



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, AUGUST 20, 2018
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 6:00 p.m. Work Session on the City website, 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: June Rogers, Seat B
Valerie Therrien, Seat C
Jonathan Bagwill, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: Joy Huntington, Seat A

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
Angela Foster-Snow, HR Director
Eric Jewkes, Police Chief
Martha Jewkes, Administrative Assistant
Bob Pristash, Acting City Engineer
Jim Styers, Fire Chief
Christina Rowlett, Risk Manager/Purchasing Agent
Teal Soden, Communications Director
Matt Soden, FPD Lieutenant
Ron Templeton, Assistant Fire 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 Mr. Bagwill to lead the Flag Salutation.

CEREMONIAL MATTERS

Mayor Matherly asked Deputy Police Chief Brad Johnson and his family to come forward. **Mayor Matherly** spoke of Deputy Chief Johnson's accomplishments with the Fairbanks Police Department (FPD) dating back to 1993. He spoke to the many awards Deputy Chief Johnson received throughout his years of service.

Deputy Chief Johnson stated he did not intend to leave so soon, but an opportunity arose that he felt he could not refuse. He stated his family will follow along when the time is right. He stated he likes to make a difference in his community, and his new role will allow him to do that. He stated it is hard to leave a community that has become such a part of his and his family's lives.

CITIZENS' COMMENTS ON CONSENT AGENDA ITEMS

Gary Wilken, 2829 Chief William Drive, Fairbanks – Mr. Wilken thanked the City Council for their service to the community and for their support of his appointment to the Interior Gas Utility (IGU). He explained what his role on the IGU would be and stated that he remains aligned with the goals of the utility and that he has a laser focus on bringing affordable heating fuel to the residents of Fairbanks. He explained he has no conflict of interest with being on the board and explained why some may think he does. He stated he is not motivated to vote for a government agency rather than for the betterment of the community.

Merrick Peirce, P.O. Box 10045, Fairbanks – Mr. Peirce thanked the Council for their service and for the service of Frank Abegg on the IGU board. He stated he is the Chief Financial Officer and a Board member of the Alaska Gasline Port Authority (AGPA) and that he has a past affiliation with the Fairbanks North Star Borough (FNSB). He stated that a gas distribution system is expensive and requires a great deal of research and hard work to get up and running. He stated the Alaska Industrial Development and Export Authority (AIDEA) has not been without mistakes but that the IGU can get it back on track.

Steve Frank, 3165 Riverview Drive, Fairbanks – Mr. Frank stated he is in attendance to support Mr. Wilken's appointment to the IGU board because of Mr. Wilken's decades of experience in public service. He stated Mr. Wilken listens to all sides of the story and has the ability to make good decisions based on information presented. He stated the community would be well-served if Mr. Wilken was confirmed as the City's representative to the IGU Board.

David Bates, 768 17th Avenue, Fairbanks – Mr. Bates stated he is not advocating for or against Mr. Wilken's appointment. He stated that too many issues were raised by Mr. Abegg's resignation letter, and those issues need addressing before an appointment is made.

Richard Thielmann, 658 Fairbanks Street, Fairbanks – Mr. Thielmann stated he is not intending to attack Mr. Wilken whose credentials are impeccable but that the Council is drawing from the same pool of people. He stated it seems like a swamp with a revolving door in Fairbanks, and he stated that Mr. Wilken is a former senator and AIDEA member.

Jeff Cook, 1899 RJ Loop, Fairbanks – Mr. Cook stated he has known his close friend Mr. Wilken for over 60 years. He spoke in support of Mr. Wilken's appointment to the IGU Board.

Liz Greig, 48 Farewell Avenue, Fairbanks – Ms. Greig asked the Council to withdraw the nomination of Mr. Wilken to the IGU Board due to the conflict of interest that it presents. She stated Mr. Wilken has approved too many poorly-funded projects relating to the IGU project.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated he does not have an issue with Mr. Wilken being nominated, but he feels there is a conflict of interest involving Mr. Pruhs because of his relation to Dana Pruhs.

Lake Williams, 945 Senate Loop, Fairbanks – Mr. Williams stated he is a representative for the Operating Engineers, and he is the President of the AFL-CIO. He stated he supports Mr. Wilken's nomination to the IGU Board because he is approachable and is a man of his word. He reported that Mr. Wilken has given back to his community, is a knowledgeable businessman, and would serve well on the Board.

Sean McGuire, 159 Kniffen Road, Fairbanks – Mr. McGuire stated that when a person looks at AIDEA they cannot avoid looking at the Healy "clean coal" plant, the most expensive coal plant in the world; he stated that AIDEA was in the middle of all of it. He stated the purchase of the liquefaction plant cost ten times more than it should have, and appointing Mr. Wilken is an inside job. He spoke of Mr. Wilken's history on various boards and stated the appointment looks very shaky.

Shoshana Kun, 326 Wedgewood Drive, #E-27, Fairbanks – Ms. Kun thanked the Council for bringing the issue forward and asked the Council to keep dialogue open with citizens in relation to the IGU. She stated she would like the Council to address the newly-proposed City mission statement because she does not want the language about visitors to be taken out; she stated that FNSB residents should not be considered visitors.

Owen Hanley, 1469 Goshawk Lane, Fairbanks – Mr. Hanley spoke against Mr. Wilken's appointment to the IGU Board because of his relationship with AIDEA. He stated he agrees with many of the speakers about Mr. Wilken's virtues but that appointing someone directly from AIDEA is a punishment for the IGU. He stated that the appointment suggests that AIDEA can do whatever they want to do.

Andy Warwick, 3190 Riverview Drive, Fairbanks – Mr. Warwick stated he sits on two utility boards, and he supports Mr. Wilken's appointment to the IGU Board. He stated that Fairbanks Natural Gas (FNG) has been purchased, and all three government agencies signed off on the acquisition. He stated the minority needs to quit whining about it because they lost and it is in the past. Mr. Warwick stated there is nobody more qualified for the position than Mr. Wilken, and Dan Britton is the most qualified person to run the utility company. He stated the Board needs to forget about public perception and negotiate a contract that is mutually acceptable.

Jim Dodson, 1325 Viewpointe Drive, Fairbanks – Mr. Dodson spoke in favor of the nomination of Mr. Wilken to the IGU Board. He stated that nobody is more qualified for the position than Mr. Wilken because of his history in working on the project. He stated Mr. Wilken's only goal is to make sure his community and his family have a great community in which to prosper. He stated the community has no obligation to pay the debt if the utility fails, and it is a good deal.

Jeanne Olson, 1890 Hollowell Road, North Pole – Ms. Olson urged the Council to remove Mr. Wilken's appointment from the consent agenda. She spoke to the lack of transparency in the past with the appointments to the IGU Board. She stated she has tried to obtain audio recordings for IGU Board meetings but has not been successful in her efforts. Ms. Olson reported that the only information available are the meeting minutes and suggested that the minutes may be

censored. She stated that, like everyone else, she has been waiting for years to get natural gas. She indicated that the lack of transparency makes the appearance of a conflict of interest apparent. She stated the right-to-burn issue is becoming very real to the citizens of North Pole who now think that natural gas is a joke.

Mike Farrell, P.O. Box 72822, Fairbanks – Mr. Farrell stated the Mayor has the right to select anyone to be the City’s representative on the IGU Board but that it is the wrong time to be making an appointment. He stated he thinks the IGU will end up working out but that the issues in Mr. Abegg’s letter need to be addressed prior to someone else assuming the position. He stated it is not often that a resigning member would write such a good letter as to the reasons for their resignation, and Mr. Abegg’s advice should be taken into consideration.

Patrice Lee, 676 Hillcrest Drive, Fairbanks – Ms. Lee wished Chief of Staff Mike Meeks a speedy recovery and disclosed that she is an IGU Board member. She stated she does not speak on behalf of the IGU. She spoke of her respect for Mr. Abegg and encouraged the Mayor to look closely at the issues in his resignation letter. She stated with Mr. Meeks being Chief of Staff to Mayor Matherly and Mr. Pruhs being related to someone from AIDEA there appears to be a conflict of some kind. Ms. Lee stated there should be a little more investigation into how the Board should move forward. She stated the goal of the IGU Board is to provide equitable gas to residents, to clean the air, to comply with House Bill 105, and to do what is best for the community. She stated she is discouraged when she hears there is a lack of leadership on the IGU Board because the Board addressed the Interior Delegation earlier in the day with eloquence and a vision as to how to move forward as a community.

Karl Hough, 1062 Steele Creek Road, Fairbanks – Mr. Hough stated he is not a City resident, but he does not believe the issue is only a City of Fairbanks matter. He stated he has been trying to follow the AIDEA/IGU issue for the past few years, and he cannot explain the decisions being made. He stated that picking Mr. Wilken directly from AIDEA and placing him on the IGU Board does appear to be a conflict which is enough of a reason to not approve the appointment. He recommended that the Council review the list of candidates and find someone that is neutral.

Gene Therriault, 1292 Sadler Way, Fairbanks – Mr. Therriault stated he is in attendance on behalf of AIDEA; he spoke in response to all the allegations made against Mr. Wilken. He spoke to the history of the gas utility project, AIDEA’s involvement, and the reason behind the purchase price of the utility. He stated the purchase price of the project is public record, and it was \$52.5 million plus \$1.5 million for cash which came with the enterprise upon purchase.

Mr. Pruhs asked Mr. Therriault about grants used and the purchase of the gas utility. Mr. Therriault explained the purchase process of the gas utility. **Mr. Pruhs** asked about the terms of the loan and whether the purchase price was fair; Mr. Therriault spoke in detail to the history and terms of the deal and explained how the purchase price was reviewed and determined to be reasonable. **Mr. Pruhs** asked Mr. Therriault if he was able to choose his replacement on the State legislature. Mr. Therriault stated he could certainly make a recommendation, but he could not select a replacement.

Richard Meiners, 221 Ina Street, Fairbanks – Mr. Meiners asked what affordable gas means and stated that the Interior was supposed to get affordable gas when the refinery was built years ago. He questioned what he is supposed to do if the natural gas project is not successful in Fairbanks

and whether he would be allowed to continue to burn wood. He suggested that the Council take a little more time to find a different appointment to the IGU Board.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien pulled the Appointment to the Interior Gas Utility Board 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.

SPECIAL ORDERS

- a) The Fairbanks City Council heard interested citizens concerned with the following Marijuana License Applications for Renewal:

Lic. #	DBA	License Type	Licensee	Address
10278	GoodSinse, LLC	Retail Marijuana Store	GoodSinse, LLC	2604 Davis Road
10279	GoodSinse, LLC	Standard Marijuana Cultivation Facility	GoodSinse, LLC	2604 Davis Road
10869	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	1326 Cushman Street
12325	Good, LLC	Retail Marijuana Store	Good, LLC	356 Old Steese Highway

Mr. Pruhs, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Marijuana License Applications for Renewal.

Frank Turney – Mr. Turney spoke in favor of the licenses and shared that he uses the retailers' products for medicinal purposes. He stated he has spoken with several elderly people who use edibles for medicinal purposes.

Shoshana Kun – Ms. Kun encouraged the Council to recognize the good work of the licensees and their positive contributions to the community.

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

Ms. Therrien pointed out that Police Chief Jewkes did not recommend protest for any of the renewals, and there were only minor incidents reported at the marijuana facilities.

Mayor Matherly stated he would like to echo Ms. Kun's comments and that many of the marijuana businesses have been giving back to the community; he stated that should be brought to the public's attention.

Ms. Rogers stated that the increased security of the businesses has resulted in a positive effect on neighborhoods and the community.

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

YEAS: Therrien, Rogers, Pruhs, Cleworth

NAYS: Bagwill

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly asked City Engineer Bob Pristash to come forward with a road update. Mr. Pristash reported that the Engineering Department has worked through the first six projects on the list sent to the Council. He stated 24th Avenue will be started in September and called the projects small, lightweight surface reconstruction projects. He stated it has not been a busy summer with road projects, but lots of smaller projects have been completed. Mr. Pristash stated 2019 should be a busier summer for road construction. He reported on other road projects that should be completed the following year. He stated there are also a lot of sidewalk improvement projects taking place in the summer of 2019.

Mr. Cleworth asked if all of the money coming in for road reconstruction had passed through the Fairbanks Metropolitan Area Transportation System (FMATS). Mr. Pristash reported that the funds were federal grant dollars which came to the City by way of FMATS. **Mr. Cleworth** stated the City was lucky to get the money because many Department of Transportation (DOT) projects were not ready to go when the grant funds were disbursed. **Mr. Cleworth** thanked Mr. Pristash for the report.

Ms. Rogers thanked Mr. Pristash for the report and congratulated him for having projects at the ready when funding comes available.

Mayor Matherly thanked the Council for all of the work they do outside of the requirements as Council Members. He thanked all the people who attend meetings and regularly testify. He thanked City staff for all the work that went into the new City website and shared that the public will be happy with the new website.

UNFINISHED BUSINESS

- a) Ordinance No. 6080 – An Ordinance Amending Fairbanks General Code Chapter 42, Labor Relations and Negotiations. Introduced by Council Members Cleworth, Pruhs, and Rogers. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to ADOPT Ordinance No. 6080, as Amended.

Scott Eickholt, 3321 Chetana Drive, Fairbanks – Mr. Eickholt stated he is present representing Alaskan Laborers, and he opposes Ordinance No. 6080. He stated the Council and City leadership has continually attacked the working class of the City of Fairbanks. He spoke against taking responsibility away from the negotiation team and giving it to the Council, and he spoke of the constant erosion of confidence in the Council as it relates to labor relations. Mr. Eickholt stated that the Council's actions have the ability to lead to costly delays in arbitration, lawsuits, and unfair labor practice charges. He requested that the Council postpone the ordinance until further work and research can be done; he recommended that a work group be formed to discuss how best to address concerns with the ordinance.

Ms. Therrien asked what specific portion of the ordinance Mr. Eickholt was opposed to; Mr. Eickholt stated there are a few items, but he would allow others to speak with more specificity.

Mr. Cleworth asked Mr. Eickholt if he had read and compared the ordinance to the existing City Code. Mr. Eickholt stated that they have done some comparisons but would like the ordinance to be postponed to allow more time for review. **Mr. Cleworth** questioned why Mr. Eickholt expressed opposition to the ordinance if he had not read it. Mr. Eickholt stated that he is opposed to moving forward with the ordinance right away.

Jennifer Yuhas, 1150 Merganser Street, Fairbanks – Ms. Yuhas stated she overheard people at lunch earlier that day talking about labor issues, and she spoke to her background with labor negotiations. She stated the Council is moving too fast on the ordinance, and she offered her mark-up of the ordinance. She stated that she also has a 15-page paper on good faith negotiations for the Council to use as reference. She recommended that the Council rethink Chapter 46 in its entirety, especially to address some of the issues that have been troubling the City in regard to labor negotiations.

Ms. Therrien asked Ms. Yuhas what specific portion of the ordinance she is opposed to; Ms. Yuhas replied that there are six sections she is concerned with, and each one is highlighted in the handout she provided.

Mr. Pruhs asked Ms. Yuhas to list for the record the portions of concern to her. Ms. Yuhas went through each section of the ordinance she had highlighted and recommended for revision.

Lake Williams – Mr. Williams stated he is the President of the AFL-CIO Crafts Council, and he is not speaking in favor of or in opposition to the ordinance. He suggested that the Council allow the ordinance to be reviewed to ensure compliance with the Public Employment Relations Act (PERA). He suggested that there may be some First Amendment rights that need to be addressed in the ordinance. Mr. Williams recommended a full review of Chapter 42 of the City Code.

Adrienne Helinski, 1435 3rd Avenue, Fairbanks – Ms. Helinski stated she agrees with previous speakers who oppose the ordinance. She stated she has read both the existing code and the proposed ordinance, and she finds the both the existing Code and the ordinance problematic. She stated that the changes do not seem to be simply “housekeeping” and that there are substantive changes that need to be addressed before moving forward. Ms. Helinski spoke to her experience in public sector labor relations, and she spoke to how labor negotiations work in local

government. She stated she would rather see the existing Code worked on than add language that would compound the City's difficulties, and she listed some of her concerns.

Ms. Therrien asked Ms. Helinski if she is concerned with the language that requires financial information to be given to the Council before a vote. Ms. Helinski replied that she does not have a problem with that item, but she would not want the Council to hamstring the process.

Kathy Ottersten, 1435 3rd Avenue, Fairbanks – Ms. Ottersten stated the rewrite is a missed opportunity to open up communications, and she referred to the prohibition on union members communicating with Council Members as a gag rule. She wondered why the Council does not implement the section regarding boiler plate language instead of removing it.

Shoshana Kun – Ms. Kun stated she does not agree with the ordinance as written and that it leaves the working people out of the process. She expressed hope that the Council keeps in mind the need for transparency, especially in regard to conflicts of interest. She stated that union member should be able to approach Council Members with concerns. She asked the Council to consider the testimony given, to postpone the ordinance, and to form a work group on the issue.

TK Kliner, Executive Director of the Public Safety Employees Association (PSEA) – Ms. Kliner stated the City is currently in negotiations with the PSEA and echoed some of the comments of others who oppose Ordinance No. 6080. She asked the Council to delay their vote and spend some time substantially rewriting the ordinance. She stated she finds the ordinance disheartening because it reads as though the authors are trying to control negotiations into the distant future. Ms. Kliner stated she finds the ordinance disrespectful to City employees and commented that it places unnecessary limits on workers. She stated that she has never read an amendment to an ordinance quite like the one being proposed. She stated the ordinance is not good for recruitment, and it is discouraging to those currently in the City's work force.

Ms. Therrien asked Ms. Kliner to pinpoint the parts of the ordinance she did not agree with. Ms. Kliner listed some of her concerns: decreasing the number of bargaining unit representatives, freezing the workers' ability to communicate with Council Members, and the specific language speaking to healthcare. Ms. Kliner stated the proposed changes appears to try to stipulate exactly what can and will be done at a later date, and that is going too far. She indicated that the ordinance as written will not withstand legal muster.

Ms. Rogers asked Ms. Kliner if she thinks the Council is at a point of necessary new discussion; Ms. Kliner replied affirmatively.

Ms. Therrien asked Ms. Kliner to provide the Council with language that would withstand legal muster in regard to labor relations; Ms. Kliner agreed.

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

Mr. Cleworth gave a rundown of the few changes that were made to the language in Chapter 42; he stated that much of the changes are to eliminate obsolete items. He stated the Code needed updating, and he asked City Attorney Paul Ewers to speak to the ordinance. **Mr. Cleworth** stated if the Code had been followed a few years ago, the PSEA lawsuit would not have

occurred. He stated that the administration at the time did not provide Council Members with correct information by the administration.

City Attorney Ewers disagreed with the statement that the ordinance would not pass legal muster. He stated the negotiating team has to have sufficient authority to conduct reasonable negotiation, but contracts are subject to ratification by the Council. He stated that he has argued with union representatives that the negotiator for the City has the same authority as the union negotiator in labor negotiations. He stated the ordinance attempts to clean up Chapter 42 of the Code, and much of the criticism given was criticism on the existing Code language.

Ms. Rogers asked how long the previous ordinance was in affect without change up to this point. City Clerk Snider stated the Code section had not been updated since 2011 and, before that, some parts were updated in 2002 and 2003.

Mr. Pruhs reminded everyone that the ordinance recently held legal muster all the way through to the Supreme Court.

Ms. Therrien stated she is not comfortable moving forward with the ordinance as it is written.

Mr. Bagwill echoed Ms. Therrien's thoughts and requested that the Council spend more time studying the old language and the proposed ordinance.

Mr. Cleworth stated he has taken his time in studying the ordinance, and he wants everyone to feel comfortable moving forward. He stated Mr. Ewers did a great job in cleaning up Chapter 42, and arguing about the existing code it is an entirely different issue.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6080 by adding a sentence to Section 42-2(b)(6) stating that "Multi-year contracts must be in compliance with Section 2-655 of City Code."

Mr. Cleworth stated that the amendment would simply tie two sections of Code together. He explained that Section 2-655 is the Code section that requires that a funding source be identified when dealing with multi-year contracts.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6080 BY ADDING A SENTENCE TO SECTION 42-2(b)(6) STATING THAT "MULTI-YEAR CONTRACTS MUST BE IN COMPLIANCE WITH SECTION 2-655 OF CITY CODE" AS FOLLOWS:

YEAS: Rogers, Bagwill, Therrien, Pruhs, Cleworth

NAYS: None

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to POSTPONE Ordinance No. 6080, as Amended, to the Regular Meeting of September 10, 2018.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6080, AS AMENDED, UNTIL THE REGULAR MEETING OF SEPTEMBER 10, 2018 AS FOLLOWS:

YEAS: Bagwill, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

- b) Ordinance No. 6081 – An Ordinance Amending Fairbanks General Code Section 2-113, Location; Changing Notice and Section 2-119, Order of Business. Introduced by Council Members Cleworth and Rogers. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Ms. Rogers**, moved to ADOPT Ordinance No. 6081.

Frank Turney – Mr. Turney spoke in support of the ordinance because it allows for Citizens' Comments to be put back to the beginning of Council meetings. He stated that for 36 years the comment period was held at the beginning of the meeting. He stated he can handle the three-minute time limit.

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

Ms. Therrien asked that her name be added as a sponsor to Ordinance No. 6081. She asked the Council to consider moving Executive Sessions to an earlier time.

Mayor Matherly stated he supports the ordinance because it allows for the public to speak at the beginning of the meeting, while adhering to an hour time limit for Citizens' Comments. He stated that he also supports the earlier start time of 6:30 p.m. He commented that the ordinance provides a good compromise. **Mayor Matherly** acknowledged the frustration with holding Executive Sessions late at night but stated that the current ordinance does not address that issue.

Mr. Bagwill stated he would like his name added to the ordinance as well. He expressed concern with the one-hour time limit for Citizens' Comments, stating that it could cause someone to not have an opportunity to speak.

Mr. Pruhs stated the earlier start time may help with getting through Executive Sessions at an earlier time; he stated the ordinance can always be amended in the future.

Ms. Rogers stated the City Council has historically been liberal in granting extra time for citizens to speak.

Mayor Matherly stated if the Council adopts the ordinance, Citizens' Comments will have to be called off a list similar to the process at Borough Assembly meetings.

Mr. Cleworth thanked Ms. Rogers for all the work she put into the proposed ordinance, and he thanked the Council for being open to the changes.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6081 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Bagwill, Therrien
NAYS: None
ABSENT: Huntington
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6081 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4841 – A Resolution Revising the Mission Statement and Adopting the Vision Statement, Objectives, and Goals of the City of Fairbanks. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4842 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security for the Hazard Mitigation Grant Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

Mayor Matherly called for a brief recess.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Appointment to the Interior Gas Utility Board of Directors

Mr. Pruhs, seconded by **Mr. Bagwill**, moved to APPROVE the Appointment to the Interior Gas Utility Board of Directors.

Ms. Therrien stated that she believes Mr. Wilken to be qualified, but she would be accepting of a meeting to discuss the issue in more depth before confirming the appointment.

Mr. Pruhs stated he does not understand the accusations of conflicts of interest. He discussed the purchase of the utility and how it was a fairly-negotiated price. He stated that he does not believe the Mayor could have made a better appointment for the position. He stated he was disheartened to hear negativity about Mr. Wilken.

Mr. Bagwill stated he met with Mr. Wilken the prior week, and Mr. Wilken was able to explain the entire process of the project. He stated that he asked Mr. Wilken whether he thought all that he had been through was worth it, and Mr. Wilken replied that it was his calling. **Mr. Bagwill** stated he sees no reason not to appoint Mr. Wilken to the IGU Board.

Ms. Rogers stated that she heard things she agreed with and things she disagreed with during public testimony. She stated she has known Mr. Wilken to be a fine person in the community and to be of the highest quality when it comes to his achievements. She stated she has the utmost

confidence and trust in Mr. Wilken, and she could not agree with some of the things said during the meeting. She stated that resorting to name calling and making assumptions about others does not make her feel comfortable, and she supports Mr. Wilken's appointment.

Mr. Cleworth stated it saddens him to see such division in the community over a project that should be a win-win for everyone. He stated that when he was Mayor he appointed two people to the IGU Board: Frank Abegg and Mike Meeks. He stated he thinks the appointment of Mr. Wilken is a step in the right direction; he requested that the IGU Board try to get along and listen respectfully to each other.

Mayor Matherly stated that Mr. Abegg is a gentleman and that he came to him and respectfully stated that he no longer believes in the project. **Mayor Matherly** stated he respects Mr. Abegg's decision. **Mayor Matherly** questioned the reasoning behind the push for postponement and commented that a delay in the appointment would not be productive.

Ms. Rogers stated she understands Ms. Therrien's request for postponement to be because she wants a greater understanding on the issue of conflict relating to the appointment. **Ms. Rogers** reported that she could vote tonight or in the future but that either way she would like the conversation to continue without judgement and name-calling.

Mayor Matherly stated he received many emails with varying opinions about the appointment.

Ms. Therrien moved to POSTPONE the Appointment to the Interior Gas Utility Board of Directors.

Mayor Matherly declared the MOTION FAILED for lack of a Second.

Ms. Therrien stated that she wanted the opportunity to wipe away the negative comments about Mr. Wilken; she empathized with Mr. Wilken and stated she feels badly about the negativity expressed about his character.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT TO THE GAS UTILITY BOARD OF DIRECTORS AS FOLLOWS:

YEAS: Pruhs, Therrien, Cleworth, Bagwill, Rogers

NAYS: None

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

CITIZENS' COMMENTS

Frank Turney – Mr. Turney read portions of a resolution introduced by Mr. Cleworth in 1997 reaffirming the Alaska Statehood Act and the provisions regarding oil royalties. He asked whether a committee could be formed to pursue the 90/10 split.

Shoshana Kun – Ms. Kun stated it was an interesting meeting. She thanked Mr. Turney and Mr. Buberger for attending meetings and keeping everyone on their toes. She thanked community

leaders and non-profit organizations for their work in the community. She thanked Deputy Chief Johnson for his service to the City of Fairbanks and congratulated him on his retirement.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger thanked the Public Works Department for filling the potholes on 26th Avenue and Lathrop Street. He asked that they look at Turner Street also.

Gene Therriault – Mr. Therriault referenced the document he provided in response to Mr. Abegg's resignation letter. He encouraged anyone with questions to contact him. He stated he believes Mr. Wilken will serve the City well and that Mr. Wilken will be able to extinguish any misinformation within the community.

Ms. Therrien suggested that a piece be submitted to the newspaper in regard to the issues addressed by Mr. Therriault. She stated she understands the issues, but the general public may benefit from a better breakdown. Mr. Therriault expanded on the issues of miscommunication relating to the IGU Board.

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

COUNCIL MEMBERS' COMMENTS

Ms. Rogers thanked Ms. Therrien for wanting to find the best answer to things and for always asking questions that are well thought out. She stated it has been a difficult meeting but also a jubilant one because of Mr. Wilken's appointment. She thanked Mr. Wilken for accepting the appointment to the IGU Board.

Ms. Therrien requested to be excused from the Regular Meeting of September 24, 2018.

Mayor Matherly called for objection to Ms. Therrien's request to be excused on September 24, 2018 and, hearing none, so ORDERED.

Ms. Therrien reminded everyone to vote in the Primary Election the following day. She stated she would like to have a work session on the labor ordinance. She wished Mr. Wilken luck.

Mr. Pruhs spoke well of Mr. Wilken's resume and acknowledged his wife Sue for her love and support of her family.

Mr. Cleworth commented on the recent loss of Sarah Mitchell. He asked Mr. Ewers to prepare an update on possible reimbursement from other entities in regard to the water contamination issue. He spoke well of Deputy Police Chief Johnson and shared that he has enjoyed working with him and Ms. Johnson over the years.

Mr. Bagwill thanked those running for office and reminded everyone to keep an eye out for the candidate forums. He thanked Mr. Wilken for his service to the community and wished him luck. He congratulated Deputy Chief Johnson on his retirement and thanked him for being so welcoming to him when he became a Chaplain at FPD.

Mr. Pruhs, seconded by **Mr. Bagwill**, moved to ENTER Executive Session for the purpose of discussing: Roberts et al v. City of Fairbanks, Litigation Strategy; Regional Fire Training Center Water Contamination: Strategies for Cost Recovery; and FFU, PSEA, and IBEW Labor Negotiations.

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

Mayor Matherly called for a brief recess.

EXECUTIVE SESSIONS

- a) Roberts et al v. City of Fairbanks, Litigation Strategy
- b) Regional Fire Training Center Water Contamination: Strategies for Cost Recovery
- c) FFU Labor Negotiations
- d) PSEA Labor Negotiations
- e) IBEW Labor Negotiations

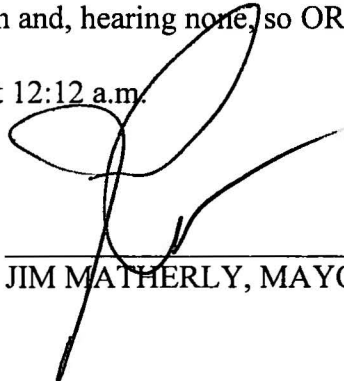
The City Council met in Executive Session to discuss the following: Roberts et al v. City of Fairbanks, Litigation Strategy; Regional Fire Training Center Water Contamination: Strategies for Cost Recovery; and FFU, PSEA, and IBEW Labor Negotiations. Direction was given to Legal and to the negotiation teams; no action was taken.

ADJOURNMENT

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

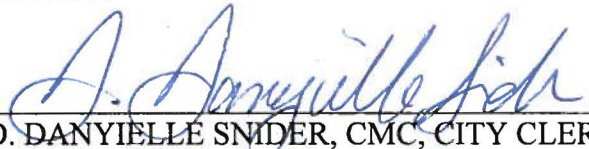
Mayor Matherly called for objection and, hearing none, so ORDERED.

Mayor Matherly declared the meeting adjourned at 12:12 a.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB