



FAIRBANKS CITY COUNCIL
AGENDA NO. 2019-11
REGULAR MEETING JUNE 10, 2019
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION

5:45 p.m. – 2018 City Audit Presentation

It is the mission of the City of Fairbanks to provide quality essential services to all City residents to ensure Fairbanks is a vibrant place to live, work, thrive, and visit.

REGULAR MEETING

6:30 p.m.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
5. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to three minutes, and the comment period will end no later than 7:30 p.m. Any person wishing to speak needs to complete the register located in the hallway. Respectful standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, please silence all cell phones and electronic devices.
6. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- *a) Regular Meeting Minutes of December 10, 2018

8. SPECIAL ORDERS

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6084 – An Ordinance Amending Fairbanks General Code Chapter 74, Article IV Hotel/Motel Tax to Increase the Tax Rate and the City's Percentage. Introduced by Mayor Matherly. POSTPONED from the Regular Meeting of December 3, 2018; PUBLIC HEARING will be held.
- b) Ordinance No. 6104 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547, and Amending the 2019 City Operating Budget. Introduced by Mayor Matherly. ADVANCED from the Regular Meeting of May 13, 2019; PUBLIC HEARING will be held.
- c) Ordinance No. 6105 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324, and Amending the 2019 City Operating Budget. Introduced by Mayor Matherly. ADVANCED from the Regular Meeting of May 13, 2019; PUBLIC HEARING will be held.

12. NEW BUSINESS

- *a) Resolution No. 4882 – A Resolution Authorizing the City of Fairbanks to Provide a Retention Bonus to Public Works Employees. Introduced by Mayor Matherly.
- *b) Resolution No. 4883 – A Resolution Awarding a Contract to NC Machinery to Provide Snow Blowers in the Amount of \$499,568. Introduced by Mayor Matherly.

- *c) Resolution No. 4884 – A Resolution Awarding a Contract to NC Machinery to Provide a Loader in the Amount of \$324,249. Introduced by Mayor Matherly.
- *d) Resolution No. 4885 – A Resolution Fixing the Rate of Tax Levy for Municipal Purposes for the 2019 Real Property Tax of the City of Fairbanks, Alaska. Introduced by Mayor Matherly.
- *e) Resolution No. 4886 – A Resolution Designating Check Signing Authority for Banking and Investment Accounts of the City of Fairbanks, Alaska. Introduced by Mayor Matherly.
- *f) Ordinance No. 6108 – An Ordinance to Amend Fairbanks General Code Section 2-473, Composition of the Public Safety Commission. Introduced by Mayor Matherly.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- *a) Appointment to the Public Safety Commission
- *b) Memo Regarding Public Works Road Striping Project

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

19. ADJOURNMENT



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

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

Mr. 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.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB

ORDINANCE NO. 6084

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
CHAPTER 74, ARTICLE IV HOTEL/MOTEL TAX TO
INCREASE THE TAX RATE AND THE CITY'S PERCENTAGE**

WHEREAS, the hotel/motel tax was first enacted in 1979; and

WHEREAS, the rate of the tax was increased to the current 8 percent in 1985; and

WHEREAS, the "purpose and limitation" section of the hotel/motel tax ordinance has been amended at least 10 times since 1979; and

WHEREAS, Explore Fairbanks deserves recognition for its diligent hard work which has resulted in an increase in tourism for the Fairbanks North Star Borough, especially during the winter tourist season; and

WHEREAS, the City has been a good steward of taxpayer's resources, cutting staff and expenses over the last ten years, as shown in Attachment A; and

WHEREAS, City revenues have not grown at the same rate as the cost of living, as shown in Attachment B; and

WHEREAS, increases in the City's mission, along with additional resource demands, are causing an imbalance in City finances; and

WHEREAS, certain sections of Chapter 74, Article IV, need to be amended to delete language regarding distributions to the community service patrol that have expired.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. FGC Sec. 74-117(c) and (e) are amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 74-117. Hotel/motel tax purpose and limitation.

(c) Subject to annual appropriation, revenues collected under this article shall be allocated as follows:

- (1) The City of Fairbanks will receive 22.5 percent **of the first 8 percent and 100 percent of all taxes above 8 percent** for

fund collection, administration, and tourism impact, **and general public services.**

(2) \$400,000 will be distributed annually as follows:

Fairbanks Economic Development Corporation	\$100,000.00
Golden Heart Plaza and Barnette Landing Maintenance	\$30,000.00
Discretionary Grants	\$270,000.00

(3) All remaining hotel/motel tax revenues to the Fairbanks Convention and Visitors Bureau, **dba Explore Fairbanks.**

~~(4) From the city's 22.5 percent under (1), \$50,000 annually shall be granted for the community service patrol for 2011, 2012, 2013 and 2014 only.~~

(e) Any recipient of funding under this article shall execute a contract with the city setting forth terms and conditions deemed necessary to enable the city to assure compliance with the purposes and limitations under this section. In addition, the Fairbanks Convention and Visitors Bureau and the Fairbanks Economic Development Corporation board of directors and/or director shall remit complete and fully detailed budget documents and a plan outlining projected goals and objectives directly to the city council before November 1st of each year for presentation and review and as a condition of funding. At the same time each of these agencies shall submit a complete and detailed report of current year's progress and accomplishments. ~~The grant for the community service patrol set out in (c)(4) shall require a yearly cash match of \$140,000. As a further condition for the city grant, the community service patrol shall engage tactical coordination with the Fairbanks Police Department and, if different, make seasonal adjustments to the patrol boundary.~~

Section 2. FGC Sec. 74-118(a) is amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 74-118. Tax levy and collection.

(a) There is levied and imposed upon the use and privilege of renting a room within the city a tax on the daily rate charged for each such room rented for each 24-hour period or any portion of such period. The tax shall be equal to **9.5% for 2019, 10% for 2020, and 10.5% for 2021** ~~eight percent~~ of each daily rate. This tax is imposed upon all room rentals unless the rental is specifically exempted herein or by other applicable law. The tax shall not be levied and imposed upon a permanent resident of a room.

Section 3. FGC Sec. 74-119(1) is amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 74-119. Exemptions from room tax collection.

- (1) Rent paid directly to the operator using a purchase order or other means of direct payment by a federal, state, or local government. Government employees traveling on a reimbursement basis are not exempt from taxation and shall be charged the ~~eight percent~~ tax.

Section 4. That the effective date of this Ordinance is the ___ day of _____ 2019.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6084

Abbreviated Title: HOTEL/MOTEL TAX INCREASE

Department(s): MAYOR

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

EXPENDITURES:	2019	2020	2021	Total
	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0	\$0

FUNDING SOURCE:	2019	2020	2021	Total
Hotel/Motel Tax Increase (General Fund)	\$600,000	\$800,000	\$1,000,000	\$2,400,000
TOTAL	\$600,000	\$800,000	\$1,000,000	\$2,400,000

This fiscal note presents the portion in excess of 8% for \$40,000,000 in hotel/motel revenues.

Reviewed by Finance Department:

Initial mb

Date 9/20/2018

ORDINANCE NO. 6104

AN ORDINANCE RATIFYING A LABOR AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1547, AND AMENDING THE 2019 CITY OPERATING BUDGET

WHEREAS, the three-year collective bargaining agreement between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547 (IBEW), effective January 1, 2018, through December 31, 2020, includes “reopener” provisions for wages and benefits for years two and three; and

WHEREAS, IBEW and the City Administration have reached a tentative agreement regarding wages and benefits for year two (2019).

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the wage and benefit terms for 2019 of the January 1, 2018, through December 31, 2020, collective bargaining agreement between the City and IBEW, as shown in Attachment A (the “Agreement”), are hereby ratified.

SECTION 2. That the terms of the Agreement are subject to ratification by the IBEW membership.

SECTION 3. That the 2019 City budget is hereby amended to provide funding for the terms of the Agreement.

SECTION 4. That the effective date of this ordinance is the ____ day of May 2019.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6104

Abbreviated Title: RATIFYING IBEW CBA

Department(s): ALL

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes X No _____

2) additional support or maintenance costs? Yes _____ No X

If yes, what is the estimate? See Below

3) additional positions beyond the current adopted budget? Yes _____ No X

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

EXPENDITURES:	2019	2020	Beyond
IBEW Employees Salary & Benefits	\$71,700	\$86,000	\$86,000
TOTAL	\$71,700	\$86,000	\$86,000

FUNDING SOURCE:	2019	2020	Beyond
General Fund Budget	\$71,700	\$86,000	\$86,000
TOTAL	\$71,700	\$86,000	\$86,000

This fiscal note represents the cost of ratifying the International Brotherhood of Electrical Workers Local 1547 (IBEW) Collective Bargaining Agreement. This agreement increases the package rate by 2.36% with \$0.63 per hour of the 2.36% to be applied to health care starting March 1, 2019. The package rate includes wages, health care, and pension.

Reviewed by Finance Department: Initial mb Date 5/3/2019

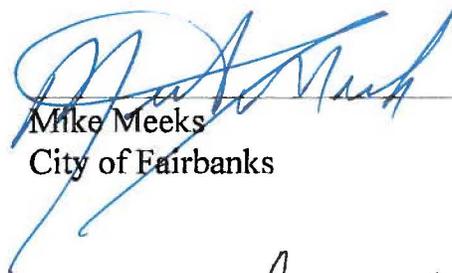
ATTACHMENT A

(to Ordinance No. 6104)

**AGREEMENT ON REOPENER NEGOTIATIONS
FOR 2019 OF THE 2018 – 2020 CBA
BETWEEN
THE CITY OF FAIRBANKS
AND
IBEW LOCAL 1547**

Effective March 1, 2019, the City agrees to pay an increase to the package rate for all covered employees of 2.36%. The parties agree that of that amount, \$0.63 per hour will go to healthcare premium.

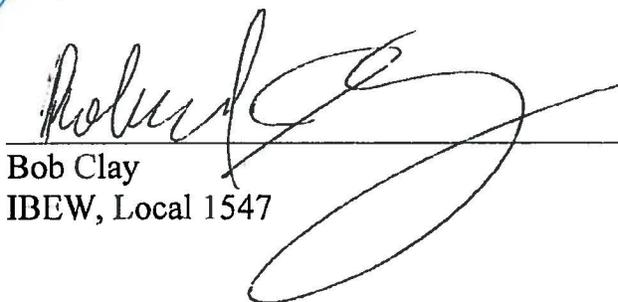
Retro pay will be paid to employees in a lump sum.



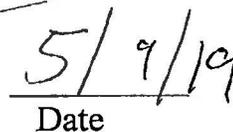
Mike Meeks
City of Fairbanks



Date



Bob Clay
IBEW, Local 1547



Date

ORDINANCE NO. 6105

**AN ORDINANCE RATIFYING A LABOR AGREEMENT
BETWEEN THE CITY OF FAIRBANKS AND THE FAIRBANKS
FIREFIGHTERS UNION, IAFF LOCAL 1324, AND AMENDING
THE 2019 CITY OPERATING BUDGET**

WHEREAS, the collective bargaining agreement between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324 (FFU), effective May 1, 2017, through December 31, 2019, includes provisions for wages and benefits for years two and three; and

WHEREAS, the FFU and the City Administration have reached a tentative agreement regarding 2019 wages and benefits.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the wage and benefit terms for 2019 of the May 1, 2017, through December 31, 2019, collective bargaining agreement between the City and the FFU, shown in Attachment A (the “Agreement”), are hereby ratified.

SECTION 2. That the terms of the Agreement are subject to ratification by the FFU membership.

SECTION 3. That the 2019 City budget is hereby amended to provide funding for the terms of the Agreement.

SECTION 4. That the effective date of this ordinance is the ____ day of May 2019.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6105

Abbreviated Title: RATIFYING FAIRBANKS FIREFIGHTER UNION CBA

Department(s): FIRE

Does the adoption of this ordinance or resolution authorize:

- 1) additional costs beyond the current adopted budget? Yes X No
- 2) additional support or maintenance costs? Yes No X
 If yes, what is the estimate? see below
- 3) additional positions beyond the current adopted budget? Yes No X
 If yes, how many positions?
 If yes, type of positions? (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	2019	2020	2021	Total
FFU Employees Salary & Other Benefits	\$21,193	\$21,193	\$21,193	\$63,579
FFU Employees Health Benefits [80% of Premium]	\$76,265	\$76,265	\$76,265	\$228,795
TOTAL	\$97,458	\$97,458	\$97,458	\$292,374

FUNDING SOURCE:	2019	2020	2021	Total
General Fund Budget	\$92,754	\$92,754	\$95,263	\$280,771
Grant Fund (SAFER)	\$4,704	\$4,704	\$2,195	\$11,603
TOTAL	\$97,458	\$97,458	\$97,458	\$292,374

The above amounts reflect a 1.79% package rate increase. Of the total, \$0.17 (cents) per hour will be spread to employee wages with the remainder establishing the City paid health at 80% of the premium.

This increase will be effective on January 1, 2019.

Reviewed by Finance Department: Initial mb Date 5/3/2019

Attachment A to Ordinance No. 6105

The City in mediation proposed providing \$97,458 to the Fire Fighter union members. Using this amount the City will pay the 80% of the health care cost and add an additional \$0.17 per hour to employee's base wages, retro back to January 1, 2019.

April 22, 2019

A handwritten signature in black ink, appearing to read "Michael Mink". The signature is written in a cursive style with a large, sweeping initial "M".

RESOLUTION NO. 4882

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO
PROVIDE A RETENTION BONUS TO PUBLIC WORKS EMPLOYEES**

WHEREAS, Public Works employees work continuously to ensure the reliability and safety of police, fire and City fleet vehicles; and

WHEREAS, Public Works employees work tirelessly to keep City streets and sidewalks clear, clean, and safe; and

WHEREAS, due to the harsh physical requirements of their job duties, the career life of a Public Works employee is shorter, and therefore, they must earn and contribute as much as possible to their pension during their career; and

WHEREAS, Public Works is experiencing a growing staffing shortage due to attrition and difficulty in providing competitive pay and benefits; and

WHEREAS, beginning July 1, 2019 higher health contributions will lower take home pay by 2% and health care costs are projected to increase 6% each year for the next 5 years; and

WHEREAS, attracting and retaining qualified permanent public works employees is becoming a crisis due to all the competing local jobs, because employees can earn prevailing wages at \$40.53 and higher pension contributions at \$12.50 while the City provides \$30.25 per hour and pension contributions at \$8.00; and

WHEREAS, Public Works will have a budget surplus in salaries and benefits due to currently unfilled permanent positions of two operators, one mechanic, and one laborer; and

WHEREAS, it is recommended that the City Council provide a one-time retention bonus to all permanent Public Works employees based on their longevity to help retain current employees and prevent loss of staffing until a new contract is negotiated; and

WHEREAS, the recommended retention bonus includes \$1,500 for employees with 0- 3 years, \$2,300 for 4-7 years, \$3,300 for 8-11 years, \$4,300 for 12-39 years, and \$5,000 for 40 + years; and

WHEREAS, the City will work to address more competitive wages in the new collective bargaining agreement with AFL-CIO effective January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to provide a retention bonus to all fulltime, permanent Public Works employees working for the City on June 10, 2019. This retention bonus is contingent upon the recipients continuing employment with the City through December 31, 2019. Any bonus recipient who does not remain employed by the City Public Works Department through the full term will be required to repay the bonus in its entirety.

PASSED and APPROVED this 10th Day of June 2019.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4882

Abbreviated Title: PUBLIC WORKS RETENTION BONUS

Department(s): PUBLIC WORKS

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? _____

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	PERSONNEL
PUBLIC WORKS RETENTION BONUS	\$79,800
TOTAL	\$79,800

FUNDING SOURCE:	TOTAL
GENERAL FUND [SALARY AND BENEFITS SAVINGS]	\$79,800
TOTAL	\$79,800

The anticipated salary and benefits savings for Public Works is \$220,000. While an additional \$1,160 in Medicare costs will result, the bonuses are not subject to other costs.

Reviewed by Finance Department: Initial mb Date 6/3/2019

RESOLUTION NO. 4883

**A RESOLUTION AWARDING A CONTRACT TO NC MACHINERY TO
PROVIDE SNOW BLOWERS IN THE AMOUNT OF \$499,568**

WHEREAS, in accordance with FGC Chapter 54, Article VI, Section 54-242, the purchasing agent may participate in a cooperative purchasing agreement; and

WHEREAS, the City identified NC Machinery through a cooperative purchasing agreement, and NC Machinery can provide two RPM40R snow blowers prior to the snow season; and

WHEREAS, the City wishes to contract with NC Machinery of Washington for the purchase of two RPM40R snow blowers in the amount of four hundred ninety-nine thousand, five hundred sixty-eight dollars and zero cents (\$499,568.00); and

WHEREAS, funding was appropriated in the 2019 Capital budget for snow blowers.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute a contract to purchase two RPM40R snow blowers from NC Machinery in the amount of \$499,568.00.

PASSED and APPROVED this 10th Day of June 2019.

Jim Matherly, City Mayor

YEAS:
NAYS:
ABSENT
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4883

Abbreviated Title: AWARDING CONTRACT TO NC MACHINERY FOR SNOW BLOWERS

Department(s): PUBLIC WORKS

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	PURCHASE COST
SNOW BLOWER	\$249,784
SNOW BLOWER	\$249,784
TOTAL	\$499,568

FUNDING SOURCE:	TOTAL
CAPITAL FUND	\$499,568
TOTAL	\$499,568

This purchase will include a three year bumper to bumper extended warranty. The operations and preventive maintenance costs associated with this equipment will be performed by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial mb Date 6/4/2019

RESOLUTION NO. 4884

**A RESOLUTION AWARDING A CONTRACT TO NC MACHINERY TO
PROVIDE A LOADER IN THE AMOUNT OF \$324,249**

WHEREAS, in accordance with FGC Chapter 54, Article VI, Section 54-242, the purchasing agent may participate in a cooperative purchasing agreement; and

WHEREAS, the City identified NC Machinery through a state cooperative purchasing contract CA1999, and NC Machinery can provide a loader prior to the snow season; and

WHEREAS, the City wishes to contract with NC Machinery of Washington for a loader in the amount of three hundred twenty-four thousand, two hundred forty-nine dollars and zero cents (\$324,249.00); and

WHEREAS, the funding was appropriated in the 2019 Capital budget for a loader in the amount of \$225,000, plus savings from the purchases of snow blowers in the amount of \$86,087 and contingency funds in the amount of \$13,162 will be used to fund this purchase.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute a contract to purchase a loader from NC Machinery in the amount of \$324,249.00.

PASSED and APPROVED this 10th Day of June 2019.

Jim Matherly, City Mayor

YEAS:
NAYS:
ABSENT
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4884

Abbreviated Title: AWARDING CONTRACT TO NC MACHINERY FOR A LOADER

Department(s): PUBLIC WORKS

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	PURCHASE COST
LOADER	\$324,249
TOTAL	\$324,249

FUNDING SOURCE:	TOTAL
CAPITAL FUND	\$311,087
CAPITAL FUND [CONTINENCY]	\$13,162
TOTAL	\$324,249

This purchase will include a one year warranty for major repairs. The operations and maintenance costs associated with this equipment will be performed by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial mb Date 6/4/2019

RESOLUTION NO. 4885

**A RESOLUTION FIXING THE RATE OF TAX LEVY FOR
MUNICIPAL PURPOSES FOR THE 2019 REAL PROPERTY
TAX OF THE CITY OF FAIRBANKS, ALASKA**

WHEREAS, the real property assessment rolls have been completed, and the Fairbanks North Star Borough Assessor's Office has advised the City Mayor that the net taxable value of real property, as defined by AS 29.71.800, within the City of Fairbanks, Alaska, is estimated at **\$2,736,627,884**.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. The rate of levy on the net assessed value of taxable real property is hereby fixed at 5.871 mills for municipal purposes within the City of Fairbanks. The 5.871 mill rate as provided in Fairbanks Charter Section 6.5 is comprised of three parts:

General Fund Expenditures:	4.900 mills
Voter approved services(Prop A):	.254 mills
Claims & Judgments:	.717 mills

Section 2. The taxes levied hereby are due, delinquent and subject to penalties and interest as provided by Fairbanks General Code Chapter 74, Article II.

Section 3. Taxes in any given year may be paid in two equal installments. The first half of taxes thus levied shall be due on the first day of September in the year in which the taxes are levied and are delinquent if not paid prior to the close of business on that day. The second half of taxes thus levied shall be due on the first day of November in the year in which the taxes are levied and are delinquent if not paid prior to the close of business on that day.

Section 4. The sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable. Should any part of this Resolution be declared unconstitutional or otherwise unlawful by a valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unlawfulness shall not affect any of the remaining sections, clauses, sentences, paragraphs, and phrases of this Resolution.

PASSED and APPROVED this 10th day of June 2019.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

**City of Fairbanks
Property Tax Computation for Mill Levy
2019**

City Charter Sec. 6.6 A. Formula for the computation of the maximum allowable tax is: **(A-B)+D+F=G**

	2018	2019
A Total Amount of City Tax Levied in Prior Year	\$ 21,384,273	\$ 24,439,337
B Equals the amount of the actual payment of principal and interest on bonds made in prior year	-	-
Amount levied for judgments in prior year	(1,945,728)	(4,982,048)
Amount levied for additional voter approved taxes in prior year	(695,380)	(695,380)
(A-B)	<u>18,743,165</u>	<u>18,761,909</u>
D The percentage change in the CPI-U for Anchorage, AK during prior year multiplied by the net taxes levied in prior year.	0.50% 3.00% 93,716	562,857
F The total amount of all exclusions under City of Fairbanks Charter*	5,830,499	2,856,636
G Total taxes calculated: G=(A-B)+D+F	<u>24,667,380</u>	<u>22,181,403</u>
Property tax calculation:		
Hotel/Motel Tax <i>(Held at 1999 amount)</i>	(2,233,308)	(2,233,308)
Alcohol Tax <i>(Based on budget)</i>	(2,208,634)	(2,280,000)
Tobacco Tax <i>(Based on budget)</i>	(940,000)	(950,000)
Specific taxes deducted per Charter:	<u>(5,381,942)</u>	<u>(5,463,308)</u>
Surplus which exceeds 2% of prior year Revenue Cap (FGC Sec. 74-35)	-	-
Total property taxes allowed by tax cap:	<u>\$ 19,285,438</u>	<u>\$ 16,718,095</u>

Mill Levy calculation:

Total net taxable value of Land and Improvements **\$ 2,730,605,611** **\$ 2,736,627,884**

	2018	2019
Amount for voter approved services	\$ 695,380	\$ 695,380
Amount associated with claims and judgments	4,982,048	1,962,614
Amount for 4.9 Mills allowed by Charter	13,379,967	13,409,477
Amount of property tax with cap	<u>\$ 19,057,395</u>	<u>\$ 16,067,471</u>
Amount exceeds tax cap	<u>\$ 228,043</u>	<u>\$ 650,624</u>

Mill Levy Break Down		
	2018	2019
Mills allowed by Charter	4.900	4.900
Mills for voter approved services	0.254	0.254
Mills associated with claims and judgments	1.825	0.717
Mill Levy	<u>6.979</u>	<u>5.871</u>
Mills in excess of tax cap	0.084	0.238
Calculated Mill Levy	<u>7.063</u>	<u>6.109</u>

***Calculation of F: The total amount of all exclusions under City of Fairbanks Charter Section 6.5(B).**

f.1 The taxes on new construction or property improvements equals the projected tax revenue from the value of that new construction or property improvements, computed by multiplying the tax rate applied to properties in the City during the current fiscal year by the assessed value of the new construction and property improvements:

New construction & improvements certified value:	\$ 28,462,839
Prior Year mill rate:	6.979
This increase is included in the total taxable land value, not f.2-f.6	<u>\$ 198,642</u>

f.2 The principal and interest due in the next fiscal year on bonds:	\$ -
f.3 Taxes to provide additional voter-approved services <i>(Proposition A - 2011)</i> :	695,380
f.4 Taxes for new judgments & claims mitigation insurance:	1,962,614
f.5 Special appropriations necessary on an emergency basis:	-
f.6 Any taxes approved by the voters:	-
(marijuana already included above)	<u><u>\$ 2,856,636</u></u>

RESOLUTION NO. 4886

**A RESOLUTION DESIGNATING CHECK SIGNING AUTHORITY
FOR BANKING AND INVESTMENT ACCOUNTS OF THE CITY
OF FAIRBANKS, ALASKA**

WHEREAS, a change in City staff has made it necessary to designate new individuals with check signing authority.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS ALASKA, as follows:

Section 1. That any two of the following named individuals shall be designated as authorized signatories for the City of Fairbanks accounts maintained at Mt. McKinley Bank:

Jim Matherly	Mayor
Michael Meeks	Chief of Staff
Angela Foster-Snow	Human Resources Director
Paul J. Ewers	City Attorney
Clemens Clooten	Building Official

Two signatures are required on all checks issued from Mt. McKinley Bank accounts except the City Attorney account, where only one signature is required.

Section 2. That any two of the following named individuals shall be designated as authorized signatories for the Key Trust City of Fairbanks AML Investment Pool Accounts:

Jim Matherly	Mayor
Michael Meeks	Chief of Staff
Angela Foster-Snow	Human Resources Director
Paul J. Ewers	City Attorney
Clemens Clooten	Building Official

Section 3. That any two of the following named individuals shall be designated as authorized signatories for the Key Trust City of Fairbanks Permanent Fund Account:

Jim Matherly	Mayor
Michael Meeks	Chief of Staff
Angela Foster-Snow	Human Resources Director
Paul J. Ewers	City Attorney
Clemens Clooten	Building Official

Section 4. That the Chief of Staff will file a copy of this Resolution in the business offices of each company referenced above.

Section 5. That the effective date of this Resolution shall be the 10th day of June 2019.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 6108

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE SECTION
2-473 COMPOSITION OF THE PUBLIC SAFETY COMMISSION**

WHEREAS, the Public Safety Commission was created by Ordinance No. 5553 in 2003;
and

WHEREAS, the composition of the Commission was expanded in 2012 by Ordinance No. 5890 to include representation from the fire, police, and dispatch departments; and

WHEREAS, the police chief, fire chief, dispatch manager, and public works director provide regular reports to the Commission; and

WHEREAS, the public works director's role in the Commission is not outlined in the composition of the Public Safety Commission and should be added to reflect current practice; and

WHEREAS, the Public Safety Commission supports this change.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. That Fairbanks General Code Sec. 2-473 Composition is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 2-473. – Composition.

(a) The membership of the public safety commission shall be appointed by the city mayor and shall be confirmed by the city council. The seven voting members shall be selected as follows:

- (1) One member with current or past experience in law enforcement or criminal law.
- (2) One member with current or past experience in fire suppression, prevention, or emergency medical services.
- (3) Five at-large public members.

(b) One city council member shall be a non-voting member of the commission.

(c) The chairperson of the public safety commission shall be selected from among the voting members by the voting members.

(d) The City shall ensure the following staff are available to attend meetings:

- (1) The chief of police or **their**~~his/her~~ designee;
- (2) One current police department employee chosen by the employees~~;~~;
- (3) The fire chief or **their**~~his/her~~ designee~~;~~;

- (4) One current fire department employee chosen by the employees;-
- (5) The director of emergency services dispatch or theirhis/her designee;-
- (6) One current dispatch employee chosen by the employees; and-
- (7) The public works director or their designee.**

(e) The city attorney, or theirhis/her designee, shall be made available upon request to provide information to the public safety commission, not to act as legal counselouncil.

(f) The chief of staff, or theirhis/her designee, shall be made available upon request to provide information to the public safety commission.

Section 2. That the effective date of this Ordinance shall be the ____ day of June 2019.

Jim Matherly, City Mayor

AYES:
 NAYS:
 ABSENT:
 ADOPTED:

ATTEST:

APPROVED AS TO FORM:

 D. Danyielle Snider, City Clerk

 Paul J. Ewers, City Attorney

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor
Subject: Request for Concurrence – Public Safety Commission
Date: June 5, 2019



In order to fill the vacancy of Seat B on the Public Safety Commission previously filled by Mr. Thomas Temple, I request your concurrence to the appointment of the following new member:

Seat B Mr. Lonny Piscoya Term to Expire: December 31, 2021

Mr. Piscoya's application is attached.

Thank you.

dds/



PUBLIC SAFETY COMMISSION

BOARD DETAILS



OVERVIEW



SIZE 8 Seats



TERM LENGTH 3 Years



TERM LIMIT N/A

The purpose of the Public Safety Commission is:

- 1) To research issues that are delegated by the Mayor and/or City Council and provide advice to the Mayor or City Council on referred issues,
- 2) To advise the Mayor and City Council regarding police, fire suppression and prevention, emergency medical services and operation of emergency dispatch services, and
- 3) To receive and analyze public comments and complaints and make recommendations to the Mayor and City Council.



DETAILS

BOARD/COMMISSION CHARACTERISTICS

There shall be seven voting members of the Public Safety Commission, appointed by the City Mayor and confirmed by the City Council. A chairperson shall be selected from among the voting members and all voting members shall serve three-year terms. One City Council Member shall be a non-voting member of the Commission, nominated by the Mayor and confirmed by the City Council. The City shall ensure the following staff are available to attend meetings: Chief of Police or his/her designee; one current police department employee; Fire Chief or his/her designee; one current fire department employee; Emergency Services Dispatch Director or his/her designee; one current dispatch employee.

MEETINGS

The Public Safety Commission is a Committee operating under the authority as described in Fairbanks General Code 2-471 through 2-474. Meetings of the Commission are held quarterly or on an "as needed" basis and all meetings are open to the public. The Commission does not have the power to meet privately in executive session. Please contact the Office of the City Clerk for meeting locations and time.

ENACTING LEGISLATION

FGC 2-471 through 2-474

ENACTING LEGISLATION WEBSITE

<http://bit.ly/2A6x3st>

JOINT COMMISSION DETAILS

N/A

EMAIL THE COMMISSION MEMBERS

publicsafetycommission@fairbanks.us

Profile

Lonny
First Name

Piscoya
Last Name

Email Address

Street Address

Suite or Apt

Fairbanks
City

AK
State

99709
Postal Code

Mailing Address

Are you a City of Fairbanks resident? *

Yes

Primary Phone

Alternate Phone

Retired
Employer

Lieutenant-Alaska State Troopers
Job Title

Which Boards would you like to apply for?

Public Safety Commission: Submitted

Interests and Experiences

Why are you interested in serving on a City board or commission? What experiences can you contribute to the benefit of the board or commission?

Always willing to make our Public safer. I have 25 years of experience as an Alaska State Trooper. I retired as a Lieutenant managing many aspects of the Interior and know many of our officers and troopers. I know what is needed to patrol this community. I know the issues, good and bad.

Please provide a brief personal biography in the space below, or attach a resume.

1993-2018 service as an Alaska State Trooper. Native Alaskan. Married for 25 years. 6 children. 3 are adults who are thriving and are productive citizens. The younger 3 are also thriving.

Upload a Resume

List any professional licenses or training you believe are relevant to the seat you are applying for.

Advance Police Certificate-Alaska Police Standards Council. SWAT command certified. Numerous other certifications throughout career. Advanced Officers Course—Southern Police Institute.



800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6788
Fax (907)459-6722

DATE: June 5, 2019
TO: Council Members
THROUGH: Mayor Jim Matherly
FROM: Christina Rowlett
SUBJECT: Public Works Striping Project

A handwritten signature in black ink, appearing to be "CR", with a blue circular stamp or mark below it.

The City prepared and received bids for road striping on May 24, 2019. The amount of the lowest bid was \$161,529.

Ordinance 6098 appropriated \$103,000 for this project by increasing outside contracts in the Public Works budget. Due to the nature of the project, the project will need to be awarded prior to the next budget amendment.

The Engineering Department is seeking to award the contract in full using the appropriated funds from Ordinance 6098 and the balance (\$58,529) coming from Public Works operational budget with the understanding that these funds will be reimbursed back to Public Works with the next budget amendment.