



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2019-12  
**REGULAR MEETING JUNE 24, 2019**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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WORK SESSION

5:30 p.m.

Resolution No. 4878 Regarding HB 79, Defined Benefit Plan for Certain Public Employees

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*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 January 7, 2019
- \*b) Regular Meeting Minutes of January 28, 2019

8. SPECIAL ORDERS

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6108 – An Ordinance to Amend Fairbanks General Code Section 2-473, Composition of the Public Safety Commission. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

12. NEW BUSINESS

- \*a) Resolution No. 4887 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Highway Safety Office for FFY20 DUI Traffic Enforcement Unit. Introduced by Mayor Matherly.
- \*b) Ordinance No. 6109 – An Ordinance to Present to the Qualified Voters of the City of Fairbanks the Question of an Amendment to City Charter Section 6.5 to Alter the Tax Cap. Introduced by Mayor Matherly and Council Members Cleworth, Therrien, Ottersten, Kun, Rogers, and Pruhs.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- \*a) Memo Notifying Increase in Matching Funds for Cowles Street Reconstruction Project
- \*b) Board of Plumber Examiner Meeting Minutes of March 19, 2019

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, JANUARY 7, 2019  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 5:30 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  
Kristi Merideth, Dispatch Manager  
Angela Foster-Snow, HR Director  
Jim Styers, Fire Chief  
Dan Welborn, Deputy Police Chief

**Mr. Pruhs** seconded by **Mx. Ottersten**, moved to ENTER Executive Session to discuss City of Fairbanks IT Vulnerabilities & Strategies.

### **EXECUTIVE SESSION**

a) City of Fairbanks IT Vulnerabilities and Strategies

The City Council met in Executive Session to discuss City of Fairbanks IT Vulnerabilities and Strategies. An update and report was given by the Information Technologies team, and no action was taken.

### **INVOCATION**

The Invocation was given by City Clerk Danyielle Snider.

### **FLAG SALUTATION**

**Mayor Matherly** asked **Mr. Pruhs** to lead the Flag Salutation.

**Mayor Matherly** stated that at the last regular Council meeting, it was reported that people were “Air-dropping” media to others who were present; he encouraged folks who do not wish to participate in “Air-dropping” to disable that feature on their devices.

### **CITIZENS’ COMMENTS**

Brenae Baker, 1506 3rd Avenue, Fairbanks – Ms. Baker shared her disappointment in the City Council for not passing Ordinance No. 6093. She stated those who outed themselves at the meeting are now vulnerable and that some who testified are concerned for their safety since the ordinance failed to pass at the last meeting.

Eric Muehling, Fairbanks – Mr. Muehling thanked Mayor Matherly for his comments on cyber messaging during the last Council meeting. He stated he filed a police report after the last meeting due to the vulgar images he was sent; he stated it was clearly harassment and intimidation. He stated every citizen should feel safe to participate in Council Meetings without fear of harassment. He stated he asked the Fairbanks Police Department (FPD) to make a statement at the next meeting, and he thanked the Mayor for addressing the issue.

Ken Bailey, 1218 5th Avenue, Fairbanks – Mr. Bailey stated he is a Fairbanks resident and that he has always been impressed with the work opportunities and the diversity of people in Fairbanks. He stated Ordinance No. 6093 is unnecessary because there are already laws that protect the freedom of expression.

Greg Allison, 356 Old Steese Highway, Fairbanks – Mr. Allison stated each Council Member has a packet on their dais about responsible cannabis tours. He stated he has been working with Explore Fairbanks on the concept, and he would value City Council input. He stated there is a market for these types of tours. He stated just like Good, LLC, the company would be very community aware and give back often. He stated they would take pride in community safety, that the business would bring in tax dollars, and that they would work hand-in-hand with law enforcement. He stated they would like to begin operating in the summer of 2020.

**Mr. Pruhs** asked why they do not plan to open in 2019. Mr. Allison stated it would give them time to get marketing information out and build the brand more so they are not stretched too thin.

Christopher Konopka, 405 Ream Lane, Fairbanks – Mr. Konopka stated he and Jessica Huff own the Northern Sky Lodge, and they are excited to be a tour destination for the tours Mr. Allison spoke of. He stated their goal is to provide a personal, unique experience to tourists. He stated that there is currently nowhere for tourists to consume cannabis legally unless they can go to a private residence. He spoke highly of Mr. Allison and his team.

Alex June, 1448 South Cushman, Fairbanks – Mr. June began speaking about his liquor license. **Mayor Matherly** explained that this was not the time to speak on that agenda item.

Frank Turney, 1434 Lacey Street, Fairbanks – Mr. Turney stated the Bill of Rights was honored at the last Council meeting because people exercised their freedom of speech on a controversial issue. He stated he does not compliment the mayor often, but he believes the Mayor handled the

crowd at the last meeting with respect. He stated he does not agree with hate speech on social media. He stated he did not believe that anyone was hurt after the last meeting or kicked out of their home as a result of the ordinance not passing. Mr. Turney stated he believes in the use of non-lethal weapons. He stated it would take the Mayor or Council to have FPD put on display the types of non-lethal weapons the department has. He stated the case involving Cody Eyre may have turned out differently if police had used non-lethal weapons, and he criticized how the case was handled by law enforcement. He stated the Council is concerned about liability; he encouraged the Council to be concerned about prevention.

David Van den Berg, 542 4th Avenue, Fairbanks – Mr. Van den Berg stated he is the Executive Director of the Downtown Association and spoke in support of Resolution No. 4860. He spoke of events around town since the last Council meeting. He spoke to the importance of street snow removal and stressed the importance of sidewalk snow removal.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin spoke in opposition to Ordinance No. 6093 and suggested some amendments. He stated the ordinance lessens the value of older people because employers do not want to hire them. He read aloud a portion of an article from the Anchorage Daily News titled, “Age Discrimination Is More Common Than You Think”. Mr. Griffin stated he would like to have the option to sign a freedom exemption to have on file at the City stating that he is not protected under the ordinance and does not have the right to sue under the ordinance. He stated that way, employers would know it is not his intent to sue them.

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

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

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

**Mayor Matherly** requested that the Executive Session item, PSEA Labor Negotiations be removed from the agenda since Chief Jewkes is not present and there is no update.

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

City Clerk Snider read the Consent Agenda into the record.

### **APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of August 20, 2018.

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
576	Club Manchu	Beverage Dispensary	Randall G. Kelsch	2712 Jessie Street
2512	2 Go Mart #114	Package Store	AK, Inc.	2110 Peger Road
4216	2 Go Mart #115	Package Store	AK, Inc.	99 College Road
4565	2 Go Tesoro	Package Store	AK, Inc.	3569 S. Cushman Street
3483	Fairbanks Curling Club	Beverage Dispensary	Fairbanks Curling Club, Inc.	1962 2nd Avenue
4076	Brown Jug	Package Store	Liquor Stores USA North, Inc.	559 Harold Bentley Avenue
4888	RJ's Lounge and Grill	Beverage Dispensary	Roy J Stoltz	3450 Airport Way
426	Composite Holdings	Beverage Dispensary	Composite Holdings, LLC	No Premises

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

Deputy Police Chief (DC) Dan Welborn stated there are no real concerns of FPD about the Club Manchu renewal; he stated there were a some bad crimes, but they were isolated incidents.

**Mayor Matherly** stated he had forgotten to call for public testimony. He asked if anyone had comments in regard to the liquor license renewals.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated that Club Manchu lets a lot of underage kids into their establishment, and they should not get their license.

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

**Mayor Matherly** asked for a staff report.

DC Welborn further explained that some of the calls to the location were traffic stops at that general address; he stated those calls may not have had anything to do with the premises. He stated that may be the case with other establishments on the list as well. He stated the only concern was with the Club Manchu, but there is not enough concern to recommend a protest.

**Mayor Matherly** asked if the owner is working with FPD to correct any possible issues; DC Welborn stated the owner has been responsive.

**Ms. Rogers** asked about the underage people on site that Ms. Herbert spoke about. DC Welborn stated FPD has sent in investigators, but they did not find minors at those times.

**Mr. Cleworth** stated the ABC Board used to have a representative that would investigate businesses and look for underage people at licensed establishments. DC Welborn stated the Board continues to do those types of investigations.

**Ms. Therrien** stated out of the 20 listed call-outs at Club Manchu, 15 of them were no reports. She asked what the acronym COMM meant; DC Welborn stated it is similar to a no report call.

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, Ottersten, Therrien

NAYS: Kun

**Mayor Matherly** declared the MOTION CARRIED.

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

Type: Beverage Dispensary, License #426

DBA: The Bakery Restaurant

Applicant: The Bakery Restaurant, Inc.  
44 College Road, Suite A, Fairbanks

From: Composite Holdings / Composite Holdings, LLC  
No Premises

**Mx. Ottersten** seconded by **Ms. Therrien**, moved to PROTEST the Liquor License Application for Transfer of Ownership and Location until work is complete per the City Building Official.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP AND LOCATION UNTIL WORK IS COMPLETE PER THE CITY BUILDING OFFICIAL AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

- c) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location, and Restaurant Designation Permit:

Type: Restaurant / Eating Place, License #3050

DBA: Irashai

Applicant: 3Giro, Inc.  
1448 S. Cushman Street, Fairbanks

From: Gambardella's Pasta Bella / Gambardella's II, Inc.  
No Premises

**Ms. Kun**, seconded by **Ms. Therrien**, moved to PROTEST the Liquor License Application for Transfer of Ownership, Location, and Restaurant Designation Permit until fire inspections are complete and a Certificate of Occupancy is issued.

Alex June, 1448 South Cushman, Fairbanks – Mr. June stated he would like to open a second location which is currently being remodeled. He invited everyone to come listen to the grand piano and eat food at a good price.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP, LOCATION, AND RESTAURANT DESIGNATION PERMIT UNTIL FIRE INSPECTIONS ARE COMPLETE AND A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

Type: Marijuana Retail Store, #18187

DBA: The Fairbanks Cut, LLC

Applicant: The Fairbanks Cut, LLC

Address: 188 Bentley Trust Road, Suite A, Fairbanks, Alaska

**Mr. Pruhs** seconded by **Mx. Ottersten**, moved to PROTEST the New Marijuana Retail Store license until fire inspections are complete and a Certificate of Occupancy is issued.

Frank Turney, 1434 Lacey Street, Fairbanks – Mr. Turney expressed support for the license and recommended they use a filtration system to minimize the smell of cannabis.

Lily Bosshart, 188 Bentley Trust Road, Fairbanks – Ms. Bosshart stated she owns Dankorage in Anchorage, and she is excited to bring what she has in Anchorage to Fairbanks.

Craig Aglietti, Anchorage – Mr. Aglietti stated they can answer any questions from the Council.

**Ms. Therrien** asked when they expect construction to be complete; Mr. Aglietti stated it should be complete in two months.

**Mr. Pruhs** asked whether G2 Construction intends to retain a portion of the building. Mr. Aglietti stated that G2 will move its offices upstairs and will still use the shop in the rear. He stated that their business will have space on the ground floor.

**Ms. Kun** asked whether the smell would affect the upstairs neighbors. Ms. Bosshart stated they deal with air-tight, prepackaged products and have no plans to carry deli-style products.

**Ms. Rogers** thanked the owners for attending the meeting and for answering questions.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE NEW MARIJUANA RETAIL STORE LICENSE UNTIL FIRE INSPECTIONS ARE COMPLETE AND A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

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

e) The Fairbanks City Council heard interested citizens concerned with the following application for a New Marijuana Product Manufacturing Facility License:

Type: Marijuana Product Manufacturing Facility, #18493  
DBA: Petrichor, LLC  
Applicant: Petrichor, LLC  
Address: 3780 Leasure Street, Unit A, Fairbanks, Alaska

**Ms. Kun** seconded by **Ms. Therrien**, moved to PROTEST the New Marijuana Product Manufacturing Facility License until fire inspections are complete and a Certificate of Occupancy is issued.

Grant Anderson, Fairbanks – Mr. Anderson stated construction of the facility should be complete within the next month or so.

**Mayor Matherly** asked about Mr. Anderson's plan to address the odor that comes with a manufacturing facility. Mr. Anderson stated they do not intend to make any volatiles or solvents, and they only intend to bake products. He stated they use carbon filters, and there will be no obnoxious smells.

Pearson Crosby, Fairbanks – Mr. Crosby stated the property location is not near any residents and that he and his family tore down the building and rebuilt it. He stated there will be no extractions that would create the odor of concern.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE NEW MARIJUANA PRODUCT MANUFACTURING FACILITY LICENSE UNTIL FIRE INSPECTIONS ARE COMPLETE AND A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

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

## MAYOR'S COMMENTS AND REPORT

### a) Special Reports

Charity Gadapee, Fairbanks – Ms. Gadapee stated she works in Visitor Services for Explore Fairbanks and spoke to some upcoming events in the City. She stated that at the end of the year, the Morris Thompson Cultural and Visitors Center finalized their count, and they had over 162,000 visitors in 2018. She thanked the Council for reinvesting into destination marketing.

Human Resource Director Angela Foster-Snow gave an update on the Brandt family insurance. She reported the transition is complete, and the family is now covered through the State of Alaska pension plan. **Mr. Pruhs** thanked Ms. Foster-Snow for the work she did for the Brandt family. **Mayor Matherly** stated Ms. Foster-Snow and other City staff worked hard to find a solution to keep the Brandt family covered.

**Ms. Therrien** asked how much the insurance would cost. Ms. Foster-Snow reported it would cost about \$1200 per month.

**Mayor Matherly** stated he hopes everyone had a good holiday and reported his grandmother would be celebrating her 100th birthday in a few days. He asked the public not to think that by postponing Ordinance No. 6093 the Council does not care. He stated he hopes everyone can work thoughtfully and fairly going into the future.

## COUNCIL MEMBERS' COMMENTS

**Ms. Therrien** stated the images sent during the last meeting were inappropriate. She stated she supported the postponement of Ordinance No. 6093 because she believes it needs some tweaks; she stated she feels badly that people think the Council was being neglectful.

**Ms. Rogers** stated she finds it offensive when people are on their phones during Council meetings. She stated it is also disappointing that support of postponement of Ordinance No. 6093 has been misconstrued as non-caring. She stated it takes the voices of many to have a healthy community discussion. She stated people need to be treated with dignity, and everyone present has an obligation to be attentive at meetings.

**Ms. Kun** thanked Ms. Foster-Snow for helping the Brandt family transition to stable insurance. She validated the fears of some who testified at the last meeting. She acknowledged Mr. Turney's request for the use of non-lethal weapons. She wished the new cannabis businesses good luck and stated she likes to see long-term investments in the community.

**Mx. Ottersten** wished everyone a Happy New Year and stated that they are just hearing about "Airdrop" for the first time. **Mx. Ottersten** stated they could not agree with cowardly actions while hiding behind a phone. **Mx. Ottersten** stated they look forward to hearing people's suggestions in the future and that it is good that people are engaged.

**Mr. Cleworth** stated Police Chief Eric Jewkes presented to the Council a year or two ago on the use of non-lethal weapons; he stated some are effective and some are not. **Mr. Cleworth**

suggested it would be a good time for another presentation about non-lethal weapons from Chief Jewkes.

**Mr. Pruhs** stated he had no comments.

### **NEW BUSINESS**

- a) Resolution No. 4859 – A Resolution Allocating Discretionary Funds from Hotel/Motel Tax in the Amount of Two Hundred Seventy Thousand Dollars (\$270,000). Introduced by Council Member Rogers.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4860 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Environmental Protection Agency FY19 Brownfields Assessment Grant. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

- a) Committee Reports

Polaris Work Group – **Mr. Pruhs** stated the Polaris Work Group subcommittee has met a few times, and they are discussing getting more Brownfields funds to estimate the cost of demolition.

Permanent Fund Review Board – **Ms. Therrien** stated the Board has not met recently but that she is very happy to see that Patty Mongold has reapplied to stay on the Board.

Downtown Working Group – **Mr. Cleworth** stated he is a member of the Downtown Working Group, although it is not an official City group. He stated “Vision Fairbanks” has been taken out of the Borough Comprehensive Plan, so the group is looking for a substitute that is less detailed. He stated sooner or later, a report will be brought before both the City Council and the Borough Assembly for approval.

**Mayor Matherly** shared that there would be a Fairbanks Diversity Council meeting January 8.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Fairbanks Diversity Council Meeting Minutes of September 11, 2018

ACCEPTED on the CONSENT AGENDA

- b) Fairbanks Diversity Council Meeting Minutes of October 16, 2018

ACCEPTED on the CONSENT AGENDA

- c) Board of Plumber Examiner Meeting Minutes of September 18, 2018  
ACCEPTED on the CONSENT AGENDA
- d) Clay Street Cemetery Commission Meeting Minutes of December 5, 2018  
ACCEPTED on the CONSENT AGENDA
- e) Reappointment to the Permanent Fund Review Board  
APPROVED on the CONSENT AGENDA
- f) Reappointment to the Public Safety Commission  
APPROVED on the CONSENT AGENDA
- g) Reappointment to the Building Code Review & Appeals Commission  
APPROVED on the CONSENT AGENDA
- h) Appointment to the Fairbanks Diversity Council  
APPROVED on the CONSENT AGENDA

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Pruhs** complimented Ms. Rogers for her thoughtful work on Resolution No. 4819.

**Ms. Therrien** stated her father is 101 ½ and congratulated people who live that many years.

**Ms. Rogers** stated that there will be a Hotel/Motel Discretionary Fund Committee meeting January 9 at 5:30 p.m. She thanked Ms. Snider and Ms. Bell for all the work they have put into helping the process run smoothly.

**Ms. Kun** thanked the Downtown Association for the fireworks show they put on for New Year's Eve. She thanked all the Fairbanks first responders for all the work they put into the event to keep everyone safe. She stated she looks forward to a productive 2019 at the City.

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

**Mr. Cleworth** asked Mr. Jacobson to forward the snow removal plan for Public Works to the City Council. Mr. Jacobson had paper copies and distributed them to each Council Member.

**Ms. Rogers** asked Mr. Cleworth to give an update on what is happening with FMATS.

**Mr. Cleworth** explained that FMATS is made up of two bodies: the Policy Board and the Technical Committee. He stated that when the Metropolitan Planning Organization (MPO) was

initially set up, there was not a forward-thinking understanding of how FMATS employees would fit in to each organization. **Mr. Cleworth** stated the City housed FMATS and put its employees on the City payroll; he added that those employees also became members of the IBEW. He stated when former MPO Donna Gardino retired, a committee started looking for candidates from outside the organization; then a grievance was filed because the position had not been advertised internally. **Mr. Cleworth** stated the Policy Board always thought it had the hiring authority, but that authority belongs to the City Mayor. He stated there have been problems over the years, and the Policy Board voted to make FMATS a non-profit entity a year or so ago. He explained that everything was on target for an October 1 transition until the last minute when it the Borough Mayor raised some concerns and were not ready for the transition. **Mr. Cleworth** stated new Borough Mayor Ward has picked up the pieces and is are working on finalizing all of the details. **Mr. Cleworth** reported there is a meeting later in the month, and if the new Memorandum of Agreement is finalized, it will go to the Governor for his signature. He explained that the City decided to no longer house FMATS after December 31. He stated there has been needless turmoil during the process, but they are getting close to completion.

Chief of Staff Mike Meeks stated near the end of the process an email was received stating that the City was treating a nearly-vested employee poorly. Mr. Meeks stated it had been clarified previously by the City that the employee would be taken care of by the City. He stated that City staff put in a great deal of work on the FMATS transition, and there was a lack of urgency from FMATS employees. He stated that is one of the reasons why there was a push to put an end date on the housing of FMATS at City Hall.

**Ms. Rogers** asked if the relationship is between the Borough and the City of North Pole was still in good standing.

**Mr. Cleworth** stated nothing has changed with the government entities, but the structure of responsibilities has changed. He spoke to how funds will be disbursed by all parties involved moving into the future.

**Mayor Matherly** stated it is a relief that FMATS has moved, and there is still a good relationship between the parties involved.

### **CITY CLERK'S REPORT**

a) Proposed Change to 2019 City Council Meeting Calendar

City Clerk Danyielle Snider stated the proposed change to the 2019 Regular Council Meeting will avoid holding four back-to-back Council meetings in November and December.

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

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

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

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

**Mayor Matherly** called for a five-minute recess. No members objected.

**EXECUTIVE SESSION**

- a) FFU Labor Negotiations
- b) AFL-CIO Labor Negotiations

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

**Ms. Therrien** requested to be excused from the Regular City Council Meeting of January 28, 2019.

**Mayor Matherly** called for objection to Ms. Therrien's request to be excused on January 28, 2019 and, hearing none, so ORDERED.

**ADJOURNMENT**

**Ms. Kun**, 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 9:05 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JANUARY 28, 2019  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Shoshana Kun, Seat A  
June Rogers, Seat B  
Kathryn Ottersten, Seat D  
Jerry Cleworth, Seat E  
David Pruhs, Seat F

Absent: Valerie Therrien, Seat C (excused)

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  
Jim Styers, Fire Chief  
Kristi Merideth, Dispatch Manager  
Carrie Peterson, Grants Administrator

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 **Mx. Ottersten** to lead the Flag Salutation.

**CITIZENS' COMMENTS**

Donald A. Callahan, 606 Bennington Drive, Fairbanks – Mr. Callahan stated he is a lifelong Alaskan, and he spoke about the Alaskan spirit of valuing, treating, and respecting others although they may be different. He referred to the last sentence of the Pledge of Allegiance and stated that he has added a word at the end, "...liberty and justice for all 'sometimes'." He encouraged the Council to pass Ordinance No. 6093 to show true love for all humanity. He closed by quoting a portion of The Gettysburg Address.

George Y. Salmon, 828 Crossman Road, Fairbanks – Mr. Salmon thanked the Council for their work. He stated that he was raised to believe that all people were created equally. He expressed

anger and sadness that the Council had not taken action on Ordinance No. 6093. He stated he is saddened by some of the articles he has read in the opinion section of the newspaper. He encouraged the Council to pass the ordinance the way Juneau passed their ordinance on the issue.

Cecil A. Hines, 891 Ridge Loop Road, North Pole – Mx. Hines stated they are undoubtedly in favor of Ordinance No. 6093. They stated that some choose to discriminate and still believe that LGBTQ+ people should not have the same rights as others based on their sexual orientation, gender identity, or gender expression. They stated that Juneau has the same ordinance with no lawsuits; he questioned why Fairbanks should not have the same ordinance.

Reverend Shirley Lee, 457 Cindy Drive, Fairbanks – Reverend Lee expressed her belief that all people deserve equal protection. She stated that when people say, “I don’t discriminate, but…” She stated when that is said segregation and discrimination happens and not all are protected. She stated she was born in Fairbanks in 1959 when there were still signs posted stating, “No Natives allowed”. She stated that discrimination has been allowed and enforced and has no place in the Golden Heart City, but it still exists. She stated she is an ordained, Episcopal Priest serving in the Diocese of Alaska, and she strives to live up to her promise to serve all people and respect the dignity of all human beings. Rev. Lee stated that she is not a judge, and that is the role of the Creator alone. She stated that she is a servant just as each Council Member is a servant. She stated the Council is charged with serving all people, to manage and uphold the laws that provide safety and order to the citizens of Fairbanks. She stated she helped organize the creation of the Fairbanks Diversity Council (FDC), and she served on the body. She stated the FDC serves as an advisory body to the City Council, and she encouraged the City Council to listen to its recommendations.

Nicholas Bell, 601 Wayne Williams Lane, Fairbanks – Mr. Bell stated he is a retired U.S. Air Force Lt. Colonel and disabled veteran. He encouraged the Council to adopt Ordinance No. 6093. He spoke to his experience with the Air Force’s transition from an era of “don’t ask, don’t tell” and stated that there is a stark parallel in the discussions the City Council has heard in regard to Ordinance No. 6093. He stated those who opposed the transition had fears about homosexual sexual assault, contention within the barracks and homes, loss of operational cohesion, and religious infringement. Mr. Bell stated that if any of those concerns became a reality, he would have had to address it. He stated that it was business as usual days and months later; he stated that the long-held, positive inter-dependency actually became stronger following the transition. He stated the military community found it is in their best interest to no longer discriminate in such an unconventional manner. He named other organizations in the community that have extended non-discrimination relating to sexual orientation and gender identity into their bylaws. He stated Ordinance No. 6093 is about establishing a platform of support for those who are experiencing bullying, school dropouts, homelessness, mental anguish, and poverty. He expressed hope that the Council would recognize this as a leadership opportunity and vote in favor of the ordinance.

Cindy Salmon, 828 Crossman Road, Fairbanks – Ms. Salmon stated it is her first time speaking to a City Council, and it took importance to bring her to the meeting. She spoke to the City Mission Statement and about vibrancy in the community. She stated she attended some of the work sessions the Council held on Ordinance No. 6093; she stated she was encouraged, and she believes it is doable.

Alan Gross, 980 Mitkof Highway, Petersburg – Mr. Gross stated he was born and raised in Juneau, and he resides in Southeast Alaska. He stated that as a doctor and his beeper goes off in the middle of the night, he does not ask about the patient’s race, ethnicity, or sexual orientation. He stated everyone is the same deep inside, and everyone has their own personal struggles. He encouraged the Council to have compassion and stated it makes no sense to discriminate against certain people. He urged the Council to pass Ordinance No. 6093.

Chris Stoner, 511 Herning Road, Fairbanks – Ms. Stoner stated that she is gay and is a Marine Corps veteran. She stated it was unsafe at that time to be gay in the military, but she was lucky because she did not tell and no one asked. She stated she was honorably discharged and began a career in software engineering. She stated while with IBM, she came out because she was in a safe, welcoming environment; she stated she was not given special treatment but was not discriminated against. Ms. Stoner stated that sexual orientation and gender identity have no relationship to workplace performance. She stated that IBM, Nokia, and Yahoo embraced diversity in the workforce because it improved productivity, helped recruit the best talent, and fostered better understanding of consumers. She stated there is no reason for discrimination in Fairbanks. She stated a religious exemption is not needed in the ordinance, and the FDC agrees. She stated that, like others, LGBTQ Alaskans just want to contribute to the economic health of their state, earn a living, and be able to provide for their families. She stated it is time to protect all Alaskans.

Michelle Stoner, 511 Herning Road, Fairbanks – Ms. Stoner spoke in support of Ordinance No. 6093. She stated she has worked in the computer field her entire career, and she started as a civilian contractor with the Navy. She stated she was out to her family but not to her employer because she feared losing her job. She stated that she later became a civil servant and, at 10 years into government service, she attended a gay government employees meeting. She stated she was fully aware that she could be fired for attending the gathering, but she did so that others may not have the same fear in the future. Ms. Stoner stated she left the government and has worked 15 years in the private industry, 12 of which she has worked with her partner. She stated hard work is defined by work ethic, perseverance, and performance. She stated there is no reason for discrimination in Fairbanks.

Krista Christensen, 510 Yak Road, #860A, Fairbanks – Ms. Christensen spoke in support of Ordinance No. 6093. She stated all citizens deserve equal protection under the law, and it is unacceptable that some groups of citizens regularly experience discrimination in housing, employment, and everyday interactions. She asked the Council to vote in support of the ordinance. She read aloud Section 1 of the 14th Amendment to the U.S. Constitution.

Laurel Holmes, 3158 N. Van Horn Road, Fairbanks – Ms. Holmes stated Fairbanks has been her home for 65 years. She stated she currently owns 27 rental apartments in the Fairbanks area, and she spoke in support of Ordinance No. 6093. She stated she has become increasingly aware of discrimination against LGBTQ persons in Fairbanks, and she is saddened by it. She stated she is humbled by the contributions of the gay and transgender Fairbanksans known to her who give of their time and talents to support and improve the lives of others in the community. She stated that the rights of religious institutions are already protected under the law. Ms. Holmes cautioned against driving out LGBTQ neighbors because of baseless fears.

Yule Chadwick, 1288 Sunny Slope Road, Fairbanks – Mr. Chadwick stated she is a lifelong Fairbanksan. She stated she has grown up in a very accepting family. She stated everyone deserves the opportunity provide for their family. She shared that there seems to be no issue with the Juneau ordinance since it was adopted, and she spoke in support of Ordinance No. 6093 and against putting it off any longer. She stated the LGBTQ community is not an afterthought.

Clint Lemen, 1288 Sunny Slope Road, Fairbanks – Mr. Lemen stated he is a lifelong Fairbanks resident, and he thanked the Council for allowing him voice his support of Ordinance No. 6093. He recalled in the 1990s when a display was put up at the library celebrating the LGBTQ community, and there was an uproar and protest against the display. He stated that he counter-protested, and it was his first time hearing the hatred toward the LGBTQ community. Mr. Lemen stated he is in attendance to support the ordinance because of what he saw all those years ago. He stated people should not be discriminated against because of sexual orientation and gender identity.

Stephen Arturo Greenlaw, 510 Yak Road, #856C, Fairbanks – Mr. Greenlaw spoke as a community member and as a Catholic. He stated there is an idea that one cannot be a Catholic and support the LGBTQ community. He stated the ordinance should include protections for LGBTQ people, and he read aloud a portion of the Catechism of the Catholic Church. He placed an emphasis on the word dignity in regard to how people treat one another.

Kerry Quillin, 1420 Whistling Swan Drive, Fairbanks – Ms. Quillin stated she has been a Fairbanks resident for 31 years, and her daughter and grandchildren were born here. She stated she has experienced discrimination in Fairbanks as a lesbian. She stated that she is a member of the Unitarian Church, and one of the primary precepts of the church is the belief in the inherent worth of a human being, regardless of religion, race, sexual orientation, or whom a person loves. She stated Fairbanks needs Ordinance No. 6093 to be passed, and she encouraged the Council to pass the ordinance.

Hayden Nevill, 3659 Jackhammer Road, Fairbanks – Mr. Nevill thanked the Council for their service. He stated he is a transgender man, and he supports Ordinance No. 6093. He stated that Fairbanks is a community that, overall, takes care of LGBTQ people; he stated the ordinance would help with the few who treat the LGBTQ people differently. In opposition to the argument that everyone is born either male or female, he stated that 1% of babies have some sort of intersex condition – more common than red hair. Mr. Nevill spoke to the concern raised about transgender people being in locker rooms, and he stated that transgender people are in locker rooms all the time and go unnoticed. He stated that transgender people tend to be private and discreet. Mr. Nevill stated that there are no credible reports of men accessing women’s locker rooms or restrooms to commit sex crimes because of similar ordinances. He asked for fairness in housing and employment for transgender people.

Phil Osborn, 1451 Flat Mountain Road, Fairbanks – Mr. Osborn thanked the Council for their hard work on Ordinance No. 6093, and he stated he fully supports adoption of the ordinance as soon as possible. He stated he is not worried about any problems arising from its adoption.

Jana Peirce, 1820 Lilac Avenue, Fairbanks – Ms. Peirce asked the Council to pass Ordinance No. 6093 without a religious exemption. She stated that the freedom of religion is already protected under federal and state law, but it does not give a person the right to harm others. She stated that

passage of the ordinance would not change protections for or rights of religious organizations. She stated that many who testified in opposition to Ordinance No. 6093 on December 10 stated, “I don’t believe in discrimination, but...”, then proceeded to state why they felt they had the right to discriminate. Ms. Peirce stated that the freedom of religion is broad and important, but it is limited; she stated it may not be used to harm others who are entitled to equal protection. She again urged the Council to pass the ordinance without a religious exemption.

Kristen Schupp, 4295 Peartree Loop, Fairbanks – Mx. Schupp spoke in support of Ordinance No. 6093 and stated that they feel it is important to have a community where everyone feels welcome and has equal opportunity to housing and employment. Mx. Schupp stated that diversity makes a community stronger and that Fairbanks should have a zero tolerance policy for discrimination. Mx. Schupp stated religious organizations are already protected. Mx. Schupp spoke against raising the number of employees to 15 in the section of the ordinance that defines an employer and stated it provides far too many opportunities to deny employment to citizens. Mx. Schupp spoke in support of dropping the number of employees down to less than 5 or getting rid of the exemption altogether. Mx. Schupp stated that exemptions send a message that a little discrimination is okay. Mx. Schupp spoke in support of providing a better community for their children and their peers and commented that those in the LGBTQIA+ community are some of the best people in Fairbanks.

Helenmarie Matesi, 3725 Non Road, Fairbanks – Ms. Matesi stated she has been in the community for more than 40 years and has been a teacher all her life. She stated that you cannot legislate morality, but you can pass Ordinance No. 6093. She stated she wants to live in a community where everyone is safe and valued, regardless of sexual identity. She stated she has been Black for 67 years, and she knows a little bit about discrimination; she commented that discrimination has no place in a city where people love each other.

Charlotte Basham, 1049 Red Fox Drive, Fairbanks – Ms. Basham stated she is Co-clerk of the Chena Ridge Friends Meeting, and she spoke in support of Ordinance No. 6093. She stated a cornerstone of her faith is the belief is that God is in everyone, and that she rejects unfair discrimination. She stated the ordinance is not an issue of religious freedom, and that freedom does not give anyone the right to harm others. She stated the ordinance is needed to provide for equal treatment of everyone under the law.

Michael Walleri, 2518 Riverview Drive, Fairbanks – Mr. Walleri addressed the religious freedom issues, and he stated he sent the Council some information. He stated that personal ideas are not really protected under the Constitution; he stated the religious freedom right is based upon whether a person is practicing their religion. He explained that a violation of a person’s religious rights would be if they were prohibited from practicing their religion or if they were required to do something in violation of their religious beliefs. Mr. Walleri stated that many religions do not prohibit same-sex relationships. He stated that the Catholic religion prohibits both same-sex relationships and discrimination against others. He stated that no Christian denomination in the United States requires people to discriminate. He stated that the Ordinance No. 6093 does not threaten religious practice.

Becky Anderson, 3725 Mariposa Lane, Fairbanks – Ms. Anderson thanked the Mayor and Council for their hard work. She stated she supports Ordinance No. 6093, and she believes Fairbanks is a special place that has earned its name as The Golden Heart City. She stated that it

was not until she heard the vitriol on December 10 from those opposing the ordinance that she understood what was at stake. She stated that if nothing else convinces Council Members that Ordinance No. 6093 is necessary, the display of hatred, fear mongering, and cruelty at the December 10 meeting by those wanting to protect their right to discriminate against the LGBTQ community should. Ms. Anderson stated she is a Fairbanksan and a Christian and stated the extremists who oppose equal rights based on religious rights seem to be using it as code for intolerance, discrimination, and Christian supremacy. She stated that those fundamentalists do not speak for her or her faith, nor does she believe that they represent the majority of those practicing Christianity in the community. She encouraged everyone to ask themselves, “What would Jesus do?”, to love their neighbors, and to display compassion. She implored the Council to pass Ordinance No. 6093.

M. Suzanne Rich, 1451 Flat Mountain Road, Fairbanks – Ms. Rich stated that she cannot help but keep looking at the American flag in the room which stands for “liberty and justice for all.” She stated that the adoption of Ordinance No. 6093 seems like a no-brainer, and she compared the issue to the right of women to vote. She stated that she came to Fairbanks as a mid-wife, and she has done births for people of various sexual orientations. She stated that there was a French surgeon who came and spoke to midwives, and he said that being gay may be caused partly by a hormone imbalance in the mother’s body due to stress or fear during pregnancy. Ms. Rich stated she has seen that happen in her practice and that there is nothing different about gay people.

Travis Naibert, 289 Rainbow Ridge Road, Fairbanks – Mr. Naibert expressed hope that the Council would adopt Ordinance No. 6093. He shared that he lives in the Borough but comes into the City of Fairbanks on a daily basis. He stated he is a white, straight male in his 30s with no disabilities, and he never worries about losing his job or getting passed over for a new job because of his race or identity; getting kicked out of his rental house because of who he loves; or being deprived of service from a business. He stated, however, that he has friends who have to worry about those things all the time. Mr. Naibert stated he would like to live in a community where no one has to worry about discrimination.

Rose O’Hara-Jolley, 1932 Kittiwake Drive, Fairbanks – Ms. O’Hara-Jolley thanked the City Council for hearing testimony, and she expressed her support for Ordinance No. 6093. She shared that the Reverend Leslie Fails has testified to the Council about her concern with preventing deaths in the community. Ms. O’Hara-Jolley stated that without the love and support of people like Rev. Fails and Mr. Nevill she would not be here. She stated that she came closer to taking her own life than she ever has, and she believes that is a truth the Mayor and Council need to hear. She stated she is not unique, and many members of the community who have felt the pressure and bigotry have thought of ending their own lives. She stated that those individuals are not just statistics but are members of the community who are trying to survive. Ms. O’Hara-Jolley stated she finds it insulting that she has to share something so personal with the Council in order for it to consider her humanity. She stated she is not begging but is demanding that the Mayor and Council vote to promote the dignity of and protect all community members and live up to the name, The Golden Heart City.

**Mayor Matherly** declared Citizens’ Comments closed as the time was 7:30 p.m. He stated that the Council was inundated with feedback on Ordinance No. 6093 the week of December 3 – 10. He stated that Anchorage debated and discussed for 6 months before adopting their ordinance. He stated that the ordinance has been postponed only once, and he feels he has learned so much

during the process. **Mayor Matherly** stated he is happy that there has been more time to consider the issue, and he assured those in the audience that their comments are not falling upon deaf ears. He asked everyone to have faith in the Council, and understand that the Council is trying to get it right. He stated that currently the vote on the ordinance is set for February 25, and the Council takes the issue seriously. He encouraged folks to visit his office and talk.

**Ms. Kun** thanked every veteran for their service and acknowledged the personal information Ms. O'Hara-Jolley shared. She thanked everyone who attended and spoke to the Council.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

**Mx. Ottersten**, seconded by **Mr. Pruhs**, moved to APPROVE the Agenda and Consent Agenda.

**Mayor Matherly** pulled Resolution No. 4862 from the Consent Agenda.

**Ms. Kun** pulled Ordinance No. 6094 from the Consent Agenda.

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

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

**SPECIAL ORDERS**

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

Lic. #	DBA	License Type	Licensee	Premises Address
4880	Friar Tuck's Hoagie House	Restaurant/ Eating Place	Joshua Roach & Stafford Roach	427 Merhar Avenue, Unit 2
145	Boatel Bar	Beverage Dispensary	Abie Neubaurer, Inc.	3368 Riverside Drive
3020	American Legion Post #57	Club	American Legion Post #57	1634 Cushman Street

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

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

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

YEAS: Pruhs, Kun, Cleworth, Ottersten, Rogers

NAYS: None

ABSENT: Therrien

**Mayor Matherly** declared the MOTION CARRIED.

b) The Fairbanks City Council heard interested citizens concerned with the following Application for a New Liquor License and Restaurant Designation Permit:

Type: Beverage Dispensary (Duplicate) , License #5734  
DBA: The Bakery Restaurant  
Applicant: The Bakery Restaurant, Inc.  
44 College Road, Suite A, Fairbanks

**Mr. Pruhs**, seconded by **Mx. Ottersten**, moved to PROTEST the Application for a New Liquor License and Restaurant Designation Permit until a Certificate of Occupancy is issued.

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

**Mr. Pruhs** stated he thought the business was already open and operating. Clerk Snider stated that she believes that is the case, and the protest of the liquor license for the downstairs portion of the business has been lifted. She explained that this is a duplicate liquor license that would be located upstairs, and that portion is yet unfinished according to the Building Official.

**Ms. Rogers** stated that she finds it more reasonable to work with business owners when these types of licenses come up for Council consideration. She indicated that she would like owners to be present when the Council is considering their license.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST APPLICATION FOR A NEW LIQUOR LICENSE AND RESTAURANT DESIGNATION PERMIT UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

YEAS: Rogers, Pruhs, Ottersten, Kun, Cleworth  
NAYS: None  
ABSENT: Therrien

**Mayor Matherly** declared the MOTION CARRIED.

- c) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location, and Restaurant Designation Permit:

Type: Beverage Dispensary, License #4504  
DBA: Venue Fairbanks  
Applicant: Go Alaska Media, LLC  
514 2nd Avenue, Fairbanks  
From: Gold Rush Deli / Upriver, Inc.  
3399 Peger Road, Suite C

**Mx. Ottersten**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership, Location, and Restaurant Designation Permit.

Isiah Mangum, 514 2nd Avenue, Fairbanks – Mr. Mangum stated it has taken many years to realize the dream of creating a space in the heart of Fairbanks that is a flexible venue for various types of events. He stated that the ability to sell adult beverages to responsible adults will allow more people to enjoy the Venue. He stated that the business intends to limit their alcohol service to craft cocktails using local spirits that are more event-based. He stated they have no intention

of operating as a traditional bar. Mr. Mangum explained that they would like to offer beer and wine during regular business hours and into the evening. He stated that they realize it is a great responsibility.

**Ms. Rogers** thanked Mr. Mangum for all the attention to detail. She spoke to the importance of working together in a one-on-one relationship. **Mx. Ottersten** thanked Mr. Mangum for the space they have created downtown and echoed the letters of support from others. **Mayor Matherly** commented that it is a great downtown business.

Mr. Mangum stated that he believes the business has already contributed to the downtown area, and he and his family have not taken the responsibility lightly.

Arlette Eagle-Lavelle, 414 2nd Avenue, Fairbanks – Ms. Eagle-Lavelle stated that she is the owner of Lavelle’s Taphouse near the Venue. She expressed support for the Venue liquor license, and she stated she believes it will only bring more sophistication to the downtown community. She commended the Mangum family for the great things they have done.

Ivan Gyaurski, 523 2nd Avenue, Fairbanks – Mr. Gyaurski expressed support for the Venue liquor license. He stated that they are a great downtown business, they do a lot of fun events, and they bring a lot of people into the downtown area.

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

**Mr. Cleworth** asked the Clerk to speak to what a Restaurant Designation Permit does. Clerk Snider stated she believes that the permit allows the business owner to hire staff under the age of 21 to work in the restaurant portion of the business. **Mayor Matherly** asked Mr. Mangum to come back up to address Mr. Cleworth’s question. Mr. Mangum stated that the restaurant designation permit would allow his business to employ underage staff for the restaurant portion of the business. **Mr. Cleworth** asked whether it is a requirement to have a restaurant designation permit if one owns a beverage dispensary-type license. Mr. Mangum replied that it is not. **Mr. Cleworth** expressed concern with the number of liquor licenses in the downtown area. He clarified that he is not concerned specifically with the Venue liquor license, rather he is more worried about what may happen if liquor licenses in the downtown area are sold to new owners.

**Ms. Kun** expressed support for the Venue. She echoed Mr. Cleworth’s concerns for the total number of liquor licenses in the downtown area.

**Mr. Pruhs** spoke to the high cost of liquor licenses as a commodity. He stated it is fortunate that someone like Mr. Mangum acquired the license, and he spoke highly of the Mangum family.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP, LOCATION, AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Ottersten, Cleworth, Rogers, Kun, Pruhs

NAYS: None

ABSENT: Therrien

**Mayor Matherly** declared the MOTION CARRIED.

- d) The Fairbanks City Council heard interested citizens concerned with the following Application for a New Marijuana Product Manufacturing Facility License:

Type: Marijuana Product Manufacturing Facility, #16006  
DBA: Arctic Bakery, LLC  
Applicant: Arctic Bakery, LLC  
Address: 1409 Well Street, Fairbanks, Alaska

**Mr. Pruhs**, seconded by **Ms. Kun**, moved to PROTEST the Application for a New Marijuana Product Manufacturing Facility License until fire inspections are complete and a Certificate of Occupancy is issued.

Brian Simpson, 734 Chena Ridge Road, Fairbanks – Mr. Simpson stated he is the general manager of the business.

**Ms. Kun** asked Mr. Simpson what the business will be specializing in. Mr. Simpson stated that they will be making marijuana edibles, and it is a secure facility in the industrial area. He stated that the location will be closed to everyone except employees or invited guests.

**Ms. Rogers** thanked Mr. Simpson for being present and for the careful detail in his application. Mr. Mangum spoke briefly to those involved with the business. **Mr. Pruhs** spoke to the amount of education and knowledge of those involved and commended Mr. Mangum for the marketing of the business and for improving an old building.

**Mr. Ottersten** asked how many people would be employed by the business; Mr. Mangum replied that there would be eight fulltime employees.

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

**Mr. Pruhs** stated that people have set a high standard in the liquor license business in recent years.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE APPLICATION FOR A NEW MARIJUANA PRODUCT MANUFACTURING FACILITY LICENSE UNTIL FIRE INSPECTIONS ARE COMPLETE AND A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

YEAS: Rogers, Ottersten, Pruhs, Cleworth, Kun  
NAYS: None  
ABSENT: Therrien

**Mayor Matherly** declared the MOTION CARRIED.

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

- a) Special Reports

Scott McCrea, Explore Fairbanks – Mr. McCrea stated he is the Director of Tourism at Explore Fairbanks. He updated the Council on the activities of his department for the last quarter of 2018; he spoke to what is happening with the China, European, Australian, and U.S. markets. He thanked the Council for reinvesting bed tax dollars into destination marketing.

**Mx. Ottersten** stated they have not heard of much tourism coming out of Southeast Asia. They asked whether it is a developing market and which countries specifically are showing interest. Mr. McCrea stated they met with people from the following countries: Malaysia, Philippines, Vietnam, and Singapore.

**Mayor Matherly** stated that he, Mayor Welch, and Mayor Ward had the opportunity to meet with the delegation from China the prior week; he stated it was a great exchange. He stated he appreciated the public testimony in regard to Ordinance No. 6093, and the Council would be setting more work session dates on the issue. **Mayor Matherly** mentioned the recent death of someone close to him, Nick Monroe. He stated he was married to Mr. Monroe's daughter at one time. He stated that Mr. Monroe was a loving, upbeat man, and he will be missed greatly.

### **COUNCIL MEMBERS' COMMENTS**

**Mayor Matherly** asked the Council for comments; no members had comments to give.

### **NEW BUSINESS**

- a) Resolution No. 4861 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the State of Alaska DOT&PF for the Alaska Transportation Alternative Grant Program for 5th Avenue Sidewalks. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4862 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the State of Alaska DOT&PF for the Alaska Transportation Alternative Grant Program for Downtown Sidewalks. Introduced by Mayor Matherly.

**Mx. Ottersten**, seconded by **Ms. Kun**, moved to APPROVE Resolution No. 4862.

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to SUBSTITUTE Resolution No. 4862, as Amended, for Resolution No. 4862.

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

**Mayor Matherly** invited Grants Administrator Carrie Peterson to speak about the changes. Ms. Peterson stated that the length of the sidewalk was increased in the substituted version, and it increased the dollar amount in the fiscal note. She stated that funding for the City's match would come from reimbursed match funds from under-budget projects.

**Mr. Cleworth** asked which project came in under budget. Ms. Peterson stated there were a several projects with leftover match funds, one of which was the Cushman Street project.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4862, AS AMENDED, AS FOLLOWS:

YEAS: Kun, Ottersten, Pruhs, Cleworth, Rogers

NAYS: None

ABSENT: Therrien

**Mayor Matherly** declared the MOTION CARRIED and Resolution No. 4862, as Amended, APPROVED.

- c) Resolution No. 4863 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security for the FFY2019 State Homeland Security Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Resolution No. 4864 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Firehouse Subs Public Safety Foundation Grant Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- e) Ordinance No. 6094 – An Ordinance Approving the FAST Planning Inter-Governmental Operating Agreement. Introduced by Mayor Matherly and Council Member Cleworth.

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to ADVANCE Ordinance No. 6094.

**Ms. Kun** asked Mr. Cleworth for some clarification on the operating agreement. **Mr. Cleworth** stated there are many FMATS-related agreements, and it can be confusing. He stated that the ordinance is a placeholder, and there will likely be an amended version to follow. He stated that Deputy City Attorney Danielle Pensley has been working on the proposed agreement, and she pointed out a few issues. **Mr. Cleworth** stated that he would like to see an amended version in the next Council agenda packet and, if the Council adopts it, the agreement would go back to the FMATS Policy Board for review.

**Mayor Matherly** stated he believes the City of Fairbanks has done well throughout the FMATS transition to FAST Planning.

**Mr. Pruhs** asked whether the other parties had already reviewed and approved of the agreement. **Mr. Cleworth** stated that the agreement is supposed to be before each of the other bodies. He stated that they may also make some changes, and once everyone has agreed, the document will go to the Governor for final approval. **Mr. Pruhs** thanked Mr. Cleworth and Mayor Matherly for their work on the FMATS Policy Board.

**Ms. Rogers** referred to a letter the Council received from the previous director of FMATS. **Ms. Rogers** questioned what Fairbanks North Star Borough (FNSB) concerns the former director was referring to in the letter. **Mr. Cleworth** stated that everyone had been on board for the October 1, 2018 deadline until former FNSB Mayor Kassel expressed legal concerns at the September FMATS Policy Board meeting. **Mr. Cleworth** stated he was shocked to hear the Borough's

concerns at that meeting, but in the end the issues were not that big of a deal. He shared that at the October meeting, Mayor Kassel apologized for dropping the ball and causing the process to fall behind. **Mr. Cleworth** stated that new Borough Mayor Ward is working through the process as quickly as possible.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6094 AS FOLLOWS:

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

### **DISCUSSION ITEMS**

a) Committee Reports

Legislative Committee – **Mr. Pruhs** stated that the Committee will meet again on February 6 at 4 p.m. He stated at the last meeting they reviewed the State’s operating budget and revenues.

Polaris Work Group – **Mr. Pruhs** reported that the Group has held work sessions to draft a request for funding to the U.S. Congress for demolition of the Polaris Building. He stated that before the request is finalized he will bring it before the City Council for review.

Fairbanks Diversity Council (FDC) – **Ms. Rogers** stated that the FDC met on January 8; she stated they approved a resolution and a memorandum, both of which were included in the City Council agenda packet.

Hotel/Motel Discretionary Fund Committee – **Ms. Rogers** reported that the Committee met for its wrap-up meeting on January 9. She stated the meeting went well, and the application has been well-polished. She stated that the Committee will not meet again until November. She thanked City staff for all the work they put into the Committee.

Public Safety Commission (PSC) – **Ms. Kun** stated that the PSC met on January 8 and discussed forming a subcommittee. She stated a guest came and shared a concept for off-road vehicles.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

a) Memo Acknowledging Payment of FPD Employee Lateral Hire Bonus

ACCEPTED on the CONSENT AGENDA.

b) Appointment to the Chena Riverfront Commission

APPROVED on the CONSENT AGENDA.

c) Letter of Recommendation from the Fairbanks Diversity Council

ACCEPTED on the CONSENT AGENDA.

- d) Fairbanks Diversity Council Resolution No. 2019-01 Regarding City Ordinance No. 6093

ACCEPTED on the CONSENT AGENDA.

- e) Hotel/Motel Discretionary Fund Committee Meeting Minutes of December 6, 2018

ACCEPTED on the CONSENT AGENDA.

- f) Fairbanks Diversity Council Meeting Minutes of December 11, 2018

ACCEPTED on the CONSENT AGENDA.

### **COUNCIL MEMBERS' COMMENTS**

**Mayor Matherly** commended Housing and Homeless Coordinator Mike Sanders and everyone who participated the previous week in Project Homeless Connect. He stated the event was put on nationwide, and the Fairbanks event was a fantastic, well-attended event. He stated it was humbling to see so many people come in that needed help.

**Mx. Ottersten** stated that the previous day was Holocaust Remembrance Day. They stated they were shocked to read an article that stated 1/3 of Americans do not believe the Holocaust occurred. They commented that there is a part of American oral history that is lost when those types of things are not discussed. **Mx. Ottersten** spoke to survivors of the Holocaust and to how they value life; they stated Americans should feel lucky they have never faced something like that. **Mx. Ottersten** shared that nine languages and cultures died in the death camps during those six years.

**Mr. Cleworth** referenced the recent report given to the Council by the City Clerk; he suggested that the issue of whether to record Finance Committee Meetings be placed on the next Finance Committee agenda. He stated that he and Mx. Ottersten have spoken about whether other Board and Commission meetings should be recorded, and he expressed concern with the amount of work that goes into the Clerk's Office staff drafting the minutes for the various meetings. He indicated that there may be an ordinance forthcoming to address the issue. **Mr. Cleworth** stated in the late 1980s, nearly all City employees were a part of the Public Employee Retirement System (PERS). He stated that at the time the City's contribution would fluctuate greatly from year-to-year, and it made it difficult to budget. He stated the Council held meetings on the topic and decided to try to remove employees from PERS; he reported they were successful in removing all but Police and Fire Department employees. He stated in 2001, they changed actuaries, and the City was informed that there was no surplus and learned that they were \$80 million in the hole. **Mr. Cleworth** stated that a Council Member at the time, Jeff Johnson, began asking questions of those in Juneau in regard to the computation of rates and whether they had separate accounts for each employee. He stated those questions went unanswered. He explained that Michael Lamb, the Chief Financial Officer (CFO) at the Borough at that time, started investigating the issue and produced reports showing that, in Mr. Cleworth's opinion, the State did not know what they were doing. **Mr. Cleworth** stated that different municipalities were paying different rates up to that time, and the State could not explain why; so the State changed

everyone's rate to \$0.22 on the dollar, the rate that still is in effect today. He stated, however, that the PERS deficit was not addressed, and it kept ballooning. He explained that the whole PERS system was predicated on a return of 8.25% a year, which never materialized. **Mr. Cleworth** stated Juneau addressed the deficit by creating PERS Tier IV for new employees; he indicated that the problem is that a portion of Tier IV funding goes towards funding Tiers I – III. He stated that the earning power of that money has disappeared. He stated that former Governor Parnell put a lot of money into PERS to reduce the deficit, but debt still remains. **Mr. Cleworth** referenced House Bill 11 that City Lobbyist Yuri Morgan recently sent information about to the Council. He explained that the bill proposed to open the PERS defined benefit plan back up to only Alaska State Troopers (AST). He stated he has a problem with the bill because it puts the City at a competitive disadvantage with the AST, and the State has already shown it cannot manage the PERS system. He requested that the issue be placed on the Finance Committee agenda for discussion.

**Mr. Pruhs** acknowledged and expressed appreciation for City employees who operate in extremely cold temperatures.

**Ms. Rogers** thanked everyone who attended the meeting and testified to the Council. She stated she appreciates the continued letters from members of the community. She echoed Mr. Pruhs' appreciation to City workers.

**Ms. Kun** stated she supports having a discussion about Finance Committee Meetings. She spoke to the many of victims of the Holocaust and stated that it was a human atrocity. She thanked the organizations that participated in the Women's March, and spoke to the importance of standing up for what you believe in. **Ms. Kun** spoke to the Race and Climate Justice Seminar and thanked those who organized the event. She stated that the most vulnerable people in the community are the most at risk.

### **CITY CLERK'S REPORT**

- a) Memo Regarding Format for February Work Sessions on Ordinance No. 6093, as Amended

Clerk Snider stated that she and the City Attorney prepared the memo in order to gain direction from the Council on the next Work Session dates for Ordinance No. 6093. She stated tentative dates have been set at February 4, 6, and 7. Attorney Ewers spoke to the various options for reopening public comment on the ordinance. He stated that the Council may choose to reopen public comment on Ordinance No. 6093 at the February 25 meeting.

Council members discussed how to proceed with February Work Sessions on Ordinance No. 6093. **Mr. Pruhs** indicated that he would like to open public testimony on February 25 both during the Regular Meeting and prior to it at a work session. He stated he would like the three morning Work Sessions to be a time for the Council to work on and discuss the ordinance. **Mayor Matherly** spoke to the need for the Council to put in the work and feel comfortable with the result. **Mr. Cleworth** stated he supports the three morning Work Sessions for the Council to work on and discuss the ordinance. He stated it would be ideal if the Council could come up with a product for the public that everyone is in harmony with before holding another public hearing. He asked what time the sign-up sheet is put out for the public. **Mayor Matherly**

replied that the sign-up sheet is put out at 6 p.m. **Mr. Cleworth** expressed concern that one group could come in and sign up 40 people for public testimony which would cause others to not be able to speak. Clerk Snider stated that the public comment sign-up sheet has been put out at 6 p.m. consistently after public comment became limited to one hour. **Mx. Ottersten** stated they would be happy to consider scheduling public hearings for other evenings; they spoke against shutting people down. **Ms. Kun** stated she feels that the Council should allow public comment on the Monday morning Work Session to hear all the public concerns and suggestions prior to more Council work on Ordinance No. 6093. **Ms. Rogers** spoke in support of the Work Sessions. **Mr. Pruhs** stated it is time for the Council to go to work on the ordinance to try to come up with a version to move forward with.

**Mr. Pruhs**, seconded by **Ms. Rogers**, moved to hold Council Work Sessions without public comment on February 4, 6, and 7 at 7 a.m.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO HOLD COUNCIL WORK SESSIONS WITHOUT PUBLIC COMMENT ON FEBRUARY 4, 6, AND 7 AT 7 A.M. AS FOLLOWS:

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

**Mayor Matherly** stated that the Council can decide before the end of the morning Work Sessions whether they wish to schedule more sessions.

### **CITY ATTORNEY'S REPORT**

Attorney Ewers encouraged Council Members to contact him if they had specific legal questions in regard to Ordinance No. 6093.

**Mr. Pruhs**, seconded by **Ms. Kun**, moved to ENTER Executive Session for the purpose of discussing Fairbanks Firefighter Union (FFU), AFL-CIO, and Public Safety Employees Association (PSEA) Labor Negotiations.

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

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

### **EXECUTIVE SESSION**

- a) FFU Labor Negotiations
- b) AFL-CIO Labor Negotiations
- c) PSEA Labor Negotiations

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

**ADJOURNMENT**

**Ms. Kun**, 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 10:20 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: DS

**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 ~~their~~his/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 ~~their~~his/her designee, shall be made available upon request to provide information to the public safety commission, not to act as legal ~~counsel~~council.

(f) The chief of staff, or ~~their~~his/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

**RESOLUTION NO. 4887**

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY  
FOR FUNDS FROM THE ALASKA HIGHWAY SAFETY OFFICE FOR  
FFY20 DUI TRAFFIC ENFORCEMENT UNIT**

**WHEREAS**, the City of Fairbanks has been notified by the Alaska Highway Safety Office that the City of Fairbanks is eligible to apply for funds that address specific traffic safety priority areas; and

**WHEREAS**, the City of Fairbanks has received funding for local law enforcement, particularly in the apprehension of DUI offenders; and

**WHEREAS**, the City of Fairbanks received positive citizen feedback regarding continued traffic enforcement, and this program is highly regarded by the Alaska Highway Safety Office due to reductions in fatal crashes in the Fairbanks area; and

**WHEREAS**, the City of Fairbanks plans to request \$142,919, and the required match of \$142,919 will be provided through in-kind personnel costs.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council that the Mayor or his designee is authorized to execute any and all documents required for requesting funds on behalf of the City for this grant.

**PASSED and APPROVED this 24th 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: 4887

Abbreviated Title: FFY20 ALASKA HIGHWAY SAFETY OFFICE TRAFFIC UNIT

Department(s): POLICE DEPARTMENT

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:**

<b>PROJECTS:</b>	<b>Equipment</b>	<b>Contracts</b>	<b>Personnel</b>	<b>Total</b>
Personnel Wages & Benefits (Traffic Unit Officer - Grant)			\$142,919	\$142,919
Personnel Wages & Benefits (Traffic Unit Lieutenant)			\$142,919	\$142,919
				\$0
				\$0
				\$0
				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$285,838</b>	<b>\$285,838</b>

<b>FUNDING SOURCE:</b>	<b>Equipment</b>	<b>Contracts</b>	<b>Personnel</b>	<b>Total</b>
Alaska Highway Safety Grant (Federal Funds)			\$142,919	\$142,919
City of Fairbanks (General Funds In-Kind)			\$142,919	\$142,919
				\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$285,838</b>	<b>\$285,838</b>

The City will use currently budgeted staff to meet the matching requirements for the grant.

Reviewed by Finance Department:

Initial cp

Date 6/18/2019

**ORDINANCE NO. 6109**

**AN ORDINANCE TO PRESENT TO THE QUALIFIED VOTERS OF  
THE CITY OF FAIRBANKS THE QUESTION OF AN AMENDMENT  
TO CITY CHARTER SECTION 6.5 TO ALTER THE TAX CAP**

**WHEREAS**, on October 3, 1989, City of Fairbanks voters incorporated the “Tax Cap” into the City Charter, which essentially stated that the amount of total property and sales taxes the City could collect from one year to the next could only grow with the inflation rate, new building construction (added to the basis), payment of voter-approved bonds, and other limitations contained in Charter Section 6.5B; raising taxes above this formula requires a vote of qualified City voters; and

**WHEREAS**, in 2007, the Tax Cap was amended by voter-approved Ordinance No. 5705 to set a maximum property tax “Base Rate” of 4.9 mills before any exemptions; and

**WHEREAS**, the fixed Base Rate has greatly restricted the City’s ability to grow with the inflation rate as envisioned in the original Tax Cap, causing the City to fall behind the Consumer Price Index; and

**WHEREAS**, City services delivery is negatively impacted by not keeping up with inflation; and

**WHEREAS**, a unanimous vote of the City Council is required to propose an amendment to the City’s Charter, and no amendment shall be effective unless approved by the qualified voters of the City of Fairbanks.

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

**Section 1.** The City Clerk is directed to place the following question on the ballot for the voters of the City of Fairbanks at the 2019 general election:

**Proposition A:**

**INFORMATION:** City voters amended the City Charter in 1989 adopting a Tax Cap. Under the Tax Cap, the total amount of property and sales taxes the City can levy cannot exceed the prior year’s amount by more than the prior year’s rate of inflation, new construction, and the limitations contained in Charter Section 6.5B.

In 2007, City voters approved an amendment to the Charter which limited the property tax mill rate to a maximum of 4.9 mills, before any authorized exemptions. This 4.9 mill base rate has hindered the City’s ability to keep up with inflation over the past 11 years. Proposition A seeks to remove the

base rate language and return to the original Tax Cap as enacted by the City voters in 1989.

The property tax mill rate dropped by 1.108 in 2019. The effect of the passage of Proposition A would be that for a 1% growth in the inflation rate, it is estimated there would be an increase of .306 mills or \$31.00 for every \$100,000 of assessed valuation.

Should the Fairbanks City Charter, Section 6.5.A, be amended to read as follows [text to be deleted is shown in ~~striketrough~~ font]:

**Sec. 6.5. Total amount of city tax that can be levied.**

A. Except as provided in this section, the total amount of municipal tax that can be levied during a fiscal year shall not exceed the total amount approved by the city council for the preceding year by more than a percentage determined by adding the percentage increase in the Federal Consumer Price Index for Anchorage from the preceding fiscal year. ~~Of the total amount of taxes that can be collected, property taxes are limited by a maximum mill levy of 4.9 mills subject to Charter Section 6.5(B).~~ Any new or additional sales tax levied, other than hotel/motel, alcohol, and tobacco, must be approved by the voters in a general election.

YES \_\_\_\_\_

NO \_\_\_\_\_

A "YES" vote amends Charter Section 6.5.A.

A "NO" vote does not allow the amendment.

**Section 2.** This ordinance, passed by the City Council on the \_\_\_\_ day of July 2019, shall not become effective unless and until the question is approved by the voters of the City of Fairbanks.

\_\_\_\_\_  
**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

City Mayor's Office-Risk/Purchasing

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800 Cushman Street  
Fairbanks, AK 99701

Phone (907) 459-6779  
Fax (907) 459-6731

TO: Council Members *aw*

THROUGH: Mike Meeks, Chief of Staff

Margarita Bell, Acting Chief Financial Officer *MB*

FROM: *CR* Christina Rowlett, Risk Manager/Purchasing Agent

SUBJECT: Increase in Matching Funds for Cowles Street Reconstruction Project

DATE: June 17, 2019

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On December 14, 2015, the City Council approved Resolution No. 4703, authorizing the City Mayor to accept funding from Fairbanks Metropolitan Area Transportation System ("FMATS") for the reconstruction of Cowles Street from 1<sup>st</sup> Ave to East Cowles, including improved pedestrian facilities and drainage improvements with a matching contribution of \$326,611. The latest project estimates and schedule increased the total cost of the project and therefore increased our contribution match by \$164,300 for a total match contribution of \$552,527.

City Code Sec. 54-102 states "Any change order issued under this subsection which exceeds \$25,000.00 shall be reasonably noticed to the city council by the administering authority."

March 19<sup>th</sup>, 2019

**Board of Plumbing Examiners**

**Minutes**

**Meeting location and time:** Council Chambers, 800 Cushman St., 12:00pm

**Agenda:**

Review recent examination results covering Ordinances 5830, 5837 and 5838 as adopted by the Fairbanks City Council.

**Members Present:** Clem Clooten, Kraig Hogenson, Mike Davis and Sean Randal

**Meeting convened** at 12:00 with the reading of the minutes of the prior meeting. A call to accept the minutes was made. Minutes were accepted as read. A discussion over the recent test results and review and scoring was made. A letter to the test candidate(s) will be sent by Board Chairman Kraig Hogenson.

A question was raised about when the City of Fairbanks might adopt the 2018 Building Codes.

Motion to adjourn was seconded. Meeting ended 1:00pm.

Board Chairman,

A handwritten signature in black ink, appearing to read 'Kraig Hogenson', with a long horizontal flourish extending to the right.

Kraig Hogenson