



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, DECEMBER 10, 2018  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 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:        Shoshana Kun, Seat A  
   June Rogers, Seat B  
   Valerie Therrien, Seat C  
   Kathryn Ottersten, 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  
   Bob Pristash, City Engineer  
   Jim Styers, Fire Chief  
   Christina Rowlett, Risk Manager/Purchasing Agent  
   Jackson Fox, MPO Coordinator (FMATS)

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 everyone to join him in the Pledge of Allegiance.

**CEREMONIAL MATTERS**

**Mayor Matherly** introduced Boy Scout Troop #38; the Boy Scouts read aloud the Bill of Rights.

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

## CITIZENS' COMMENTS

Lorali Simon, Healy – Ms. Simon stated she is the Vice President of External Affairs for Usibelli Coal Mine. She stated Usibelli has been working closely with government regulators on the PM2.5 issue and that they hope to find meaningful solutions to the local air quality issues. She stated she also brought the McDowell Report that discusses all sorts of mining operations. Ms. Simon welcomed any questions.

Frank Turney, 1434 Lacey Street, Fairbanks – Mr. Turney thanked the Boy Scouts for coming and reading the Bill of Rights and shared that without the Bill of Rights there would be no freedom of speech or right to assemble. He stated he had a wonderful time at the wake for Terry Walley; he shared that all the stories people recounted were entertaining.

Alex Jafre, 3235 College Road, Fairbanks – Mr. Jafre expressed concern with all the pot shops that are popping up around town and shared his disappointment that there is one very close to his church. He stated there are 13- and 14-year-old pot dealers around town, and the industry needs to be more heavily regulated.

Jessica Vaudreuil, Fairbanks – Ms. Vaudreuil stated she is a mom, a retired teacher, and a born-again believer in Jesus Christ. She criticized a recent resolution by the Fairbanks North Star Borough School Board relating to LGBTQ issues. She scoffed that the Council has the gall to serve cake recognizing the Bill of Rights while pretending to stand for religious liberties. She stated she did not sign up to be a teacher to teach a homosexual agenda; she added that her two children in the audience should not be referred to as “their”. She clearly stated that her son is a “he”, and he better stay that way when he goes into a public school. Ms. Vaudreuil stated that if her son becomes a transsexual when he goes to a public school, she will hold the Council accountable for it. She stated she wants to send her American boy to school and have him come out an American boy. She asked why only the LGBTQ students are protected at school and why they have more gay flags than American flags in schools. Ms. Vaudreuil stated teachers cannot even go to their union because their unions support the LGBTQ community. She stated she would not stand for the baloney anymore. Ms. Vaudreuil stated if the Council signs the ordinance they will betray the people of this city, the State of Alaska, and the country.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger asked Mr. Pruhs to speak about what the City intends to do with the Polaris Building and the land it is situated upon.

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

## APPROVAL OF AGENDA AND CONSENT AGENDA

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

**Mr. Cleworth** pulled Resolution No. 4857 and Resolution No. 4858 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 August 6, 2019.

APPROVED on the CONSENT AGENDA.

**SPECIAL ORDERS**

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

Lic. #	DBA	License Type	Licensee	Premises Address
3687	Thai House Restaurant	Restaurant/ Eating Place	Boonchoo, Inc.	412 5th Avenue
270	Lavelle's Taphouse	Beverage Dispensary	Lavelle's Taphouse, LLC	414 2nd Avenue, Suite B
2982	Carlson Community Center	Recreational Site	SMG of Alaska, Inc.	2010 2nd Avenue
725	Midnite Mine	Beverage Dispensary	Midnight Mine, LLC	308 Wendell Avenue

**Mx. Ottersten**, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Liquor License Applications for Renewal.

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

**Ms. Kun** asked Police Chief Eric Jewkes to come forward to speak to the call report for the Midnite Mine. She asked if the calls listed involving intoxicated persons were a result of being overserved in the bar. Chief Jewkes stated the calls listed were not during hours that bars are open. He stated he has not been made aware of a pattern of circumstances that is troubling at that particular location, and that is why he did not recommend protest of the application for renewal. **Ms. Kun** asked why the Carlson Center had such a high volume of calls; Chief Jewkes replied there are many calls to the Carlson Center that have nothing to do with a liquor license.

**Ms. Therrien** asked whether the problems at the Midnite Mine have subsided since it is under new ownership. Chief Jewkes stated he was initially concerned about replicating problems at a prior location of the same owner, but it has not been a problem with the license being discussed.

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

YEAS: Cleworth, Pruhs, Rogers, Kun, Ottersten, Therrien

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

Type: Marijuana Retail Store, #17250  
DBA: Pipe and Leaf  
Applicant: Haley Essig  
Address: 3546 Airport Way, Fairbanks, Alaska

**Mr. Pruhs**, seconded by **Mx. Ottersten**, moved to PROTEST the New Marijuana Retail Store License until a Certificate of Occupancy is issued.

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

**Mr. Pruhs** asked whether Ms. Essig built a new building.

Haley Essig, 3546 Airport Way, Fairbanks – Ms. Essig stated she is a tenant in the building. She stated her father built the building and is the landlord. **Mr. Pruhs** asked how long she had been working toward her goal; Ms. Essig stated she owns a cultivation facility off Chena Hot Springs Road, but the retail location has been under construction for over two years. **Mr. Pruhs** asked how many people she intends to employ at the retail facility; Ms. Essig stated she would start with 11 employees and build from there.

**Mayor Matherly** asked where the building is located. Ms. Essig stated it is near the old antique shop off Airport Way.

**Ms. Kun** thanked Ms. Essig for revitalizing the neighborhood she chose for her business.

**Ms. Rogers** stated it has been nice to watch Ms. Essig grow and move through the licensing process.

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

YEAS: Pruhs, Therrien, Kun, Cleworth, Ottersten, Rogers

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

- a) Special Reports

Helen Renfrew, Explore Fairbanks – Ms. Renfrew stated she is the Director of Meetings and Conventions for Explore Fairbanks. She spoke to the upcoming year's conventions and to how much revenue they bring to the community. She stated in 2018 there were there were over 500

conventions that brought in a lot of tourism dollars. Ms. Renfrew stated Explore Fairbanks continues to work toward getting the Polaris Building demolished and having a convention center built in its place. She stated planning has begun for the Alaska Federation of Natives (AFN) convention that will be held in Fairbanks in October 2019.

**Ms. Kun** thanked Ms. Renfrew; she added that she is excited AFN is returning to Fairbanks.

**Mayor Matherly** stated that the Polaris Building is owned by the City and that they are trying to secure funds to demolish the building. He stated there has been no real planning for the land after the Polaris Building is torn down. He thanked everyone for attending Terry Walley's memorial and stated that it was a fun, upbeat event with lots of laughs and a few tears. **Mayor Matherly** wished everyone a Merry Christmas and stated it has been an honor to serve for another year.

