



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, OCTOBER 8, 2018
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a Work Session on Proposed Changes to the Permanent Fund Investment Policy, 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
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Eric Jewkes, Police Chief
Jeff Whipple, Engineer II
Jim Styers, Fire Chief
Christina Rowlett, Risk Manager/Purchasing Agent
Patricia Manuel, HR Administrative Assistant
Andrew Ackerman, Environmental Manager

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. Huntington to lead the Flag Salutation.

CITIZENS' COMMENTS

Brenae Baker, 2392 Olivia Lane, Fairbanks – Ms. Baker stated she is in attendance to support the Hrrrl Scouts and their disgust of the meme posted on social media by Mayor Matherly. She stated that making fun of sexual assault is not funny and should not be considered acceptable. She stated the Hrrrl Scouts have been bombarded with hateful comments on their Facebook post disapproving

of the Mayor's meme post. Ms. Baker stated she expects Mayor Matherly to issue a real apology, and she also expects the City of Fairbanks to not accept making fun of sexual assault victims.

Rose O'Hara-Jolly, 7934 Kittiwake Drive, Fairbanks – Ms. O'Hara-Jolly expressed her disappointment and disgust at Mayor Matherly's meme post on Facebook. She stated rape is a grossly underreported crime, and making fun of it is unacceptable. She stated having the City Mayor mock a sexual assault proves to people who are afraid to come forward and report a crime that they have a right to fear reporting. Ms. O'Hara-Jolly stated Alaska has the highest rate of sexual assault in the nation, and she is disappointed that she has to address such a concern on Indigenous Peoples' Day. She stated she is dumbstruck that the Mayor would make fun of someone who had come forward to report a sexual crime.

Terry Boren, 3266 Bluebird Avenue, Fairbanks – Ms. Boren stated she has lived in the Fairbanks North Star Borough for 30 years. She stated that she was sexually assaulted as a child. She stated it is wrong that when a woman makes an accusation, she gets made fun of. Ms. Boren asked if the Mayor would address or ignore the issue. She stated that the Mayor blaming his girlfriend for the post is not acceptable and that he should write an apology for his actions.

Heather Willison, 2655 W. 19th Avenue, Fairbanks – Ms. Willison stated she is in attendance to speak to the consequences of people's actions. She stated she runs a suicide prevention program and that violence and threats are not acceptable forms of communication. She stated the backlash following Mayor Matherly's actions are not acceptable, and people should not be making death threats on social media. She stated that asking for respect while making death threats is counterproductive. She stated everyone should be respectful to others in the community.

Jenn Oden, 111 Concordia Drive, Fairbanks – Ms. Oden spoke in support of Mayor Matherly and stated that he has served the community with grace. She stated the Mayor's social media page is full of community events, support for police officers and firefighters, and information about fundraisers. Speaking to a post that was directed at Mayor Matherly, Ms. Oden stated that activism is a good thing, but threatening people is not activism,. She stated that Mayor Matherly is kind and has served with consistency and integrity; she stated the community should come together and not bully each other.

Lauren Hatty, 4383 Dartmouth Drive, Fairbanks – Ms. Hatty stated she has met the Mayor before, and he has referred to her as "sweetie". She stated that it quietly disrespected her. She stated that men in positions of power should be held to a higher standard and that it is vital that Mayor Matherly accept responsibility for the post.

Shawn Williams, 201 Steelhead Road, Fairbanks – Mr. Williams stated that he has lived in Alaska for 38 years and has known Mayor Matherly for 20 of those years. He stated the political climate is very hot no matter where you fall on political ideologies. He stated that no one is perfect, not even the Mayor. Mr. Williams stated the Mayor made a mistake and has apologized for it. He expressed hope that the community could move forward productively.

Satya Pearl, 3617 Main Street, Ester – Ms. Pearl stated that her safety and the safety of the community feels threatened. She spoke about her own personal experiences involving sexual violence and about how the Mayor's meme post made her feel unsafe. She stated she took the post

personally, and she asked the Mayor how he could make jokes out of her pain. She asked Mayor Matherly to make it right because the community is counting on him to do so.

Alyssa Quintyne, 1805 Jack Street, Fairbanks – Ms. Quintyne stated that she is a survivor of sexual assault and spoke to the difference between being kind and being complacent. She stated Mayor Matherly needs to apologize for posting the meme, and he should not blame someone else for posting it under his account. She stated that when she hears and sees comments that “Matherly is a good guy” she hears “Kavanaugh is a good guy”. Ms. Quintyne provided an example of an apology looks like and stated that everyone should be accountable for their actions.

Jeff Whipple, 441 Keeling Road, North Pole – Mr. Whipple stated he is in attendance to find out the status of the IBEW labor negotiations with the City. He stated the union says it is waiting on the City’s response, and the City’s negotiation team says it is awaiting the union’s response. He stated the Firefighters Union contract was ratified with an 80/20 insurance split, and asked why the IBEW is not being given the same kind of offer. He referred to the section of the Fairbanks General Code that speaks to treating all union and non-union workers the same.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated he hopes the police will show the video footage of the Cody Eyre shooting; he stated the family needs to be included in the viewing. He spoke to the need for the Police Department to use non-lethal weapons. He spoke to the damage that sexual abuse can do to a person, and he spoke about racial discrimination in the jury pool.

Jessica Girard, 1080 Chad Street, Fairbanks – Ms. Girard thanked the State of Alaska for acknowledging Indigenous Peoples’ Day. She stated she is an Air Force veteran, and she spoke to the small amount of convictions that result from sexual assault cases in the armed forces. She stated that Mayor Matherly has decided to be part of the problem rather than being a part of the solution. She asked the City to recognize Indigenous Peoples’ Day and asked that the City implement policies regarding sexual abuse.

Helen Clark, 820 Andi Renee Lane, Fairbanks – Ms. Clark stated she is the Executive Director of Federal Programs for the Fairbanks North Star Borough School District (FNSBSD). She spoke to the role of social service managers and to the importance of their involvement in the lives of students.

Kate LaPlaunt, 1220 Spring Glade Road, Fairbanks – Ms. LaPlaunt stated she is the Assistant Superintendent for the FNSBSD. She spoke to the ALICE Program that has been implemented in schools and to how it is increasing security for students. She spoke to upcoming events to help educate anyone interested in learning more about the ALICE Program.

Andrea Costales, 201 Steelhead Road, Fairbanks – Ms. Costales stated she is in attendance to support Mayor Matherly because she has known him in a personal capacity for many years. She stated Mayor Matherly is good to his core, and she knows he would not intentionally make fun of victims of sexual assault.

Alex Thornton, 1894 Perkins Drive, Fairbanks – Mr. Thornton stated he is in attendance to discuss accountability in Fairbanks and spoke to the lessons he has learned over time. He spoke about the importance of meaningful change and stated that he understands the anger brewing over the meme

post. Mr. Thornton stated he is a survivor of police brutality and shared his concern with the Fairbanks Police Department (FPD) being part of a reality TV show. He stated that Chief Jewkes does not believe in FOIA requests and shared concerns about accountability.

MaCherie Dunbar, 2570 Linda Lane, Fairbanks – Ms. Dunbar stated she is a disabled combat veteran and spoke against the posting of the meme. She asked for a real apology from the Mayor and spoke against sexual assault of women. She spoke against the President’s attitude toward women and spoke to the need for a change in education to reflect the changing times.

Victoria Dowling, 124 5th Avenue, Fairbanks – Ms. Dowling stated she is in attendance to support Mayor Matherly. She stated the Mayor has been very helpful and responsive to her concerns. She spoke to the importance of “innocent until proven guilty” and asked people to stop being hateful.

Andrew Langguth, 1005 Breanne, Fairbanks – Mr. Langguth stated he is in attendance to support women. He stated the meme that the Mayor posted was not funny, and he requested a real apology.

Jean Eyre, 528 Marshall Drive, Fairbanks – Ms. Eyre stated she is the mother of the boy who was killed by police on Christmas Eve. She spoke against the Police Department being involved in a reality TV show. She stated she has not been given any updates from FPD or the Alaska State Troopers (AST) in regard to the death of her son. She stated that she should not be presented with an edited version of the video footage of the events that occurred.

Rina Kowalski, 4022 Birch Lane, Fairbanks – Ms. Kowalski stated Mayor Matherly should not mock victims of sexual assault and demanded that he do better, own up to his actions, and apologize. She spoke to the importance of women being empowered and strong, and she stated that the meme post made people feel powerless. She provided her phone number and invited anyone who would like to get together and fight for change to contact her.

Hearing no more requests for comment, **Mayor Matherly** declared Citizens’ Comments closed.

Mayor Matherly stated he needed to make an apology to everyone in the room for the meme that was posted on Facebook. He thanked all those who attended the meeting and shared their stories. He stated that speaking with survivors of sexual assault has caused him to give true thought to the hurtful words that he posted. **Mayor Matherly** stated he has looked inward at his behavior in order to change himself which is why he dropped off social media. He acknowledged hurting people’s feelings and stated it was not his intent to hurt anyone. He shared his hope that he could be forgiven because he is sincerely sorry for his actions.

Mayor Matherly called for a five minute recess.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien pulled the “Approval of the 2019 City Council Meeting Schedule” from the Consent Agenda.

Mr. Pruhs pulled Ordinance No. 6086 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 25, 2019.

APPROVED on the CONSENT AGENDA.

b) Special Meeting Minutes of August 27, 2019.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership:

Type: Beverage Dispensary, License #4232
DBA: The Spur
Applicant: JNJ, Inc.
537 Gaffney Road, Fairbanks
From: The Spur (Kodiak Jack's) / JSR, Inc.
537 Gaffney Road, Fairbanks

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

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

Ms. Therrien asked Police Chief Jewkes to speak to the call report provided in the packet. She asked why there was such a high call volume for the property. Chief Jewkes stated that he has spoken with his officers and that there have not been major problems. He stated that there has been increased diligence by the new ownership in reporting to FPD.

Ms. Huntington stated that at one point Fort Wainwright soldiers were banned from being allowed at the bar and asked if that ban had been lifted. Chief Jewkes reported the ban had been lifted.

Mr. Bagwill asked Chief Jewkes if he knew the business's hours of operation; Chief Jewkes stated he did not know their business hours. Chief Jewkes reported that Deputy Chief Welborn went over the call report, and many of the calls were a result of increased reporting by the new owners.

Mayor Matherly stated when he did his ride along with FPD they did bar checks where they just did a quick walk through of the premises.

Ms. Rogers asked if the new owners may be being aggressive in order to mitigate future calls; Chief Jewkes replied that that is the goal.

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

YEAS: Therrien, Rogers, Pruhs, Bagwill, Huntington, Cleworth
NAYS: None

Mayor Matherly declared the MOTION CARRIED.

b) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership:

Type: Beverage Dispensary, License #3969
DBA: Tony's Sports Bar
Applicant: JNJ, Inc.
537 Gaffney Road, Suite 1, Fairbanks
From: Tony's Sports Bar (BoomTown Grill & Bar) / JSR, Inc.
537 Gaffney Road, Suite 1, Fairbanks

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

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 TRANSFER OF OWNERSHIP AS FOLLOWS:

YEAS: Bagwill, Cleworth, Rogers, Huntington, Therrien, Pruhs
NAYS: None

Mayor Matherly declared the MOTION CARRIED.

c) The Fairbanks City Council heard interested citizens concerned with the following application for a New Marijuana Retail Store License:

Type: Marijuana Retail Store, License #15814
DBA: Tanana Herb Company, LLC
Applicant: Tanana Herb Company, LLC
Address: 1200 Well Street, Fairbanks, Alaska

Mr. Pruhs, seconded by **Ms. Huntington**, moved to PROTEST the New Marijuana Retail Store License until a Certificate of Occupancy is issued by the Building Department.

Frank Turney – Mr. Turney stated he is in support of the cannabis retail store.

Sam Hachey, 1208 Perkins Drive, Fairbanks – Mr. Hachey stated he is excited about the progress made on the building where the store will be located.

Ms. Therrien asked Mr. Hachey how much money he has invested in getting the space up and running. Mr. Hachey stated he has invested every single penny into getting the store up and operating. He stated he is looking forward to employing a long-term, sustainable staff.

Mr. Bagwill asked Mr. Hachey to speak to the air filtration system. Mr. Hachey stated they have two grow rooms and each has its own HVAC system. He stated the rooms are sealed so that external air does not get exchanged to contaminate the air inside.

Ms. Rogers thanked Mr. Hachey for being so thorough in his application. **Ms. Huntington** thanked Mr. Hachey for his professionalism and positive attitude.

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

Mr. Bagwill stated he would like to go on record as saying that Mr. Hachey is one of the owners in the industry that stands out to him. He stated he would vote against the license but thanked him for his professionalism.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE NEW MARIJUANA RETAIL STORE LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING DEPARTMENT AS FOLLOWS:

YEAS: Rogers, Therrien, Pruhs, Cleworth, Huntington

NAYS: Bagwill

Mayor Matherly declared the MOTION CARRIED.

d) The Fairbanks City Council heard interested citizens concerned with the following Marijuana License Application for Renewal:

Lic. #	DBA	License Type	Licensee	Address
10112	Great Alaskan Bud Company	Standard Marijuana Cultivation Facility	SP&C Enterprises, LLC	1905 Livengood Avenue

Ms. Therrien, seconded by **Ms. Huntington**, moved to WAIVE PROTEST on the Marijuana License Application for Renewal.

Frank Turney – Mr. Turney spoke in favor of the Great Alaskan Bud Company license renewal.

Shawn Coyle, 1905 Livengood Avenue, Fairbanks – Mr. Coyle stated he is the owner of the business and that he is available for any questions.

Ms. Huntington asked what the violation on his license was. Mr. Coyle stated it was brought to his attention that he needed more cameras in his facility; he stated that he complied and added eight additional cameras.

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

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

YEAS: Huntington, Therrien, Pruhs, Cleworth, Rogers

NAYS: Bagwill

Mayor Matherly declared the MOTION CARRIED.

COUNCIL MEMBERS' COMMENTS

Ms. Huntington asked whether she would be able to make comments at the next meeting. **Mayor Matherly** stated she would be given time to speak at the next meeting. **Ms. Huntington** welcomed Kathy Ottersten and Shoshana Kun to the Council and congratulated Ms. Rogers on her victory in the election. **Ms. Huntington** stated she would like the City to acknowledge Indigenous Peoples' Day and that she would continue to support the cause. She stated the issues facing the country have made themselves evident even in the City of Fairbanks. She stated she is glad the Council meeting is a safe place for people to come and testify. She stated the culture of dismissing victims is not acceptable, and she thanked Mayor Matherly for his apology.

Ms. Rogers stated she was reassured to hear so many people caring about the community, and she was happy to see people coming together seeking to make Fairbanks a better place to live. She thanked Mayor Matherly for his sincere apology. She acknowledged peoples' concern for the police reality TV show and encouraged the Council to reconsider the issue. She stated she felt that the City was bullied and rushed into the contract, and she would value more discussion on the topic. **Ms. Rogers** welcomed Ms. Therrien back from vacation and thanked her for the information provided in the earlier work session.

Ms. Therrien stated she was moved by all the public testimony of the evening. She stated the Mayor's meme post was appalling, and his use of the word "silly" in his apology was insulting. She stated she hopes the Mayor will grow as a result of the incident.

Mr. Bagwill thanked everyone for coming forward to testify and for the reality check they gave to the Council. He stated he was molested when he was young, and he did not report it until much later in life. He stated when he was young he thought it was his fault. He encouraged everyone who is a victim to come forward and report the crimes. He stated being silent does not help change the culture.

Mr. Cleworth stated he has decided to quit watching the news because there has been no compassion reported lately. He stated that if the Eyre family does not want the video footage released, their wishes should be respected. He stated the Council has tried hard to be fair to the IBEW and spoke to issues involving FMATS and the IBEW. **Mr. Cleworth** stated he would like to see the IBEW membership find better, cheaper health insurance. He stated he would be happy to meet with Mr. Whipple but that he has to be careful because union negotiations are still ongoing.

Mr. Pruhs stated Mayor Matherly handled the evening well. **Mr. Pruhs** stated he has known the Mayor for years and that he does not believe he intended to hurt victims of sexual assault. **Mr. Pruhs** stated he remembered Mayor Matherly's daughter being a tenant of his when she was being held captive by an abuser. **Mr. Pruhs** stated he could not imagine being a parent that had to go through something like that. He stated Mayor Matherly is a good person, and he needs to put this incident behind himself and move forward in a healing way.

NEW BUSINESS

- a) Ordinance No. 6085 – An Ordinance Amending Fairbanks General Code Sections 2-260 and 2-261 by Adding Real Asset Infrastructure Classifications, a Hedge Fund Beta Investment Tool, and Consistency in Index Language in the City Permanent Fund Investment Policy. Introduced by Council Member Therrien.

ADVANCED on the CONSENT AGENDA.

- b) Ordinance No. 6086 – An Ordinance to Amend the 2011 – 2013 Collective Bargaining Agreement Between the City of Fairbanks and the Public Safety Employees Association (PSEA). Introduced by Mayor Matherly.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to ADVANCE Ordinance No. 6086.

Mr. Pruhs asked if the letter from ASEA had come in regard to the health insurance for the family of Sergeant Brandt. Human Resources Director Angela Foster-Snow reported that she had not received it yet, but she has been told it is on its way.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6086 AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the motion CARRIED.

DISCUSSION ITEMS

- a) Committee Reports

Fairbanks Diversity Council – **Mayor Matherly** reported that there would be a Diversity Council meeting the following evening. He stated that when he used the word “silly” in his apology it was directed at himself; he apologized for using the term.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Board of Plumber Examiner Meeting Minutes of June 19, 2018

ACCEPTED on the CONSENT AGENDA.

b) Clay Street Cemetery Commission Meeting Minutes of May 2, 2018

ACCEPTED on the CONSENT AGENDA.

c) Approval of the 2019 City Council Meeting Schedule

Ms. Therrien, seconded by **Mr. Cleworth**, moved to APPROVE the 2019 City Council Meeting Schedule.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to AMEND the 2019 City Council Meeting Schedule to change the January 14 meeting to January 7.

Mayor Matherly called for objection to the motion to AMEND the Meeting Schedule and, hearing none, so ORDERED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE 2019 CITY COUNCIL MEETING SCHEDULE, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

COUNCIL MEMBERS' COMMENTS

Ms. Huntington stated she had no comments.

Ms. Rogers stated she had no comments.

Ms. Therrien asked about the FPD reality TV show; **Mayor Matherly** encouraged Ms. Therrien to speak to Chief Jewkes about it.

Mr. Bagwill thanked everyone for voting in the election, and he congratulated the new members of the City Council. He stated he hopes to see the City continue to be a better place. He stated it is important for citizens to remain vigilant and respectful to one other.

Mr. Cleworth thanked Public Works for the demolition of the old Reflections building; he stated that it will help to have more space for a City snow dump. He spoke to the City Clerk's Office responsibilities to Board and Commission meetings and suggested that boards take over their own production of minutes.

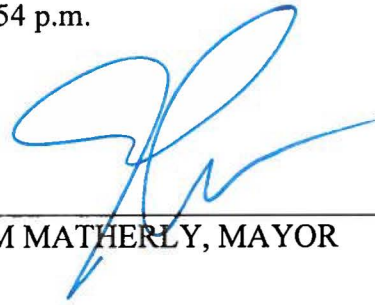
Mr. Pruhs thanked the City Clerk's Office for all the work they put into the election. He stated he would miss Mr. Bagwill as he has come to know him to be a fine person.

ADJOURNMENT

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

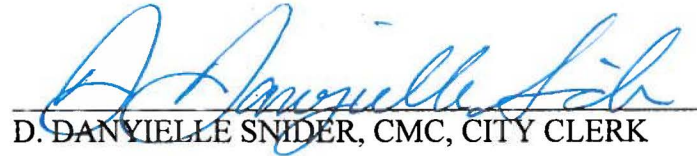
Mayor Matherly called for objection and, hearing none, so ORDERED.

Mayor Matherly declared the meeting adjourned at 8:54 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANVIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB