



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JULY 22, 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  
   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  
   Kristi Merideth, FECC Manager  
   Angela Foster-Snow, HR Director  
   Nancy Reeder, Police Chief  
   Jim Styers, Fire Chief  
   Peyton Merideth, FPD Sergeant  
   Cody Taylor, FPD Recruit  
   Ron Dupee, FPD Lieutenant  
   Kurt Allen, FPD Officer  
   Greg Foster, FPD Lieutenant  
   Tod Chambers, Deputy Fire Chief  
   Margarita Bell, Acting Chief Financial Officer

City Clerk Danyielle Snider read the Mission Statement of the City of Fairbanks.

**INVOCATION**

The Invocation was given by City Clerk Snider.

**FLAG SALUTATION**

Mayor Matherly asked everyone to join him in the Pledge of Allegiance.

**CEREMONIAL MATTERS**

Mayor Matherly asked new police recruit Cody Taylor, his friend Joe, and Chief Reeder to come forward. Other family, friends, and police officers joined them in the front of the room. Mayor Matherly gave a brief bio about Ofc. Taylor. He administered Ofc. Taylor's Oath of

Office and welcomed him to the City of Fairbanks. Ofc. Taylor thanked everyone for the welcome and stated he is looking forward to fulfilling his duties as a Fairbanks police officer.

### **CITIZENS' COMMENTS**

Amanda Mitchell, 4359 Bishop Circle, Fairbanks – Ms. Mitchell referenced an email she recently sent to the Council. She asked the Council to act to protect the citizens of Fairbanks and stop the abuse of power by Golden Valley Electrical Association (GVEA). She spoke about Federal Communications Commission (FCC) regulations and stated smart meters are in violation of federal law. She stated there is a history of fires linked to smart meters and spoke to the risk the meters pose. Ms. Mitchell stated that smart meters are not regulated in the State of Alaska for fair and standard measurement. She stated that citizens have no recourse to dispute higher bills, and the State is unable to enforce its own regulations. She again spoke to abuse of power by electrical corporations.

**Mr. Pruhs** asked Ms. Mitchell whether she has brought her concerns to the City Building Department. Ms. Mitchell stated she has not contacted them, but she would.

**Ms. Therrien** asked Ms. Mitchell whether she has been in touch with the GVEA Board of Directors. Ms. Mitchell stated she spoke to the Board, but they did not listen.

**Mr. Cleworth** asked Ms. Mitchell how she became aware of the problem. Ms. Mitchell stated that she was one of the first local residents to have a smart meter installed at her home about two years ago, and it fried her computer and her microwave. She stated she was upset and was told she would not be reimbursed for the damages. She stated that the incident started making her wonder, so she began researching smart meters.

Gina Kalloch, Board Chair; Mandy Sullivan, Vice Chair; and Marjorie Merry, Treasurer & Fundraising Committee Chair for the World Eskimo Indian Olympics (WEIO) – Ms. Kalloch, on behalf of WEIO, thanked the City of Fairbanks for its contribution to the organization through the Hotel/Motel Discretionary Fund Grant. She presented the City with a print of a painting by Orville Lind titled, “Drummers.” **Mayor Matherly** accepted the print on behalf of the City.

**Mr. Pruhs** asked how many volunteer hours are logged on average for the annual event. Ms. Kalloch replied that last year, there was over 1,600 volunteer hours that went into the event. She stated they are grateful for all the volunteers. She stated that this year, for the first time, there were volunteers from Ft. Wainwright. She spoke briefly about the early days of the event and shared that next year will be the 60th year for WEIO. She explained that participants are eligible if they are Indigenous people from the circumpolar North or the Americas.

Douglas Yates, 189 Pebble Drive, Fairbanks – Mr. Yates stated he is a 45-year Fairbanks resident, journalist, and photographer, and he is particularly interested in science, health, and advocacy. He spoke to the City Council’s formation of a Fluoride Task Force some years ago to research the fluoridation of City water. Mr. Yates stated local control is alive and well and warned of the radiation from cellular and Wi-Fi devices. He stated he has been banned from publishing by the Fairbanks Daily News Miner (FDNM) because they told him his essays scare

people. He encouraged everyone to contact [5Gfrequency3@fairbanks.org](mailto:5Gfrequency3@fairbanks.org) to learn more about 5G radiation.

**Ms. Therrien** asked Mr. Yates if he had spoken to GVEA about the issue. Mr. Yates stated he has not spoken to anyone at GVEA who has any concern about the issues he raised.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger asked why there is no public restrooms in the City. He stated the City claims it has no money for a restroom, then the Council gives bonuses to every police officer. He stated the stop signs on city streets need to be cleared of obstructions and requested that Public Works look into it.

Frank Turney, 1434 Lacey Street, #B, Fairbanks – Mr. Turney spoke to racial discrimination in the jury pool and asked the Council to write a resolution on the matter. He stated the State of Alaska does not collect data on race in the jury process. He spoke in favor of less-lethal weapons being used by the Fairbanks Police Department (FPD).

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

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

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

**Mr. Pruhs** pulled Ordinance No. 6110 from the Consent Agenda.

**Ms. Kun** pulled Resolution No. 4889 from the Consent Agenda.

**Mr. Cleworth** pulled the Fairbanks Diversity Council Memo Acknowledging Its Purpose and Role from the Consent Agenda.

**Mayor Matherly** called for objection to APPROVING the Agenda, as Amended, 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 New Liquor License Application and Restaurant Designation Permit:

Type: Restaurant/Eating Place, License #5816  
DBA: Ajimi Japanese Restaurant  
Applicant: Ajimi, Inc.  
Location: 69 College Road, Fairbanks

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the New Liquor License Application and Restaurant Designation Permit.

Kathy Shier, Fairbanks – Ms. Shier stated she represents the lease holder, and everything is now in order for the license to move forward.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE NEW LIQUOR LICENSE APPLICATION AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

b) The Fairbanks City Council heard interested citizens concerned with the following Marijuana Onsite Consumption Endorsement Application:

Type: Marijuana Onsite Consumption Endorsement

DBA: The Fairbanks Cut, LLC

Applicant: The Fairbanks Cut, LLC

Location: 188 Bentley Trust Road, Suite A, Fairbanks

**Mr. Pruhs**, seconded by **Mx. Ottersten**, moved to PROTEST the Application for a Marijuana Onsite Consumption Endorsement until a Certificate of Occupancy is issued.

Frank Turney – Mr. Turney spoke in support of the cannabis endorsement. He spoke also in support of CBD and the medical benefits it provides.

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

**Ms. Therrien** asked if the State’s definition of “free-standing” would allow for the license to move forward. Mr. Ewers spoke to the decision of the Marijuana Control Board (MCB) and stated he was unsure whether the endorsement was to allow indoor or outdoor consumption. **Ms. Therrien** asked Clerk Snider to see if she could get the MCB minutes for the Council to review.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to POSTPONE the Application for a Marijuana Onsite Consumption Endorsement to the Regular Council Meeting of August 12, 2019.

**Mr. Pruhs** stated he does not care what the State thinks and that he only cares whether the applicant has fulfilled the requirements of the City of Fairbanks.

**Mr. Cleworth** asked Ms. Therrien why she wanted to postpone the application. **Ms. Therrien** stated she would like to see if the MCB minutes explain the Board’s vote on the endorsement.

**Ms. Kun** stated she wants to hear from the owner, and that is why she supports postponement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE APPLICATION FOR A MARIJUANA ONSITE CONSUMPTION ENDORSEMENT TO THE REGULAR COUNCIL MEETING OF AUGUST 12, 2019 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

**Mayor Matherly** stated that the number provided by staff for his use of the City vehicle was \$4,680.57; he stated he will repay that amount back to the City. He stated he has been inundated with parking citation complaints, and he has been working with the Parking Authority on an education campaign prior to ticketing. **Mayor Matherly** thanked the Chamber of Commerce for putting on such a nice Golden Days Parade. He stated he and Ms. Kun attended the Intertribal Powwow, and he spoke to other activities of the Mayor's Office since the last Council meeting. He spoke to the tragic loss of Chance Colbert who passed away in California over the weekend.

### **COUNCIL MEMBERS' COMMENTS**

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

**Mr. Cleworth** stated he has been thinking about the Mayor's use of the City vehicle. He stated he supports the Mayor not receiving comp time, but he does not feel the same about the use of the vehicle.

Mr. Ewers explained the Mayor's use of a City vehicle has historically been viewed as non-compensable, but by the IRS's definition it should be listed as compensation. He stated he believes this is the first time the Mayor's personal use of the vehicle has been addressed. Mr. Ewers stated perks to the job must be budgeted for and approved for by the Council going forwarded. **Mr. Cleworth** stated it is unfortunate that the Mayor is being made to pay back the cost of use of the vehicle. Mr. Ewers stated it is an issue that had been overlooked in the past.

**Mr. Cleworth** stated he has heard many complaints about people receiving tickets for parking too far away from the curb in downtown Fairbanks. He stated he does not have an answer to the problem, but it has certainly been an entertaining discussion.

**Mr. Pruhs** thanked Ms. Rogers and Mayor Matherly for the work they have done on the Hotel-Motel Discretionary Fund Committee. He stated he received a ticket when he was driving his friend's truck for parking too far away from the curb. He stated he is not sure whether enforcing that type of parking rule will discourage people from coming downtown.

**Mr. Cleworth** stated the white line that goes down Second Avenue in front of the Taphouse is confusing to people; he stated the line needs to be removed.

**Ms. Therrien** stated she also received an 18-inch-from-the-curb parking ticket, and she paid it without contest. She asked if the Fairbanks Diversity Council (FDC) meeting minutes were available to the public. Clerk Snider stated they are on the City’s website for anyone to read.

**Ms. Rogers** stated she has heard many complaints about the 18-inch parking rule that the Parking Authority has been enforcing. She thanked the Mayor for his attention to the matter and for addressing it publicly because she believes it is important to communicate with people.

**Ms. Kun** thanked everyone for attending. She stated she also has issues with the fog lines painted on downtown streets. She welcomed Officer Taylor to the City and thanked Mr. Turney and Mr. Buberger for coming to the meetings and sharing their comments.

**NEW BUSINESS**

- a) Resolution No. 4889 – A Resolution Consenting to and Approving the Location of Dena’ Hena’ Henash D/B/A Tanana Chiefs Conference Health Center Expansion Project Funded through the Alaska Industrial Development and Export Authority. Introduced by Mayor Matherly.

**Ms. Therrien**, seconded by **Mx. Ottersten**, moved to APPROVE Resolution No. 4889.

**Ms. Kun** stated she pulled the resolution from the Consent Agenda because she wanted more information about the City’s involvement in the land issue. Mr. Ewers explained that the grant of the money requires consent of the local governing body.

**Mr. Pruhs** declared a conflict of interest on Resolution No. 4889. He stated his brother is the Chair of Alaska Industrial Development and Export Authority (AIDEA), and his brother will be voting on whether to approve the funding. **Mayor Matherly** allowed the abstention.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4889 AS FOLLOWS:

YEAS: Rogers, Ottersten, Therrien, Cleworth, Kun  
NAYS: None  
ABSTAIN: Pruhs  
**Mayor Matherly** declared the MOTION CARRIED and Resolution No. 4889 APPROVED.

- b) Ordinance No. 6110– An Ordinance Amending the Operating and Capital Budgets for the Third Time. Introduced by Mayor Matherly.

**Ms. Kun**, seconded by **Ms. Rogers**, moved to ADVANCE Ordinance No. 6110.

**Mr. Pruhs**, seconded by **Mr. Cleworth**, moved to AMEND Ordinance No. 6110 by striking the \$162,590 increase to the Police Department budget.

**Mr. Pruhs** asked how many vacant police officer positions there are; Police Chief Nancy Reeder stated there are currently 8 vacancies. She stated they have made offers to fill six positions with two lateral hires and four who will go through the academy. **Mr. Pruhs** asked if FPD would be fully-staffed by the end of the year. Chief Reeder stated that with attrition FPD would not likely be fully-staffed for some time. **Mr. Pruhs** spoke to the importance of fiscal management; Chief Reeder stated it is important for the department to be fully-staffed.

**Mr. Pruhs**, with the concurrence of the Second, WITHDREW the motion to AMEND.

**Mr. Cleworth** asked Acting Chief Financial Officer Margarita Bell to explain the cost of the contract for FPD. Ms. Bell stated her understanding when the Council reduced the 2019 budget by the amount to fund four officers was that the savings was to fund the Public Safety Employees Association (PSEA) contract. She provided the cost to fund the department over the next two-and-a-half years assuming no increase in cost.

**Mr. Cleworth** stated he was not in favor of eliminating four positions from FPD. He stated the Council should be aware of upcoming budget challenges.

**Ms. Therrien** stated the Council spent a lot of time at a Finance Committee meeting discussing FPD hiring. **Mr. Pruhs** apologized for missing that meeting.

**Mayor Matherly** shared his excitement for Chief Reeder having found new recruits for FPD. Chief Reeder stated that, as of that morning, 16 people have applied for positions at FPD.

**Ms. Kun** thanked Chief Reeder for her efforts in filling the vacancies on the police force.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6110 AS FOLLOWS:

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

## **DISCUSSION ITEMS**

### a) Committee Reports

Public Safety Commission – **Ms. Kun** stated the PSC met at Public Works, and they are reviewing the Commission’s role. She expressed gratitude for people giving input on how the Commission should move forward.

Polaris Work Group – **Mr. Pruhs** stated the group did not meet since the last meeting, but they are looking into grant funding for demolition and repurposing options.

Golden Heart Parking Services (GHPS) Board – **Mr. Cleworth** stated the Board recently met; he clarified that he is a volunteer member of the Board. He spoke to a few of the community

programs the Parking Authority does for community outreach and stated that the crew deserves commendation for the work that they have done.

**WRITTEN COMMUNICATIONS TO COUNCIL**

- a) City Attorney and City Clerk Memo Regarding Correction to Ordinance No. 6099 – Table 3-A Building Permit Fees

ACCEPTED on the CONSENT AGENDA

- b) Public Works Director Memo Regarding Vendor Clarification for Purchase of Garbage Trucks

ACCEPTED on the CONSENT AGENDA

- c) Clay Street Cemetery Commission Meeting Minutes of April 3, 2019

ACCEPTED on the CONSENT AGENDA

- d) Fairbanks Diversity Council Memo Acknowledging Its Purpose and Role

**Mr. Cleworth**, seconded by **Mx. Ottersten**, moved to ACCEPT the Fairbanks Diversity Council Memo Acknowledging Its Purpose and Role.

**Mr. Cleworth** stated he pulled the item to ask whether everything on the memo was taken from the Fairbanks General Code (FGC). Clerk Snider stated that much of the memo is taken from the FGC, but a few items are procedures that the Fairbanks Diversity Council (FDC) has agreed to. **Mr. Cleworth** questioned whether other boards and commissions should be incorporated under the same rules for how meetings are to be conducted; he asked if the FGC addresses those issues. Clerk Snider explained that boards and commissions may adopt their own rules of procedures and policies; she stated that procedure falls to Robert's Rules of Order if it is not addressed by the FGC. **Mr. Cleworth** stated that there is a decorum boards and commissions should follow, and he suggested that some of the language in the memo be taken into consideration when the Council does its review of boards and commissions. **Mayor Matherly** stated the spirit of the memo is to be a reminder for FDC members. **Mr. Cleworth** stated there should be a mechanism for removal for cause of board and commission members.

**Mayor Matherly** called for objection to ACCEPTING the Memo and, hearing none, so ORDERED.

- e) Fairbanks Diversity Council Meeting Minutes of April 9, 2019

ACCEPTED on the CONSENT AGENDA

- f) Fairbanks Diversity Council Meeting Minutes of June 11, 2019

ACCEPTED on the CONSENT AGENDA



g) Chena Riverfront Commission Meeting Minutes of February 13, 2019

ACCEPTED on the CONSENT AGENDA

h) Chena Riverfront Commission Meeting Minutes of March 13, 2019

ACCEPTED on the CONSENT AGENDA

i) Historic Preservation Commission Meeting Minutes of February 25, 2019

ACCEPTED on the CONSENT AGENDA

j) Historic Preservation Commission Meeting Minutes of March 18, 2019

ACCEPTED on the CONSENT AGENDA

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Therrien** stated she would like to arrange a meeting with Chief Reeder to discuss non-lethal weapons and to set a Council Work Session on the issue.

**Ms. Rogers** stated it is encouraging for FDC members to sit in on City employment interviews, and she shared that she sat in on interviews at the Fire Department. She spoke highly of Ms. Foster-Snow as the City HR Director.

**Ms. Kun** suggested that the Council create an Indigenous peoples' land acknowledgement to be read into the record at every meeting. She explained the importance of the acknowledgement and the reason why she states it at every meeting.

**Mx. Ottersten** asked Mr. Ewers about the GVEA smart meter issue. Mr. Ewers stated he had planned to address the issue during the City Attorney's Report.

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

**Mr. Pruhs** joked that in order to run for office, a person should have to have received a parking ticket from the Parking Authority.

### **CITY CLERK REPORT**

Clerk Snider reported that Candidate Filing is open in the Clerk's Office for another week. She congratulated Deputy Clerk Emily Braniff for earning her Certified Municipal Clerk designation.

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

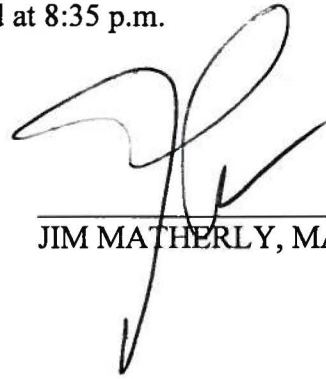
City Attorney Ewers advised that the City does not have the authority to regulate GVEA because it is a utility regulated by the Regulatory Commission of Alaska (RCA).

**ADJOURNMENT**

**Ms. Kun**, seconded by **Mx. Ottersten**, moved to ADJOURN the meeting.

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

**Mayor Matherly** declared the meeting adjourned at 8:35 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANIELLE SNIDER, CMC, CITY CLERK

Transcribed by: DS