### **COUNCIL MEMBERS' COMMENTS**

**Mx. Ottersten** stated they had no comments.

**Mr. Cleworth** questioned why the VISTA program is now the City's responsibility; he stated the program used to be a Borough program. **Mayor Matherly** explained that the Borough wanted to get out of the program and that Mike Sanders was happy to take on the additional responsibility.

**Mr. Pruhs** stated the only thing the City has done with the Polaris Building is gather cost estimates for demolition. He stated the Polaris Work Group is doing all of the consideration. He spoke to the options that may be considered but indicated that nothing has been set in stone.

**Ms. Therrien** stated she had no comments.

**Ms. Rogers** stated there is no public money going into the Polaris Building and that the only money she has seen go into the project is donated funds.

**Ms. Kun** stated she had no comments.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6090 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien** seconded by **Ms. Kun**, moved to ADOPT Ordinance No. 6090.

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

City Attorney Paul Ewers proposed some changes to the contract attached to the ordinance. He stated there is no change to the fiscal note or to the ordinance itself, just a few corrections to the labor contract.

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to AMEND the contract by striking “Except for the re-opener for Section 16.1 ‘Wage Classification and Salaries’ that shall be effectively in place by January 1, 2020” in Section 26.1; by adding “‘Reopener’ negotiations on Section 16.1, Wage Classification and Salaries, will commence no later than March 15, 2019 for 2019 and no later than March 15, 2020 for 2020. The agreement reached as a result of the 2019 reopener negotiations will be implemented in 2019. The agreement reached as a result of the 2020 reopener negotiations will be implemented in 2020.” at the end of Section 26.1; and by striking “Section 9.1 C – A wage reopener will be initiated and implemented in 2019.”

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE CONTRACT ATTACHED TO ORDINANCE NO. 6090 AS FOLLOWS:

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

**Mr. Cleworth** pointed out a discrepancy in Section 21.7 of the contract where it refers to a leave period as 30 days then later in the same paragraph as 90 days. Mr. Meeks stated that both parties had agreed to 30 days, and the discrepancy is an error that can be corrected.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6090 WITH THE AMENDED CONTRACT ATTACHMENT AS FOLLOWS:

YEAS: Therrien, Pruhs, Ottersten, Kun, Cleworth  
NAYS: None  
ABSTAIN: Rogers  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6090 ADOPTED.

b) Ordinance No. 6091 – An Ordinance Amending the 2018 Operating and Capital Budgets for the Fourth Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Ms. Kun**, moved to ADOPT Ordinance No. 6091.

**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. 6091 AS FOLLOWS:

YEAS: Rogers, Ottersten, Therrien, Pruhs, Cleworth, Kun  
NAYS: None  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6091 ADOPTED.

- c) Ordinance No. 6092 – An Ordinance Adopting the 2019 Operating and Capital Budgets. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien** seconded by **Mx. Ottersten**, moved to ADOPT Ordinance No. 6092.

**Ms. Therrien** seconded by **Mr. Pruhs**, moved to SUBSTITUTE Ordinance No. 6092, as Amended, for Ordinance No. 6092.

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

David van den Berg, 542 4th Avenue, Fairbanks – Mr. van den Berg stated it only took a little inuendo from a member of the public for public officials to distance themselves from the idea of using public funds toward the Polaris Building. He stated that eventually it will be a badge of honor to have moved ahead on the project. He stated Public Works has done a good job keeping the sidewalks cleared this year.

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

Chief Financial Officer (CFO) Carmen Randle stated there were some changes made to the budget, and she distributed the new figures to the Council.

**Mr. Cleworth** spoke to the history of the Mayor and Council travel budget. He stated he thinks the Council is spending too much on Council travel. He stated that at a recent Finance Committee meeting, the Council chose to separate its travel budget from the Mayor's budget by allocating \$3,000 for Council travel to be placed under the Clerk's Office budget. He stated that he would like to see the travel budget go back to the way it was before.

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6092 by striking the \$3,000 line item for Council travel under the Clerk's budget so the Council would continue to share the Mayor's travel budget.

**Ms. Therrien** spoke against the amendment. **Mr. Cleworth** stated he did not like earmarking funds specifically for Council travel and that it is something that he has never seen done before. He stated it the Council could do without.

**Mr. Pruhs** stated there are ten items on the City's list of legislative priorities for 2019, and he explained why it is important to fund Council travel to Juneau.

**Ms. Rogers** asked City Clerk Snider to explain why the funds for Council travel were being moved to the Clerk's budget. Ms. Snider stated that purchase orders for Council travel,

nameplates, photos, and other items are processed through the Clerk's Office, so it would streamline the process.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6092 BY STRIKING THE \$3,000 LINE ITEM FOR COUNCIL TRAVEL UNDER THE CLERK'S BUDGET SO THE COUNCIL WOULD CONTINUE TO SHARE THE MAYOR'S TRAVEL BUDGET AS FOLLOWS:

YEAS: Cleworth  
NAYS: Pruhs, Therrien, Kun, Ottersten, Rogers  
**Mayor Matherly** declared the motion FAILED.

**Mr. Cleworth** spoke to the good things that have happened in the budget and to decreasing staff through attrition. He spoke to the budget issues at the Borough relating to facility maintenance. He spoke against SAFER grants, stating that the grant grows the size of the Fire Department while staffing at other departments, such as Public Works, remains the same. **Mr. Cleworth** stated he would rather enhance snow removal and sidewalk maintenance than increase positions that are not necessary. He stated he sits on the FMATS Policy Board as a City representative, and the City needs to be prepared to lose those funds if sanctions are put into place. He stated it would be a huge hit to the City budget. He stated the City is struggling to maintain what it has and that adding four positions to the Fire Department is unwise.

**Mr. Pruhs** asked the Council to consider how far they have come in the last year; he cited non-funding the Fairbanks Firefighters Union (FFU) contract the prior year as an example. He stated he will not be on the Council in three years when the SAFER grant is in effect, but he will watch its progress.

**Ms. Rogers** stated she respects Mr. Cleworth's advice, but she will support the ordinance.

**Ms. Kun** thanked City Controller Margarita Bell and CFO Carmen Randle for putting all the time into catching her up on the budget and providing all the documentation. **Ms. Kun** stated that everyone was helpful in explaining reasons for every budget line item.

**Ms. Therrien** stated she supports the proposed budget and that she would be voting to approve the ordinance. She stated she disagrees with Mr. Cleworth's perspective on the SAFER grant.

**Mx. Ottersten** thanked everyone for the time put into the budget and stated there was a big learning curve.

**Mayor Matherly** stated he wished Council members would have not pushed the bed tax revenue increase ordinance so far into the future. He stated he did not like using Capital funds to fund the City budget.

**Mr. Pruhs** stated he supports the Mayor and appreciates how hard he has worked.



A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6092, AS AMENDED, AS FOLLOWS:

YEAS: Kun, Ottersten, Therrien, Pruhs, Rogers

NAYS: Cleworth

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6092, as Amended, ADOPTED.

**Mayor Matherly** called for a brief recess, and no members objected.

- d) Ordinance No. 6093 – An Ordinance Amending Fairbanks General Code Chapter 1 by Enacting Sections 1-21 through 1-28 Addressing Equal Rights. Introduced by Council Members Ottersten and Pruhs. SECOND READING AND PUBLIC HEARING.

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to ADOPT Ordinance No. 6093.

**Ms. Kun**, seconded by **Mr. Cleworth**, moved to SUBSTITUTE Ordinance No. 6093, As Amended, for Ordinance No. 6093.

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

Sine Anahita, 5601 Old Ridge Trail, Fairbanks – Ms. Anahita stated she is proud of the City of Fairbanks for coming forward with the ordinance. She stated she has been with her spouse for over 20 years and that expanding equal rights is a good thing for all people.

Ty Miller, 2588 Riverview Drive, Fairbanks – Mr. Miller stated the ordinance is a typical liberal backdoor move and is the reason most people hate politicians. He spoke negatively about the City Attorney and criticized that the ordinance is being pushed forward so quickly. He stated the Council is trying to rush the ordinance through and down people's throats. Mr. Miller stated the people should be allowed to have a say on the issues that move forward in the City of Fairbanks. He asked the Mayor to do the right thing and veto the ordinance if it passes.

Bernard Aoto, 1670 Nabesna Way, Fairbanks – Mr. Aoto read aloud a resolution that was put forward by the students of the University of Alaska Fairbanks (UAF) in support of the ordinance.

Frank Turney, Fairbanks – Mr. Turney stated he does not discriminate, but he loves cuddling up to a real woman. He stated religious liberty should be respected and spoke to the cake baker in Colorado who refused to bake a cake for a gay couple. Mr. Turney stated he liked seeing the nativity scene in the Finance Department and the Bill of Rights hanging in the Chambers. He stated Mr. Ewers should be fired for helping draft the ordinance.

Christine Robbins, Fairbanks – Ms. Robbins asked that the religious community be brought to the table to discuss the ordinance before moving forward. She asked whether the definition of ethnicity included illegal aliens. She stated modeling agencies that used to be in the area had specific criteria which was not considered discrimination.

Kelvin Rogers, MBS Dorms, UAF, Fairbanks – Mr. Rogers stated he and his partner are moving permanently to Fairbanks and that he may not choose to stay if the ordinance does not pass.

Jeannette Okinczyc, 218 Slater Drive, Fairbanks – Ms. Okinczyc stated Fairbanksans are a diverse group of people and that some may say it is the best place to live. She urged the Council to pass the ordinance because it provides for protections for people who need it.

Aidam Earnest, 4954 Siegrist Drive, Ester – Mr. Earnest stated everyone deserves love and support and that the ordinance does not create special privileges, only equality under the law. He stated that everyone should be treated equally no matter who they love.

Lachlan Gillispie, 1176 Farmers Loop Road, Fairbanks – Mr. Gillispie stated he grew up in Fairbanks and that he is queer. He stated that he has many friends that are lesbian, queer, and transgender. He stated many LGBTQ kids are homeless because they have no place to go.

Liz Lyke, 1763 Iniakuk Avenue, Fairbanks – Ms. Lyke spoke in support of the ordinance; she stated it is in line with her values and the values of the community. She stated her own parents do not accept her and that is why she has chosen to make Fairbanks her chosen family. She spoke in favor of passing the ordinance in its original form.

Alex Jafre, Fairbanks – Mr. Jafre stated the passage of similar legislation in Anchorage has resulted in litigation against a women’s shelter because a woman staying in the shelter was not comfortable with a transgender person staying there. Mr. Jafre stated nobody has the right to force their choices onto other people. He stated women who are born as real women but do not feel comfortable with a transgender person should be allowed to feel that way. He stated that passing the ordinance will result in lawsuits because it is not right to force Christians to participate in things contrary to what they believe in. Mr. Jafre quoted Martin Luther as saying, “Here I stand; I can do no other.”

Thalia Jacobs, 2952 Totem Drive, Apt. 2, Fairbanks – Ms. Jacobs thanked the Council for allowing her to voice her support for Ordinance No. 6093. She spoke to her history in Fairbanks and of the fear that her brother may not be treated equally because of the way that he lives his life. She stated it is important to protect people who feel vulnerable.

Ryan VanReenan, 5231 Electra Avenue, Fairbanks – Mr. VanReenan stated he has been a business owner in Fairbanks for many years, and he supports the ordinance. He stated the LGBTQ community is welcome in Fairbanks and used the newly-elected officials as an example. He spoke in support of the ordinance because it would offer recourse to anyone affected by discrimination. He stated the ordinance does not put anyone on a pedestal, it just ensures the most basic equal rights. He stated that is the most basic Alaskan thing to ask for.

Cecil Hines, 891 Ridge Loop Road, Fairbanks – Mx. Hines stated they are the Gay & Lesbian Alliance Against Defamation (GLAAD) campus ambassador for the all of Alaska as well as the Gender and Sexuality Alliance president at UAF. Mx. Hines stated they demand “they” and “them” pronouns. Mx. Hines stated that the ordinance will allow them to express themselves fully, as an agender and asexual individual.

Aaron Richert, 2115 Loose Moose Loop, Fairbanks – Mr. Richert stated he is a Christian in the community and is the pastor of a local church; he shared his concerns about the ordinance. He stated he is not for discrimination but that the language in the ordinance causes some groups in the community to become victims of unnecessary legal action. Mr. Richert stated the ordinance seems like a prohibition of his rights to freedom of religion. He spoke to the lawsuit surrounding the Hope House in Anchorage because a women in the shelter did not feel safe with a transgender person there. He stated the ordinance allows groups that do not like Christians to unfairly target them by using loopholes in the law.

Brian Jenkins, 1434 Benshoof Drive, North Pole – Mr. Jenkins stated he moved to Fairbanks from the East Coast with his family because they had heard Alaskans have certain freedoms that ordinances like this take away. He stated he grew up a Christian, and he has a right to make choices while bearing the responsibility for those choices. He stated the ordinance addresses people who make choices and asked that the Council table the ordinance. He stated more input and consideration as to the ordinance language should be given by the public before its passage.

Violet Hollowell, 8B Dead End Aly, Fairbanks – Ms. Hollowell stated that she has lived as a female for over a year and is a transgender woman; she added that it is the best thing she has ever done. She stated the ordinance would allow for everyone to have the same chance as she did to come out and to be welcomed.

Marina Day, 3730 Studio Road, Fairbanks – Mx. Day stated ze lives outside of City limits but frequents the City regularly. Mx. Day spoke to the diversity and acceptance of the Fairbanks community. Mx. Day asked the Council to support the ordinance because the LGBTQ community is comprised of all races and religions. Mx. Day stated discrimination is a social disease that no one is immune to.

Victor Buberger, Fairbanks – Mr. Buberger stated he has been around the LGBT community since he was a pre-teen and that some people in Thailand refer to transgender people as “she-hes” and “he-shes”. He stated nobody in Thailand has a problem the LGBT community.

David Frey, 675 Gold Vein Road, Fairbanks – Mr. Frey stated he is a Prevention & Intervention Specialist at Tanana Middle School and that he often intervenes in bullying situations where youths are being picked on because their sexual identity. Mr. Frey stated it has happened for many years and that teenagers have high rates of depression because of bullying. He encouraged the Council to pass the ordinance because it would teach young people that they are worth the same as every other person.

Laurie Walton, 675 Gold Vein Road, Fairbanks – Ms. Walton spoke in favor of the ordinance because she would like all people to be treated equally.

Peter Pinney, 745 7th Avenue, Fairbanks – Mr. Pinney stated he has five foster children, three of whom are gay, and one of whom is gender-fluid. He stated he does not want his sons treated the way he was treated when he was growing up. He read aloud a letter written by a mother who supports Parents and Friends of Lesbians and Gays (PFLAG) and the ordinance.

David Roberts, 2821 Totem Drive, Fairbanks – Mr. Roberts stated the ordinance is an issue bigger than Fairbanks, and it should be left to the federal government.

Alyssa Quintyne, 1805 Jack Street, Fairbanks – Ms. Quintyne gave a land acknowledgement. She stated she represents the Alaska Center as a community organizer and that she supports the ordinance. She stated the State of Alaska has no protections for the LGBTQ community, and they are left vulnerable to discrimination. She spoke to how the ordinance would benefit the community.

Tristan Glowa, 2010 Saint Bernard Drive, Fairbanks – Mr. Glowa stated he supports the well-written ordinance and thanked the Council for being so thoughtful and empathetic. He stated the future generation values the ideas behind the ordinance, and the ordinance exemplifies the values of Fairbanks. He spoke of the struggles of LGBTQ people and encouraged the Council to pass the ordinance. He indicated that passage of the ordinance would increase tourism and the population.

Cheryl Beckley, 1596 Palomino Drive, North Pole – Ms. Beckley stated the wording in the ordinance is too ambiguous; she stated she could not support the ordinance because it opens Christian organizations up for lawsuits. She stated she does not believe in discrimination but that she could not support an ordinance that would prohibit an owner from choosing who works at their business. She stated the ordinance puts peoples' choices above her religious freedoms. She stated the ordinance needs work on the wording before being moved forward.

Kasey Casort, 870 Pickering Drive, Fairbanks – Ms. Casort thanked the Council for bringing forth the ordinance and read aloud a letter of support written by Rose O'Hara-Jolley from Planned Parenthood. The letter spoke in support of the ordinance.

Melanie Lindholm, 923 Bennett Road, Fairbanks – Ms. Lindholm spoke in support of the ordinance; she stated that she and her fiancé are part of the LGBTQ community. She stated her fiancé was fired because she came out at work as being transgender. Ms. Lindholm stated everyone should have human rights and equal protections under the law.

Jeff Walters, 2454 Killarney Way, Fairbanks – Mr. Walters stated he is a member of the Fairbanks Diversity Council, and he thanked the Council for bringing the ordinance forward. He stated he is a retired counselor from West Valley High School, and he helped several LGBTQ students to come out to their parents. He stated he facilitated communication between students and parents, and those meetings were always good for opening lines of communications. He spoke to the diversity within his family and encouraged open, respectful communication.

Jim Harris, 365 Louise Lane, Fairbanks – Mr. Harris thanked the Council for the opportunity to speak to the ordinance. He stated Fairbanks is great because it is the land of the free, and he spoke to the unfair treatment of the baker in Colorado who did not want to bake a cake for a gay couple. Mr. Harris stated the ordinance mocks the Bible and the Bill of Rights.

Julie Smyth, 717 9th Avenue, Fairbanks – Ms. Smyth stated she was born and raised in Fairbanks and that she is Iñupiaq and bisexual. She stated she was raised in a Christian church, so she could sympathize with the opposition. She encouraged the Council to pass the ordinance. She asked the Council to have empathy for her son who may one day question his sexuality.

Kerynn Fisher, 3971 Ridgeview Drive, Fairbanks – Ms. Fisher stated she was proud of Fairbanks for putting forth such a forward-thinking ordinance and asked the Council to support all people equally by passing it.

Julie Rodriguez, 1350 Blackberry Drive, Fairbanks – Ms. Rodriguez stated her religious freedom stops at the lives of others and that being LGBTQ is not a choice. She spoke in support of the ordinance.

Grier Hopkins, 1528 Sunlight Drive, Fairbanks – Mr. Hopkins thanked the Council for introducing the ordinance and spoke in support of its passage; he thanked everyone who came out to speak in support of the ordinance. He stated if the ordinance does not pass, real life problems will occur for people relating to employment and housing. He asked the Council to show the world that Fairbanks has a Golden Heart that supports non-discrimination.

Rev. Leslie Fails, 285 Rainbow Ridge, Fairbanks – Ms. Fails stated she is the minister of the Unitarian Universalist Fellowship in Fairbanks, and she spoke in support of the ordinance. She read aloud a statement of support for the ordinance signed by Rev. Shirley Lee and Rev. Scott Fisher. Ms. Fails thanked the Council for bringing forward an ordinance to ensure equal rights for all people of the City of Fairbanks. She offered everyone a prayer of freedom, dignity, and peace and thanked the Council for their leadership.

Trey Smith, 1867 Kingfisher Drive, Fairbanks – Mx. Smith stated when Black Americans were given the right to vote, many lawsuits followed. Mx. Smith stated they are transgender and attend Hutchison High School. Mx. Smith spoke to having a supportive, loving family and commented that not everyone is as blessed and that many transgender people are attacked and abused. Mx. Smith stated the ordinance does not grant anyone any special rights but that it grants equality to everyone. Mx. Smith quoted the Fairbanks Daily News Miner as stating that members of the LGBTQ community serve in public office, the military, teach children, and work in all sectors of business. Mx. Smith stated everyone deserves the freedoms of life, liberty and the pursuit of happiness.

Rev. Neill McKay, 1285 Bainbridge Boulevard, Fairbanks – Rev. McKay stated he is a reverend at the University Community Presbyterian Church. He read aloud scriptures from the Bible. He shared that his evangelical brothers and sisters are concerned about lawsuits and religious liberties. He stated anger, hatred, and violence will continue until there are laws protecting everyone. He thanked the Council for supporting Ordinance No. 6093.

Grace Matthews, 561 Auburn Drive, Fairbanks – Ms. Matthews stated she was born and raised in Fairbanks and that she is queer. She stated being queer is not a choice. She stated she has felt unsafe in Fairbanks and has been uncomfortable holding her partner's hand in public because of

her lack of protection under the law. She asked the Council to support Ordinance No. 6093 so people like her can feel safe in the community.

McKenzie Miller, 561 Auburn Drive, Fairbanks – Ms. Miller spoke in support of the ordinance and in support of giving all people protections to work, live, and pursue a full life in Fairbanks.

Triada Stampas, Fairbanks – Ms. Stampas stated she is the Policy Director for American Civil Liberty Unions (ACLU) of Alaska. She asked the Council to be non-partisan and non-bias and spoke in support of Ordinance No. 6093. She stated transgender Alaskans have faced much discrimination, and they should be protected by the language in the ordinance.

Hayden Nevill, 3659 Jackhammer Road, Fairbanks – Mr. Nevill thanked the Council for hearing testimony and asked that everyone work together toward a goal. He stated he has the right to freely practice his religion but that his right to practice ends when it infringes upon the rights of others. He asked the Council to approve the ordinance that would protect everyone.

Dana Lewis, 401 Lathrop Street, Fairbanks – Ms. Lewis stated she was born and raised in Fairbanks and that she is the daughter of Darryl Lewis, a longtime supporter of the LGBT community. She stated she was raised a Christian and encouraged the Council to pass the ordinance so everyone could be treated equally.

Kevin Smith, 2994 Dyke Road, North Pole – Mr. Smith stated he is a business owner and a pastor in the community. He testified that he is a believer in the Lord Jesus Christ and that the ordinance opens the door to inequality for the Christian community. He stated the ordinance would force Christian schools to hire people who go against their biblical standards. He advised the Council to rewrite the ordinance to allow Christians to hire based on their religious freedoms.

Liz Furman, Ester – Ms. Furman echoed the voice of others, urging the Council to pass Ordinance No. 6093. She stated it is time for the City of Fairbanks to pass laws that protect gender identity and gender expression. Ms. Furman stated she works with a diverse group of students, and there needs to be protections in place that do not allow for LGBTQ students to be unfairly discriminated against.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson stated she is proud to be a life-long Alaskan and mother and asked that all people be treated equally under the law. She stated the differences in people is what makes Fairbanks special. She stated she walked in the Golden Days parade with PFLAG, and she is proud to support the LGBTQ community.

John Rathbun, 829 3rd Avenue, Fairbanks – Mr. Rathbun thanked the Council for taking the time to listen to the community on both sides of the issue. He spoke of the cherished equalities given to everyone by the founders of the nation. He stated voting for the ordinance would damage business in Fairbanks. He stated the ordinance establishes discrimination opportunities and that it is not an equal rights ordinance.

Jessica Vaudreuil, Fairbanks – Ms. Vaudreuil questioned why someone in the audience was reprimanded for using non-family-friendly language while it is acceptable to have things hanging

in the hallways of public schools using transgender and lesbian vocabulary. She spoke against a transgender man using a women's locker room. She stated the ordinance is not about equal rights; it is a tool designed to promote an agenda. She stated she has had teachers come to her crying because they are being asked to display information they do not agree with in their classrooms. She asked specific questions about who may be sued under the ordinance.

John Dougherty, 2216 Penrose Lane, Fairbanks – Mr. Dougherty asked questions about the specifics of the ordinance and asked the Council to table it while they fine-tune the language.

Mariah Humphries, 2988 Springs Boulevard, North Pole – Ms. Humphries stated the ordinance is too vague and encouraged the Council to work to make it easier to translate before passing it.

Martha Rich, 1451 Flat Mountain Road, Fairbanks – Ms. Rich stated she supports the ordinance and that the phrase, “liberty and justice for all” in the Pledge of Allegiance speaks to the need for everyone to be treated equally.

Sarah Seifert, 475 Panorama Drive, Fairbanks – Ms. Seifert stated she was born and raised in Fairbanks and that she supports the passage of the ordinance. She stated the ordinance is not a pro-LGBTQ or pro-religious issue but that it is a pro-Fairbanks issue which will show everyone that Fairbanks provides equal protections to everyone under the law.

Eric Jones, 1810 Chena Point Avenue, Fairbanks – Mr. Jones stated he has listened to everyone, and he is saddened by some of the testimony that has been given. He stated people should love one another and that it is not okay to discriminate against someone for the way they were made. He indicated that the ordinance was not well written, and he would have to read it again in order to gain a better understanding of it.

Paul Koop, 1410 Richardson Highway, Fairbanks – Mr. Koop quoted The Golden Rule. He stated the LGBTQ community went out of their way in the court case involving the baker. He stated he does not hear about local LGBTQ people being kicked out of their homes. He stated that LGBTQ people come to Fairbanks because they are treated nicely and feel the warmth of the Golden Heart City. He stated that adding more laws will not stop people from breaking them. He stated that God needs to be brought into peoples' lives, into churches, and into schools.

**Mayor Matherly** called for a brief recess, and no members objected.

Blake Burley, Fairbanks – Mr. Burley thanked the Mayor for responding to an email he sent, and he spoke against the passage of Ordinance No. 6093. He read scripture from the Bible and read a quote from Thomas Jefferson about liberties being gifts from God.

Scott Bell, 2671 Goldhill Road, Fairbanks – Mr. Bell stated he is the Co-Clerk for the Chena Ridge Quakers and spoke in support of Ordinance No. 6093.

Mitha Nandagopalan, 1894 Perkins Drive, Fairbanks – Ms. Nandagopalan gave a land acknowledgement. She spoke in support of the ordinance because it provides equal protection under the law, and she urged its passage.

Brendan Wolff, 4551 Melan Drive, Fairbanks – Mr. Wolff shared his concern for the pressure and urgency from the public in regard to the ordinance, and he asked that the Council reflect more on the language in the ordinance before passing it. He spoke to the importance of women’s rights and to the difference between sex and gender. He stated that if the ordinance passes, the term “sex” would have to be stricken from it.

Lance Roberts, 2133 McCullam Avenue, Fairbanks – Mr. Roberts stated he is sick of special rights being given to one group while the rights of others are taken away. He stated the ordinance tries to force religious people to agree with things they do not agree with, and it creates liability for churches and Christian schools. He stated the lawsuits will never end if the ordinance is passed, and it will lead to ridiculous accusations.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin stated the ordinance is a terrible idea, and it is a tragedy that it has been brought forward. He stated if the ordinance passes a smorgasbord of left-wing lawyers would bring forth ridiculous lawsuits. He stated he has been discriminated against by employers because of his age, and he added that discrimination needs to be addressed equally. He stated that draconian laws allow employers to discriminate against some and more against others.

Mike Prax, 1015 Meadow Road, North Pole – Mr. Prax stated people tend to react to fear of one another and that fear can only be overcome by turning to the Creator of people. He spoke against government interference in cultural issues such as slavery.

Elizabeth Holm, 2454 San Augustin Drive, North Pole – Ms. Holm stated she is a stakeholder in the City of Fairbanks and asked whether the unborn were being represented in the ordinance. She stated the ordinance gives pedophiles the ability to go into locker rooms with young girls and be naked in their presence. She stated the ordinance is not well-written and is not equal; she stated that by supporting the ordinance, the Council would be supporting pedophilia.

Sara Sedriks, 4774 Glasgow Drive, Fairbanks – Ms. Sedriks expressed distaste for some things she heard at the meeting. She stated she has friends who are transgender, and her child is transgender; she stated she is in attendance to support them. She stated she had not read the ordinance, but she does not believe that it contains language to protect pedophiles. Ms. Sedriks stated it was hard to listen to the disrespect coming from members of the audience. She stated she took her child out of public school because it was too difficult to see her child that sad.

Natalie Barnum, Fairbanks – Ms. Barnum stated that Christians do not want people to starve on the streets or anything like that, but they do want their rights to be protected. She stated that in California, the Bible has been banned. She grieved over things that are happening in America and stated that it is shameful. She stated she does not watch much of the news and commented that she is blessed to be in a Christian family who wants to keep her safe. She wept and stated she is hurt that rights are being taken away from her with California passing laws that would not allow her to read the Bible. She stated she cares about people and that is why her church goes out to bring people in.



Mark Allen, Fairbanks – Mr. Allen compared the passage of the ordinance to removing all precautionary laws in the City, such as stop signs. He spoke against the ordinance because it would create lawlessness in the community. He stated discrimination is uncalled for, but the Council would have to accept responsibility for the consequences of passing the ordinance.

Rebecca Dunne, Fairbanks – Ms. Dunne spoke in favor of the ordinance and asked that everyone respect each other. She stated she is a lesbian who is married to a transgender man. She stated she has a landlord who does not care how she lives, but not everyone treats tenants the same. She spoke to the issues facing young transgender people, many of whom are homeless because their parents will not support them. She stated that the ordinance would help those youth.

Richard Eide, North Pole – Mr. Eide stated he conducts business in Fairbanks regularly and that the ordinance would put his livelihood in danger. He stated he does not want to take the risks associated with complying or not complying with the ordinance. He stated he would like to choose who he develops business relationships with.

Gabrielle Larry, Fairbanks – Ms. Larry stated she has lived in Fairbanks since 1978. She spoke to having been discriminated against in the South for not being White enough. She stated she has moved on from that and it made her stronger, but now it is time to create equality for all. She stated she is from a Christian background and that she does not care whether someone is gay; she stated the community needs to pull together and stop being divisive. Ms. Larry advised everyone to remember the *Serenity Prayer*. She stated it breaks her heart to see people being ugly to one another no matter what their beliefs are. She stated she would stop and help someone broken down on the side of the road no matter who they are or what they look like; she stated that everyone else should do the same for one another.

Marie Wolfe [sp?], Fairbanks – Ms. Wolfe stated that when someone is born they are male or female, and that is natural. She stated that now people want to change the way they were created. She stated there is beauty in the way God created everyone and that people should pray their way through to the objective truth, not just do whatever they feel they want to do at any time. She stated many problems arise from being raised in a broken family and instead of changing genders, people should go to the root cause of their issues. She stated as an aspiring health care worker, it is hard for her to accept passage of the ordinance.

Annie Dougherty, 2216 Penrose Lane, Fairbanks – Ms. Dougherty stated it was presumptuous of the Mayor to refer to her as a female, but she is a female and intends to stay that way. She stated she has heard profound things from both sides of the issue and that she does not envy the task before the Council. She stated she is testifying to stand up for her family and that everyone deserves to be treated with kindness. She stated being fair and kind does not always mean giving someone their way and that it means saying no sometimes. Ms. Dougherty stated she moved to Fairbanks over thirty years ago, and it has been the best decision of her life. She stated she tends to be conservative, and when she speaks out she asks herself how it will affect her job, her family, and her neighbors.

Luke Hopkins, Fairbanks – Mr. Hopkins stated it is interesting that the Council chose International Human Rights Day as the day to have public comment on the ordinance. He

encouraged the ending of discrimination by passing the ordinance. He stated there will always be legal battles, just as there are with other laws on the books. He stated he is proud of elected leaders for wanting to move towards a non-discriminatory community. He stated he was sad to hear the angry, hateful testimony from public members and that he would like the ordinance to pass to help heal the community.

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

**Ms. Kun** thanked everyone who emailed the Council and came out to testify on the ordinance. She stated labels are superficial and that they are a created ideology used primarily for census reasons. She stated she felt obligated by her heritage to support the ordinance and shared that she hurts for many who testified. She thanked the writers of the original ordinance for providing for the equality of people who are coming out of recovery. She stated she supports the amended version as well because it includes ethnicity. She added that the ordinance is just the beginning.

**Ms. Therrien** asked City Attorney Ewers whether the “ministerial exemption” language in Sec. 1-25(e) of Ordinance No. 6093, as Amended, takes care of the religious organization exemption.

Mr. Ewers stated the language restates the Supreme Court decision that religious organizations can have a religious basis for hiring decisions.

**Mx. Ottersten** thanked everyone for coming whether they agree or disagree with the ordinance and stated it is an important subject to discuss. They pointed out that religious organizations are protected by federal and state law. They stated when they lived in Seattle they lived next to the largest religious colleges in the United States, and if a person wanted to be employed there, they had to have a note from their minister. **Mx. Ottersten** stated that people probably spend more time at work than they do with their family, and they spoke to the definition of “employer” in the ordinance. They stated that is one area where they compromised and that they would rather see the number of employees reduced to be more in line with the Juneau ordinance. **Mx. Ottersten** stated they believe compromises were reached in the ordinance to allow people to have choices on their own property. They stated that people may not like one another, but they do not have the right to hurt each other and put fellow citizens out on the street. They stated Fairbanks has an extraordinarily high rate of rape incidents and that those crimes are not being committed by transgender people. **Mx. Ottersten** stated they find it insulting to hear people say that if a transgender person goes into a public locker room, they would be sexually assaulting children in the showers. They stated that cases of transgender people attacking children are unfounded. **Mx. Ottersten** stated in their life they have been attacked and abused, have lost jobs, have lost housing, and have been treated horribly for being who they are, and that is why the ordinance means so much. **Mx. Ottersten** expressed appreciation for fellow Council members. **Mx. Ottersten** stated that they disagreed with Mr. Cleworth on the number of employees that define an “employer” in the ordinance. **Mx. Ottersten** expressed deep support for the religious exemptions provided for in the U.S. Constitution but stated they refuse to use religion as a pretense for discrimination.

Following some outbursts from the audience, **Mayor Matherly** reminded those present that it was time for Council discussion and to refrain from speaking out.

**Mr. Cleworth**, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6093, as Amended, by striking Sec. 1-25(h).

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO 6093, AS AMENDED, BY STRIKING SECTION 1-25(h) AS FOLLOWS:

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

**Mr. Cleworth** questioned the language in and placement of Sec. 1-28(4). **Mx. Ottersten** stated the section tracks ADA standards relating to people in recovery, which is form of disability.

**Mayor Matherly** asked everyone to understand that the Council takes these types of decisions very seriously. He spoke in favor of postponing the ordinance and proposed that work sessions be held to discuss the ordinance in greater depth. He stated he has answered about 200 emails on the subject, and there may be a need for more discussion. He shared his opinion that the ordinance is not refined enough to pass, and more time may be needed.

**Mr. Cleworth** spoke of a friend who is a Mormon, a theology he does not buy into; he stated they have been great friends for many years. **Mr. Cleworth** complimented Ms. Larry on her testimony and stated he agrees whole heartedly; he stated he has friends on both sides of the issue. He asked the Council to slow down and to get it right, and he spoke about his many discussions with Council Member Ottersten. **Mr. Cleworth** spoke to his concerns for religious organizations. He explained the confusion regarding the religious exemption language being included in the proposed substitute and shared that he had met with Mr. Ewers, Mx. Ottersten, and Mr. Pruhs to discuss the issue. He reported he received a phone call from the Catholic Diocese sharing concern for Monroe High School and the Diocese because they have more than 15 employees. **Mr. Cleworth** encouraged the Council to slow down to ensure errors are not made. He stated the process for the ordinance has been rushed.

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6093, as Amended, by adding a sentence at the end of Section 1-22 that states, “Additionally, nothing in this chapter shall abridge the rights of a religious organization that has beliefs in conflict with provisions of this chapter.”

**Mr. Cleworth** stated that regardless whether the language is redundant, it clarifies the religious exemption. **Mx. Ottersten** asked for clarity as to the definition of “religious organization”. **Mr. Cleworth** stated a definition of the term may be needed for reference in the definitions section. He stated he would be happy to take some time to work on a succinct definition.

**Mr. Pruhs** stated he is interested in the direction the ordinance has taken and that he appreciates everyone’s involvement in the process. He stated last Friday the ordinance started smelling bad to him; he stated that the religious exemption language had been agreed upon and was stricken

from the substituted version. **Mr. Pruhs** spoke negatively about the process in drafting the ordinance and that he felt discriminated against. He stated he did not like the religious statement being removed from the ordinance behind his back. He stated the ordinance needs to be changed because the Council moved too fast, and there are now many missing components. He stated he knows what discrimination is because he teaches fair housing in the real estate market. He stated it is illegal nationwide to discriminate against someone when it comes to housing.

**Ms. Therrien** requested that the word “organization” be changed to “institution” to cover both churches and religious schools.

**Mr. Cleworth**, with the concurrence of the Second, moved that the word “organization” be changed to “institution” in the main amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION AMEND ORDINANCE NO. 6093, AS AMENDED, BY ADDING A SENTENCE AT THE END OF SECTION 1-22 THAT STATES, “ADDITIONALLY, NOTHING IN THIS CHAPTER SHALL ABRIDGE THE RIGHTS OF A RELIGIOUS INSTITUTION THAT HAS BELIEFS IN CONFLICT WITH PROVISIONS OF THIS CHAPTER.” AS FOLLOWS:

YEAS: Pruhs, Therrien, Kun, Cleworth, Ottersten, Rogers

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to AMEND Ordinance No. 6093, as Amended, Section 1-28(4) by striking the words, “However, a person may be considered to be disabled if that person” and replacing with the words, “A person that”.

**Ms. Therrien** explained that the change would clarify the meaning of “disability” as it relates to someone who has successfully completed rehabilitation.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6093, AS AMENDED, SECTION 1-28(4) BY STRIKING THE WORDS, “HOWEVER, A PERSON MAY BE CONSIDERED TO BE DISABLED IF THAT PERSON” AND REPLACING WITH THE WORDS, “A PERSON THAT” AS FOLLOWS:

YEAS: Ottersten, Cleworth, Rogers, Kun, Therrien, Pruhs

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Mr. Pruhs**, seconded by **Mr. Cleworth**, moved to POSTPONE Ordinance No. 6093, as Amended, to the Regular City Council Meeting of May 13, 2019.

**Mr. Cleworth** commended the ordinance authors for all the hard work and good language in the ordinance. He shared his concern for the how the ordinance will change the way business is handled in the City and used the cake baker from Colorado as an example. He stated he is in favor of postponing the ordinance because it feels rushed.

**Mr. Pruhs**, with the concurrence of the Second, moved to AMEND the motion to postpone by changing the date of postponement to the Regular City Council Meeting of March 11, 2019.

**Ms. Therrien** stated if the Council is going to postpone the ordinance, they should define a religious institution. She spoke against postponement as it could be amended at a later time.

**Mx. Ottersten** stated they would like to see the hurting stop and the Council pass the ordinance. **Mx. Ottersten** shared that for many people in attendance, it is a life and death matter and that they would like the Council to provide them the help they deserve. **Mx. Ottersten** stated they would be willing to look at future amendments, but postponing it was not the right thing to do.

**Mr. Pruhs** stated it is easy to say they will come back and amend an ordinance, but the Council will not likely do so. He stated he does not believe anyone will die over the next few months because the ordinance is not passed. He stated the Council owes it to stakeholders to allow time for review and input because nobody has had enough time to review it. He stated they should slow down, and do it right the first time.

**Mayor Matherly** stated he agreed that the ordinance has not been out in the community long enough to make such substantial changes. He acknowledged why the ordinance is so important to people and stated that he does not want to diminish how anyone feels.

**Mr. Cleworth** stated he sympathizes with Mx. Ottersten's view on the ordinance but indicated that he would like to postpone so that the ordinance can be reviewed. He stated that Human Resources has not had time to weigh in on the ordinance and that it is missing components that he would like more time to work on.

**Mayor Matherly** stated he would speak to the Fairbanks Diversity Council (FDC) and ask that body to weigh in on the ordinance. He reiterated the importance of speaking with the FDC about the ordinance before it moves forward.

**Mr. Pruhs**, with concurrence of the Second, moved to AMEND the motion to postpone by changing the date of postponement to the Regular City Council Meeting of February 25, 2019.

**Ms. Kun** shared her concern for the safety of the people who testified at the meeting and for the possibility of them becoming homeless before Christmas if the ordinance did not pass. She asked the Council to have consideration for public safety and pass the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6093, AS AMENDED, TO THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 25, 2019 AS FOLLOWS:

YEAS: Rogers, Therrien, Pruhs, Cleworth  
NAYS: Ottersten, Kun  
**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to POSTPONE the remainder of the agenda to a Special Meeting to occur on Monday, December 17, 2019.

**Mayor Matherly** stated he would not be able to attend a meeting on that date. Mr. Meeks indicated that he has labor negotiations scheduled in two days and needs Council direction in Executive Session.

**Mr. Pruhs** withdrew his second. **Ms. Therrien** suggested holding the remainder of the meeting the following morning at 7 a.m. **Mayor Matherly** stated he will be unable to attend the following meeting.

**Ms. Therrien** WITHDREW the motion to postpone the remainder of the meeting.

### **NEW BUSINESS**

- a) Resolution No. 4856 – A Resolution Authorizing the Housing and Homeless Coordinator to Assume the VISTA Coordinator Duties. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4857 – A Resolution Authorizing a One-Time Change to the Start Time for the Regular City Council Meeting of January 7, 2019 to 5:30 p.m. Introduced by Mayor Matherly.

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to APPROVE Resolution No. 4857.

Chief of Staff Mike Meeks explained that the City's IT contractor needs to meet with the Council in Executive Session, but an Executive Session must be entered into during a public meeting. He stated that it would be difficult to coordinate an Executive Session with IT if the session is held at the end of a Regular Meeting as it normally is.

**Mr. Cleworth** questioned whether the topic meets the allowable reasons for an Executive Session. Mr. Ewers explained that the cyber security discussion should be held in Executive Session because immediate public knowledge of the issue could have an adverse financial effect on the City.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4857 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Kun, Ottersten, Therrien

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Resolution No. 4857 APPROVED.

- c) Resolution No. 4858 – A Resolution Encouraging Local Businesses to Support the Emergency Services Patrol. Introduced by Mayor Matherly.

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to APPROVE Resolution No. 4858.

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to AMEND Resolution No. 4858 by adding the sentence, “Additionally, the administration will identify the largest users of the ESP and send them a courtesy letter along with their call volume showing use of ESP services and respectfully request assistance with the program.” at the end of the “NOW, THEREFORE...” paragraph.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4858 BY ADDING THE SENTENCE, “ADDITIONALLY, THE ADMINISTRATION WILL IDENTIFY THE LARGEST USERS OF THE ESP AND SEND THEM A COURTESY LETTER ALONG WITH THEIR CALL VOLUME SHOWING USE OF ESP SERVICES AND RESPECTFULLY REQUEST ASSISTANCE WITH THE PROGRAM.” AT THE END OF THE “NOW, THEREFORE...” PARAGRAPH AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Ottersten, Kun, Cleworth

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Mr. Cleworth** requested that the Downtown Association of Fairbanks Community Services be referred to consistently throughout the resolution. He stated he spoke with Mr. van den Berg who stated it creates confusion when the organization is referred to by different names.

### **DISCUSSION ITEMS**

a) Committee Reports

Hotel Motel Discretionary Fund Committee – **Ms. Rogers** reported that all grant applicants are being held to the same stringent standards and that the Committee recommendation for the dispersal of funds is to deserving applicants.

**Mr. Cleworth** stated he spoke with the Yukon Quest who did not properly complete their application; he stated that they are really hurting from not receiving the grant funds.

**Ms. Rogers** stated it was a difficult year for compliance with the applicants but that everyone must be treated equally.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

a) Clay Street Cemetery Commission Meeting Minutes of November 7, 2018

ACCEPTED on the CONSENT AGENDA.

b) Hotel/Motel Discretionary Fund Committee Meeting Minutes of November 19, 2018

ACCEPTED on the CONSENT AGENDA.

c) Hotel/Motel Discretionary Fund Committee Meeting Minutes of December 4, 2018

ACCEPTED on the CONSENT AGENDA.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Kun** expressed disappointment in the Council for turning their backs on the community by not passing the ordinance. She stated she will pray that no one will wake up homeless or without a job because the ordinance did not pass. She stated she was disappointed that some people claim to be Christian but do not act Christian-like. **Ms. Kun** stated she has had the ordinance on her Facebook page for over 10 days, so it is not like the ordinance has not been well-circulated. She stated the Council should be supporting people of all skin tones, origins of birth, and sexual orientation equally under the law.

**Ms. Rogers** state she feels uplifted by the number of people who came out to testify and who have contacted her over the past few days. She stated she supported postponing the ordinance so there could be more inclusion in the ordinance language. She stated she is sorry that others are disappointed and that she too is concerned about the length of the postponement. She stated the evening was a pivotal moment in the community, and she is thankful to be part of the process.

**Ms. Therrien** thanked everyone for coming out to testify and for emailing Council Members. She explained she supported postponement because fellow Council Members wanted to spend time taking a closer look at the language and give the community more of a voice on the issue. She wished everyone happy holidays.

**Mx. Ottersten** stated they are disappointed, but they understand and respect the comments from Council Members.

**Mayor Matherly** stated the Council could hold 7:00 a.m. work sessions to discuss the ordinance and offered the dates of January 8, 9, and 10, 2019, for those meetings. Council Members agreed to hold work sessions on those dates.

**Mr. Cleworth** thanked Public Works for the update on City snow removal.

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to ENTER Executive Session for the purpose of discussing AFL-CIO Labor Negotiations, PSEA Labor Negotiations, and FFU Labor Negotiations.

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

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

### **EXECUTIVE SESSION**

a) AFL-CIO Labor Negotiations



- b) PSEA Labor Negotiations
- c) FFU Labor Negotiations

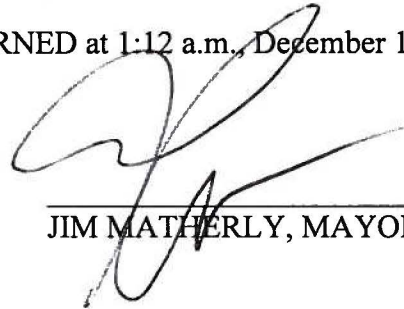
The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations, PSEA Labor Negotiations, and FFU Labor Negotiations. Direction was given to the negotiating team, and no action was taken.

**ADJOURNMENT**

**Mx. Ottersten**, seconded by **Mr. Pruhs**, moved to ADJOURN the meeting.

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

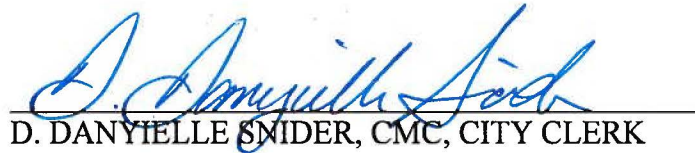
**Mayor Matherly** declared the meeting ADJOURNED at 1:12 a.m., December 11, 2019.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB