An Ordinance Amending Fairbanks General Code Sections 2-260 and 2-261 Regarding the Authorized Index Language and Asset Allocations in the City Permanent Fund Investment Policy. Introduced by Council Member Therrien. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6058.

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

**Ms. Therrien**, seconded by **Mr. Cleworth**, moved to AMEND Ordinance No. 6058 by changing the references in Section 2-260(b)(10) and 2-261(c)(6) from the “Dow Jones-UBS Commodity Index” to “Bloomberg Commodity Index.”

**Ms. Therrien** explained that the index was renamed, so it should be updated in the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6058 AS FOLLOWS:

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

**Mr. Cleworth** questioned whether the language in item (14) on page 3 should match up with the language in item (10) on page 4. Ms. Randle stated that one section addresses policy and the other addresses the allocation plan and performance targets. **Mr. Cleworth** recommended that the Council go ahead and vote on the ordinance; he asked Ms. Randle to bring the issue up to the Board to ensure that the difference in language was not an oversight.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6058, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Pruhs, Bagwill, Huntington, Cleworth  
NAYS: None  
ABSENT: Rogers  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6058, as Amended, ADOPTED.

- d) Ordinance No. 6059 – An Ordinance Amending Fairbanks General Code Section 2-654 Unexpended Appropriations; Intradepartmental Transfers. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Mr. Bagwill**, moved to ADOPT Ordinance No. 6059.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6059 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Huntington, Bagwill, Therrien  
NAYS: None  
ABSENT: Rogers  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6059 ADOPTED.

### NEW BUSINESS

- a) Resolution No. 4804 – A Resolution Authorizing Matching Funds and Execution of a Maintenance Agreement for the FMATS Improvement Program FY18. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4805 – A Resolution Authorizing the City of Fairbanks to Apply for and Accept Funds for the Second Year from the Alaska Mental Health Trust Authority for the Fairbanks Homeless and Housing Services Coordinator. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4806 – A Resolution to Accept Funding from the Bureau of Justice Assistance for the FFY2017 Edward Byrne Memorial Justice Assistance Grant. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.



- d) Resolution No. 4807 – A Resolution Authorizing the City of Fairbanks to Apply for and Accept Funds from the Alaska Division of Homeland Security for the FFY2017 Hazard Mitigation Grant Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

### DISCUSSION ITEMS

- a) Committee Reports

FMATS Policy Board – **Mr. Cleworth** stated he attended another FMATS meeting, and they will be looking for a new director because Donna Gardino will soon retire. He stated there was not a City representative on the panel initially, but that was corrected at the last meeting.

**Ms. Huntington** asked **Mr. Cleworth** about the target date for hiring a replacement. **Mr. Cleworth** stated Ms. Gardino is retiring on November 1, 2017, so that date is the goal.

### COMMUNICATIONS TO COUNCIL

- a) Re-appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- b) Recommendation for Appointment to the FNSB Planning Commission

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to APPROVE the Recommendation for Appointment to the FNSB Planning Commission.

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to POSTPONE the Recommendation for Appointment to the FNSB Planning Commission.

**Mr. Pruhs** stated he wanted to be sure that there is no conflict of interest relating to the FOCUS Homeschool zoning issue. He stated that since **Mr. Sims** is a former Borough employee, he wants to be sure there would be no conflict in **Mr. Sims** serving on the Planning Commission.

**Mayor Matherly** called for objection to POSTPONING the Recommendation and, hearing none, so ORDERED.

### COUNCIL MEMBERS' COMMENTS

**Mr. Bagwill** spoke to the huge learning curve he has experienced since taking his seat on the Council. He stated there are lots of good things happening in the City, and it is a good time to live in Fairbanks. He spoke to the positive feedback he has received from community members about the quality of City police officers. He stated he appreciated **Mr. Turney's** concern for people in the wellness program in close proximity to a liquor establishment.

**Mr. Cleworth** complimented Julie Jones of Festival Fairbanks for the work she did on the flood commemoration. He encouraged citizens to call Public Works to report potholes. He stated that heavy rainfall is every Mayor's nightmare because it tears up the road surface. He stated the age of the roads in Fairbanks make them extremely susceptible to damage from water.

**Mr. Pruhs** spoke to the ongoing construction issue on Turner Street and stated that he brought the issue up a year ago. He asked Mr. Ewers to contact the company doing the work and put them on notice that if it is not taken care of by the next Council Meeting, he will introduce an ordinance or a resolution naming them an unresponsive bidder. **Mr. Pruhs** stated that it is time to do something about it for the residents that live in that area. He stated he was awoken early the morning before by a fire on Cushman Street. He stated that he spoke with the Battalion Chief who told him that Dispatch was able to contact a person who was sleeping in an upstairs apartment of the building to inform them to exit the building. He thanked the Dispatch department for saving a person's life.

**Ms. Therrien** stated she would be out of town until September 1 celebrating her father's 100th birthday.

**Ms. Huntington** requested to be excused from the Regular City Council meeting of September 25, 2017.

**Mayor Matherly** called for objection to Ms. Huntington's request to be excused on September 25, 2017, and hearing none, so ORDERED.

**Ms. Huntington** spoke to the start of the new school year and reminded everyone to be safety-conscious. She expressed condolences for the recent loss Joe Redington, a prominent Alaskan whose father helped start the Iditarod. She stated the Redingtons have a strong legacy in Alaska.

**Mr. Cleworth** shared that he understands that Bonnie Nolan does not want a celebration, but he asked Stephanie Johnson to relay the Council's appreciation for her years of service to the City.

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to go into Executive Session for the purpose of discussing IBEW Labor Negotiations and the Gavora, Inc. v. City of Fairbanks, 4:15-CV-00015SLG: possible appeal.

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

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

### **EXECUTIVE SESSION**

- a) IBEW Labor Negotiations
- b) Gavora, Inc. v. City of Fairbanks, 4:15-CV-00015SLG: possible appeal

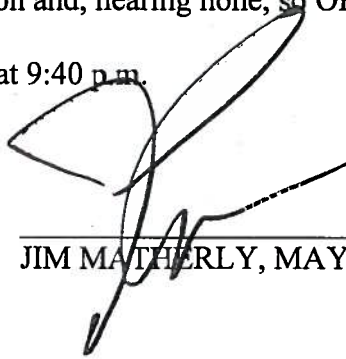
The City Council met in Executive Session to discuss the above-listed items. Direction was given to the negotiating team and the Legal Department, respectively, and no action was taken.

**ADJOURNMENT**

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to ADJOURN the meeting.

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

**Mayor Matherly** declared the meeting adjourned at 9:40 p.m.



A handwritten signature in black ink, appearing to read 'Jim Matherly', is written over a horizontal line.

JIM MATHERLY, MAYOR

ATTEST:



A handwritten signature in blue ink, appearing to read 'D. Danyelle Snider', is written over a horizontal line.

D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: DS & EB