



FAIRBANKS CITY COUNCIL
AGENDA NO. 2019-16
REGULAR MEETING AUGUST 26, 2019
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION

5:15 p.m. – Polaris Building Working Group Update

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 April 22, 2019

8. SPECIAL ORDERS

- a) The Fairbanks City Council will hear interested citizens concerned with the following Marijuana License Applications for Renewal. Public Testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Phone	Address
10230	Pakalolo Supply Company, Inc.	Standard Marijuana	Pakalolo Supply Company, Inc.	907-479-9000	1851 Fox Avenue
10589	Nature's Releaf, LLC	Retail Marijuana Store	Nature's Releaf, LLC	907-460-2128	503 7th Avenue
10869	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	907-460-0398	1326 Cushman Street
13949	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	907-460-0398	3505 Airport Way, Suite A

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6111 – An Ordinance to Enter into a Contract with the Fairbanks North Star Borough for Fire Service for the Borough's Land Fill. Introduced by Mayor Matherly. **SECOND READING AND PUBLIC HEARING.**

12. NEW BUSINESS

- *a) Resolution No. 4890 – A Resolution Authorizing the City of Fairbanks to Accept Funding from the Bureau of Justice Assistance for the FFY2019 Edward Byrne Memorial Justice Assistance Grant. Introduced by Mayor Matherly.
- *b) Ordinance No. 6112 – An Ordinance Amending Fairbanks General Code Sec. 2-487, Composition of the Clay Street Cemetery Commission, to Remove the City Clerk as Administrative Support. Introduced by Mayor Matherly.

13. DISCUSSION ITEMS (Information and Reports)
 - a) Committee Reports
14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL
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, APRIL 22, 2019
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a Work Session on the City Schedule of Fees and Charges for Services, 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
Kristi Merideth, FECC Manager
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Eric Jewkes, Police Chief
Martha Jewkes, FECC Administrative Assistant
Matt Soden, FPD Lieutenant
Teal Soden, Communications Director
Dan Welborn, Deputy Police Chief
Bob Pristash, City Engineer
Ron Templeton, Assistant Fire Chief

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly asked everyone to join him for the Flag Salutation.

CEREMONIAL MATTERS

Mayor Matherly invited Police Chief Eric Jewkes and his family to come forward and thanked him for his 25 years of service to the City. **Mayor Matherly** stated Chief Jewkes has served the Police Department in many capacities throughout his career. **Mayor Matherly** spoke kindly of Chief Jewkes' temperament, personality, and community involvement. He thanked Chief Jewkes' family for their support, and he thanked Chief Jewkes for being great to work with.

Chief Jewkes spoke about what it takes to survive as a police officer, and he spoke of the friends he has lost along the way. He acknowledged his family for the lessons they taught him and for the love they have shared with him. Chief Jewkes thanked Mayor Matherly for his trust and stated that he was humbled by the support he provided.

CITIZENS' COMMENTS

Jim Richardson, 1032 8th Avenue, Fairbanks – Mr. Richardson stated he has lived on 8th Avenue since 1980 and shared his concern for snow removal on City sidewalks. He stated it is important for the City to keep the sidewalks clear and shared that the City has the equipment to do so. He spoke of the lack of snow removal in the City and stated more needs to be done next winter; he volunteered to operate a plow in order to help things get done.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated the City needs to do better with patching potholes. He stated Fairbanks is the pothole capital of the U.S.A. He stated the City also needs to do a better job keeping the sidewalks clear during the winter.

Frank Turney, 1034 Lacey Street, Fairbanks – Mr. Turney wished Chief Jewkes good luck in the construction business; he expressed disappointment that the Chief never went to lunch with him and Mr. Buberger. Mr. Turney stated he was happy to see that the Public Defender's Office is not going to appeal the conviction of Sgt. Allen Brandt's killer, and he questioned why Dispatch sent only one officer to respond to the call of shots being fired near the Westmark Hotel. Mr. Turney stated he is working on an initiative petition regarding onsite consumption, and the Clerk advised it may be ready the following day. He spoke to privilege and stated that Mr. Pruhs is a perfect example of white privilege. **Mayor Matherly** called a point of order.

Mr. Pruhs asked Mr. Turney whether he would continue with the citizens' initiative if the ordinance to allow onsite consumption is adopted by the Council. Mr. Turney replied that he would continue.

Jeanne Olson, 1890 Hollowell Road, North Pole – Ms. Olson spoke to the need to improve air quality. She stated that citizens will not wait for government to take the bull by the horns and that "Citizens for Clean Air" is installing air monitors to independently monitor air quality.

Mayor Matherly asked Ms. Olson to send an email the Council with the information.

Mr. Cleworth asked about the cost of the monitors. Ms. Olson stated they can buy 100 of the monitors from Switzerland and manufacture the sheet metal locally. She stated the cost is about

\$1700 installed, and the cost of electricity is a 30-watt light bulb. **Mr. Cleworth** asked how many violators there are in the Borough; Ms. Olson stated there are many during burn bans, but she does not have a firm number to provide.

Shaun Tacke, 4720 Drake Street, Fairbanks – Mr. Tacke stated he is speaking as a citizen, not as a Borough representative; he echoed Ms. Olson’s comments about air quality monitoring. He spoke in favor of the onsite consumption of cannabis. He stated that without a place in the City to legally consume, people will go to establishments just outside the City to consume, but City police will still have to respond to calls that result. Mr. Tacke stated by not allowing onsite consumption, the Council would be hurting businesses within City limits because it is legal elsewhere. He stated he did not move his business inside the City because he was concerned about the way the City Council would receive the issue of onsite consumption. He asked the Council not to pass the substituted ordinance because citizens are working on an initiative.

Jeremiah Youmans, 1354 Warner Street, North Pole – Mr. Youmans echoed Mr. Tacke’s comments. He stated he supports onsite consumption and spoke in support of State House Bill 84, a non-discrimination bill.

Ms. Kun clarified that the bill Mr. Youmans is referring to is House Bill 82.

Keenan Hollister, 1138 Coppet Street, Fairbanks – Mr. Hollister stated he is the owner of Pakalolo Supply Company, and he spoke in support of onsite consumption. He stated that the cannabis industry has been exemplary in rolling out a new industry. He stated there has not been an increase in crime or other problems resulting from the legalization of cannabis, and he shared his frustration with those who hold office and have personal or moral issues with cannabis. He asked what the point is for taxpayers to pay taxes if the Council just passes issues back to the voters to decide. Mr. Hollister stated the Council is annoying voters by forcing these types of decisions on them, and the City will lose revenue if it bans onsite consumption. He stated that onsite consumption will happen in the Borough. He stated his company has paid taxes to the City of Fairbanks for three years, and if he starts another business he will look outside City limits because of the restrictions brought on by the Council. He stated he has lived in the City his whole life, but he has been met with many challenges having a business inside City limits.

Ms. Kun thanked Mr. Hollister for testifying and asked if he believes that voters who supported the legalization of marijuana knew that they were potentially voting for onsite consumption. Mr. Hollister stated voters were voting to make it legal, so they would assume that a legal place to consume the substance would go hand-in-hand. He stated business owners have proven that they can provide a safe place for legal marijuana to be sold, and they should be allowed to provide a place where it can legally be consumed. He stated the last vote was a 70/30 vote, and the Council should not ignore that. He stated the marijuana industry has provided a revenue stream to the City of Fairbanks, and those in the industry should not be treated as second-class citizens.

Mr. Cleworth asked Mr. Hollister how the City of Fairbanks has impeded his business. Mr. Hollister stated he was speaking in hyperbole, but if the City does not allow onsite consumption it is placing additional legislation on a business within City limits. He stated the Council

enforced stricter buffer zones and limited the number of retail licenses allowed without the voice of the voters, so the Council should be able to handle the vote on this issue.

Mr. Pruhs asked Mr. Hollister whether privilege would be taken away from his business if the ordinance passed. Mr. Hollister stated businesses inside City limits will be hurt if the Council does not allow onsite consumption.

Ms. Rogers asked Mr. Hollister his thoughts on the City of North Pole's ban on cannabis. Mr. Hollister stated the City of North Pole banned cannabis when it first became legal. He stated that there are cannabis businesses in North Pole, just not within the very small boundaries of the City limits. He stated the marijuana industry brings in so much revenue that the City could afford a fully-staffed police department with the additional revenue brought in by onsite consumption.

Ms. Rogers asked Mr. Hollister about the information put about by the American Lung Association (ALA) relating to secondhand smoke. Mr. Hollister stated ALA has focused closely on tobacco smoke and that cannabis smoke does not have the same effects. **Ms. Rogers** asked how he could provide a smoke-free workplace to his employees in keeping with state regulations. Mr. Hollister stated there are specific restrictions on air filtration, and regulations already state that there can be no standing smoke. He stated owners will have to install quality air filtration systems if they want to provide a venue for onsite consumption. **Ms. Rogers** stated she had heard that installing the proper equipment would be so costly it would be unaffordable to owners. Mr. Hollister stated it is a requirement that establishments provide employees with an air-controlled, smoke-free space to observe the consumption area. **Ms. Rogers** asked Mr. Hollister his thoughts about Fairbanks Police Department's (FPD) view of onsite consumption. Mr. Hollister stated he has worked well with FPD and that impairment can happen for a variety of reasons. He stated, however, that it is a person's right to determine whether they are impaired, just as they do with alcohol consumption.

Pearson Crosby, 4720 Drake Street, Fairbanks – Mr. Crosby gave his background with law enforcement and spoke about the training he provides to military and police officers. He stated people drive drunk all the time, and the City should not succumb to “reefer madness”. He asked the Council to stop wasting everyone's time by debating the issue and allow onsite consumption.

Dan Peters, GoodSinse, LLC, Fairbanks – Mr. Peters stated he would like to see Ordinance No. 6101 pass in its original form because the industry will pursue an initiative petition if it fails. He stated people want a place to legally consume marijuana, and with proper air handling there will be no air quality issues in consumption areas. He stated the City should stay in line with the rest of the state where onsite consumption is legal.

Mr. Pruhs asked Mr. Peters whether he owned the property where his business is located and whether his business was affected by the water contamination in the area. Mr. Peters stated that he owns the property, and it was affected by the water contamination issue.

David van den Berg, Fairbanks Downtown Association – Mr. van den Berg spoke to the importance of snow removal on City sidewalks and in support of a sobering center. He stated

City bed tax funds should not have to be used for general services. He asked whether any research had been done in regard to allowing volunteers to help maintain the downtown area.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Matherly requested that the Memorandum from the Public Works Director regarding an update on a Capital budget amendment be added to the Agenda under Written Communications to the City Council.

Mr. Pruhs pulled Resolution No. 4875 from the Consent Agenda.

Mayor Matherly called for objection to the APPROVAL of the Agenda, as Amended, and, hearing none, so ORDERED.

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

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of December 3, 2018.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Premises Address
4465	Roundup Steak House	Beverage Dispensary	The Last Roundup, LLC	2701 S. Cushman Street

Ms. Kun, seconded by **Mx. Ottersten**, moved to PROTEST the Liquor License Application for Renewal until a fire inspection is completed and passed.

Gene Lunney, Fairbanks – Mr. Lunney stated Ms. Christensen owns the liquor license, but he manages the business. He stated he was unaware that the Fire Department had an issue and has been trying to get reach of Ms. Christensen. He stated the property does not have a lot of police calls, and his patrons do not have fights. He shared that he works closely with the Alaska State Troopers to combat fraud.

Mr. Cleworth stated the protest would only be in effect until an inspection is passed, which is standard operating procedure. He asked if the upstairs liquor license was still in operation; Mr. Lunney replied that it is and that it is a duplicate license of the downstairs license.

Ms. Therrien asked how long it would take to get the items on the inspection list complete. Mr. Lunney stated he met with Deputy Fire Chief Ron Templeton, and it should only take a few days to complete the punch list of items.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR RENEWAL UNTIL A FIRE INSPECTION IS COMPLETED AND PASSED AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

a) Special Reports

Dawn Murphy, Explore Fairbanks – Ms. Murphy spoke about upcoming community events and to the money Explore Fairbanks has raised in the community. She spoke about the number of visitors Explore Fairbanks brings to the City of Fairbanks.

Mayor Matherly stated that weather reports are saying to expect snow and asked that everyone drive carefully. He thanked Chief Jewkes for his years of service to the City of Fairbanks and congratulated candidate Nancy Reeder on being selected. He expressed hope that the Council would confirm the Police Chief appointment and thanked everyone involved in the process.

COUNCIL MEMBERS' COMMENTS

Mr. Pruhs spoke to the comments directed toward him about white privilege; he shared that when he cut a caller off on his radio show it had nothing to do with privilege.

Ms. Therrien requested that the Mayor and Chief of Staff Meeks take a look at how to deal with sidewalk snow removal for the next year's winter season.

Ms. Rogers thanked Mr. Richardson for being diligent in his communication about City sidewalks and snow removal. She indicated some sort of volunteer effort would be helpful to the community and would help increase mobility.

Ms. Kun thanked the cannabis industry for being represented at the meeting and for speaking about onsite consumption. She thanked everyone who spoke at the meeting.

Mx. Ottersten acknowledged that April is Autism Awareness Month and asked everyone to be aware of the issue. **Mx. Ottersten** stated they are on the autism spectrum, and they appreciate some of their gifts that have been highlighted as a result of it.

Mr. Cleworth spoke of the downtown Clean Team that used to exist in Fairbanks under the umbrella of Festival Fairbanks; he stated that the program lost funding. He stated it was a good service while it lasted and stated it would be nice to find a way to use volunteers for community snow removal. He suggested that granting equipment for volunteers to use may be a way to avoid liability to the City.

UNFINISHED BUSINESS

- a) Ordinance No. 6101 – An Ordinance Amending FGC Sec. 14-213, Restrictions on Marijuana Establishments, to Allow Onsite Consumption in Accordance with State Law. Introduced by Council Members Kun and Ottersten. POSTPONED from the Regular Meeting of April 8, 2019.

*The motion to ADOPT Ordinance No. 6101 was made by **Mx. Ottersten** and seconded by **Ms. Kun** at the April 8, 2019 Regular City Council Meeting.*

Mayor Matherly stated there is a proposed substitute for Ordinance No. 6101.

Ms. Therrien, seconded by **Mr. Cleworth**, moved to SUBSTITUTE Ordinance No. 6101, as Amended, for Ordinance No. 6101.

Mx. Ottersten stated they are opposed to the substitute version because they believe the Council needs to vote on the issue. **Mx. Ottersten** stated there needs to be a place for people to legally consume marijuana. **Mx. Ottersten** stated hookah lounges are allowed, so the argument about a smoke-free workplace is preposterous. **Mx. Ottersten** stated onsite consumption is becoming legal in other states, and Alaska laws are stricter than laws in other states.

Mr. Pruhs stated he wants to consider only the original ordinance because the amended version is not sponsored by the authors of the original. He stated he would vote against the substituted version.

Mr. Kun stated she would like the Council to vote on the issue as they were elected to do. She stated that having the people vote on the issue of onsite consumption would be similar to having them vote on the City budget. She stated the thing she was hearing most from citizens was that the Council should decide and quit trying to send the issue to City voters.

Mr. Cleworth stated the original ballot proposition for the legalization of marijuana spoke specifically about public consumption; he stated it did not say anything about allowing it. He stated the Council will get criticized no matter how they choose to deal with the issue because there are people strongly in favor and strongly opposed to onsite consumption. He stated the people voted to make it legal, and the people have a right to vote on changes to the legality of it. **Mr. Cleworth** stated it was his understanding that it would save everyone time by putting it to

the vote of the people. He read the language of the original ballot measure to legalize marijuana and reiterated that the decision on onsite consumption should be left up to the people. He stated the Council should be vote on budgets and labor contracts, and he does not like being involved in these kinds of moral decisions. **Mr. Cleworth** encouraged the Council to allow the public process to go forward and to stay out of the way of voters.

Mx. Ottersten stated public consumption is walking down the street with a beer in-hand; they stated that if someone is in the Mecca Bar they are no longer in public. **Mx. Ottersten** stated someone can walk down the street with no shirt and no shoes, but they may not enter a private establishment dressed that way. **Mx. Ottersten** stated if someone is consuming in a private establishment, the owner has the right to regulate patrons because they are no longer a public environment. **Mx. Ottersten** stated Mr. Cleworth's store is not a public place, and if someone is acting in a way he finds inappropriate he can ask someone to leave. **Mx. Ottersten** stated a person can no more walk down the street with a bong than they could with a bottle of whiskey.

Ms. Therrien stated she believes the Council is being responsible in debating whether to put the issue on the ballot, and she spoke in support of putting the issue before City voters.

Mr. Cleworth asked Ms. Therrien what would happen if the Council and the voters put similar propositions on the ballot. **Ms. Therrien** stated there is no way to know if there would be enough signatures to get the issue on the ballot, but if the citizens' initiative moved forward, the Council could withdraw its ballot question.

Mr. Pruhs reminded the Council that the motion on the floor is to substitute.

Ms. Kun stated she appreciates the work that went into the proposed substitute but encouraged the Council to move forward and allow onsite consumption. She stated that she believes a citizens' initiative would pass if it went to a vote of the people.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE ORDINANCE NO. 6101, AS AMENDED, FOR ORDINANCE NO. 6101 AS FOLLOWS:

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

Mx. Ottersten stated they have read emails and listened to testimony, and people are genuinely interested in the issue of onsite consumption. **Mx. Ottersten** stated the additional regulations the City has placed on the industry have proven to be unnecessary. **Mx. Ottersten** stated they would support a slower rollout rather than just pushing it off to the voters in October.

Mr. Cleworth stated there was too much confusion when the voters first voted to legalize marijuana, and that is the reason he would like the public to have the opportunity to vote on the issue of onsite consumption. He explained why it is an important decision for the voters to make and not one that the Council should force upon them.

Ms. Kun spoke to Hempfest which was a huge festival that took place on public/private land; she stated that it brought about conversation in determining what is public and private land. She explained the difference and stated the Council should be regulating marijuana like alcohol.

Mr. Pruhs stated he has asked the industry how they would be impacted if the Council did not allow onsite consumption. He stated he could not get behind the idea of taking away someone's right. He stated he did not see the issue as a morality issue, rather an economic issue.

Ms. Therrien asked Attorney Ewers whether there would be a change to the number of licenses or buffer zones if the ordinance passes. Mr. Ewers replied there would be no change. **Ms. Therrien** asked whether there would be a conflict if the citizen-initiated question moved forward and the Council adopted Ordinance No. 6101. Mr. Ewers stated that the portion of the citizens' initiative to allow onsite consumption would essentially be redundant to Ordinance No. 6101 if the Council adopted it. He added that the other two marijuana-related issues in the initiative would remove some of the restrictions the Council put into place if it is approved by voters.

Mx. Ottersten stated that they do not believe onsite consumption will be negative. They stated they are willing to step back from personal feelings and come to a compromise.

Ms. Kun asked marijuana business owners in the audience how long it would take an applicant to go through the entire process to obtain an onsite consumption endorsement. City Clerk Snider advised that one Council member cannot open public comment; she stated it would take a majority vote of the Council to do so. **Ms. Kun** stated she would guess that the whole process would take six to nine months.

Mr. Cleworth again stated that City voters should be able to make this decision for themselves.

Ms. Rogers stated she has a problem when people comment that the Council has a responsibility to a small part of the population. She stated that the Council has a responsibility to all City residents and that money should not be a part of the discussion. She expressed agreement with many of Mr. Cleworth's comments.

Ms. Therrien stated she will support the ordinance; she spoke against removing the buffer zones or the number of licensed retail stores.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6101 AS FOLLOWS:

YEAS: Ottersten, Kun, Therrien, Pruhs

NAYS: Cleworth, Rogers

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6101 ADOPTED.

Mayor Matherly called for a brief recess. The meeting reconvened after the brief recess.

- b) Ordinance No. 6102 – An Ordinance Establishing an Incentive Bonus Program within Fairbanks Emergency Communication Center for Recruitment and Hiring. Introduced by Mayor Matherly.

Ms. Therrien, seconded by **Mx. Ottersten**, moved to ADOPT Ordinance No. 6102.

Ms. Therrien, seconded by **Mx. Ottersten**, moved to SUBSTITUTE Ordinance No. 6102, as Amended, for Ordinance No. 6102.

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

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

Mayor Matherly asked Fairbanks Emergency Communication Center (FECC) Manager Kristi Merideth to come forward for a staff report. Ms. Merideth spoke to the needs of the Dispatch Department. She stated that staffing is low and that recruiting lateral dispatchers would decrease training time by four to five months. She stated there are currently eight fully-trained staff members and five in training; she stated that it takes seven to nine more months to complete training. She stated low staffing is causing high overtime.

HR Director Angela Foster-Snow asked Ms. Merideth to speak to the issues resulting from extremely low staffing. Ms. Merideth stated only one employee can take leave at a time, which forces people to look at other jobs because they can never use their leave. She stated employees work 63 hours per week when the schedule is equally shared. She stated there are 504 hours that need to be filled per month, and all staff will be required to work 16 hour shifts with an 8 hour turnaround in May.

Mayor Matherly stated it costs less in training dollars and time to bring on lateral hires and approving the ordinance would be cost effective.

Ms. Kun asked if the bonus could be paid out over the course of three years; Ms. Foster-Snow stated that in order to make the offer competitive it would be better to pay it all out at one time.

Ms. Therrien stated she would vote in favor of the ordinance.

Ms. Kun asked about the Dispatch training program. Ms. Merideth explained that the program can take up to a year to complete; she stated if an employee had prior training, it would only take about four months to come up to speed.

Ms. Foster-Snow explained that making the bonus as attractive as possible would help the department. She stated if Ms. Merideth loses one more dispatcher she is going to be in a bad spot. She encouraged the Council to show the staff that they care and to ensure that they get a weekend over the summer.

Ms. Therrien asked for clarification on the number of vacancies; Ms. Merideth replied that there are four.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to AMEND Ordinance No. 6102 to change the number “three” to “four” in the first whereas.

Mr. Cleworth asked if part-time employees could be hired instead of full-time employees; Ms. Merideth stated that part-time employees have historically not worked out. Ms. Foster-Snow explained some issues with part-time employees and the PERS system.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6102 TO CHANGE THE NUMBER “THREE” TO “FOUR” IN THE FIRST WHEREAS AS FOLLOWS;

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6102, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6102 AMENDED.

NEW BUSINESS

- a) Resolution No. 4875 – A Resolution in Support of Senate Bill 50, an Act Imposing an Annual Educational Facilities Maintenance and Construction Tax. Introduced by Council Members Therrien, Rogers, Kun, and Ottersten.

Ms. Kun, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 4875.

Mr. Pruhs stated he would not be voting in favor of the resolution.

Ms. Therrien asked the Council to support the resolution because education is so important, and it could help generate so much revenue for the State.

Mr. Cleworth stated he does not have a problem with the resolution. He stated the issue should really be addressed at the School Board level; he stated that the issue the Council should be addressing is the State bill regarding defined benefits for public employees. He stated that he backed off on introducing a resolution regarding that issue because he did not want to put the Council on the spot dealing with a State issue.

Ms. Rogers stated she is passionate about weighing in on the issues that the State legislature is dealing with. She stated the legislators working on the City's behalf in Juneau would like municipalities to support the tax. She stated she and Ms. Therrien paid the tax when they were new to the workforce, and she would support continued education taxes.

Mx. Ottersten stated they agree with Ms. Rogers and with Mr. Cleworth.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4875 AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Kun, Cleworth

NAYS: Pruhs

Mayor Matherly declared the MOTION CARRIED.

- b) Ordinance No. 6103 – An Ordinance Authorizing and Directing Retention for Public Purpose Upon Tax Foreclosure Lots 1, 2, 3, and 4, Block 16, Leasure 3 Subdivision and Lots 8 and 9, Block 3, Charles Slater Subdivision. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Legislative Priorities Committee – **Ms. Therrien** spoke about travelling to Juneau with Ms. Rogers; she gave a brief overview of their trip. **Ms. Rogers** stated they made the Chambers their office and at every opportunity, and they were networking and messaging on behalf of the City.

Public Safety Commission (PSC) – **Ms. Kun** gave a brief report of the last PSC meeting.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Appointment of City of Fairbanks Chief of Police

Ms. Rogers, seconded by **Mx. Ottersten**, moved to CONFIRM the Mayor's Appointment of the City Chief of Police.

Ms. Rogers stated she has no objection to the nomination.

Mr. Cleworth asked that the Council be included more during the interview process for the next Police Chief. He stated he knows the Mayor had a good interview panel but that he does not know the candidate that was selected.

Ms. Therrien stated she had an opportunity to sit through some of the interviews, and she is impressed with Ms. Reeder and pleased with the Mayor's selection.

Mayor Matherly stated he has appointed two Police Chiefs since he became Mayor, and he was respectful of the process in place. He acknowledged Mr. Cleworth's suggestion for the future.

A ROLL CALL VOTE ON THE MOTION TO CONFIRM THE MAYOR'S APPOINTMENT OF THE CITY CHIEF OF POLICE AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

b) Public Safety Commission Meeting Minutes of July 10, 2018

ACCEPTED on the CONSENT AGENDA.

c) Public Safety Commission Meeting Minutes of October 9, 2018

ACCEPTED on the CONSENT AGENDA.

d) Public Safety Commission Meeting Minutes of January 8, 2019

ACCEPTED on the CONSENT AGENDA.

e) Fairbanks Diversity Council Meeting Minutes of March 12, 2019

ACCEPTED on the CONSENT AGENDA.

f) Fairbanks Diversity Council Statement on Vetoed City Ordinance No. 6093

ACCEPTED on the CONSENT AGENDA.

g) Memorandum from Public Works Director Regarding an Update to the Capital Budget

Ms. Rogers, seconded by **Mx. Ottersten**, moved to ACCEPT the Memorandum and CONCUR to use \$34,000 of the allocated \$50,000 in Capital Funds while reserving \$16,000 for the future.

Public Works Director Jeff Jacobson explained why the cost of the dump truck has increased from the initial quote provided to the Council. He asked for Council concurrence on the change.

Mr. Cleworth asked for the year, make, and model of the vehicle. Mr. Jacobson stated he did not have that information with him, but he would be happy to send it to Mr. Cleworth. **Mr. Cleworth** expressed some concern with purchasing a used vehicle; Mr. Jacobson stated the maintenance records were inspected and that the vehicle is in good working order.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ACCEPT THE MEMORANDUM AND CONCUR TO USE \$34,000 OF THE ALLOCATED \$50,000 IN CAPITAL FUNDS WHILE RESERVING \$16,000 FOR THE FUTURE AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

COUNCIL MEMBERS' COMMENTS

Ms. Therrien stated she had no comments.

Ms. Rogers stated she had no comments.

Ms. Kun gave an Indigenous peoples' land acknowledgement and reminded everyone that it is Earth Day. She thanked the Council for voting to allow onsite consumption ordinance. She stated she is excited about the new Police Chief but will miss Chief Jewkes.

Mx. Ottersten stated they had no comments.

Mr. Cleworth asked if anyone answered the letter from Leafy McBride. Mr. Meeks stated he is working with City Engineer Bob Pristash on a response. **Mr. Cleworth** stated when he was working with former Police Chief Zager he understood that he was grooming Eric Jewkes to become the next Chief of Police. He wished Chief Jewkes the best.

Mr. Pruhs thanked Chief Jewkes for his service to the City. He shared that he would like to get City department heads into their own non-union group. He stated he is tired of good people losing money because of union membership; he asked Mr. Meeks to look into it.

Mr. Cleworth asked whether the Anchorage Police Department (APD) is part of the PERS system. **Mayor Matherly** stated that officers are, but lieutenants are not.

Ms. Kun, seconded by **Mx. Ottersten**, moved to ENTER Executive Session for the purpose of discussing Fairbanks Firefighter Union (FFU) and International Brotherhood of Electrical Workers (IBEW) Labor Negotiations.

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

Mayor Matherly called for a brief recess. The Council entered Executive Session following a brief recess.

EXECUTIVE SESSION

- a) FFU Labor Negotiations
- b) IBEW Labor Negotiations

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

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 10:25 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB




MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Marijuana License Renewals

DATE: August 20, 2019

Notice has been received from the State Alcohol & Marijuana Control Office (AMCO) for the following marijuana license renewals:

Lic. #	DBA	License Type	Licensee	Address
10230	Pakalolo Supply Company, Inc.	Standard Marijuana Cultivation Facility	Pakalolo Supply Company, Inc.	1851 Fox Avenue
10589	Nature's Releaf, LLC	Retail Marijuana Store	Nature's Releaf, LLC	503 7th Avenue
10869	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	1326 Cushman Street
13949	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	3505 Airport Way, Suite A

Pursuant to FGC Sec. 14-214 and 3 AAC 306.060, the Council may determine whether to protest marijuana license renewals after holding a public hearing. The 60-day deadline for response to AMCO on the above-listed renewals is September 18, 2019.

Pursuant to FGC Sec. 14-215(b)(12), I have inquired about complaints filed with the Fairbanks North Star Borough (FNSB), the City of Fairbanks, and AMCO in regard to the above marijuana establishments. The FNSB reported that there have been no complaints or notices of violation filed within the past 12 months, and the City of Fairbanks has no complaints on file. AMCO reported one Notice of Violation issued to License #13949 on March 8, 2019. That Notice of Violation and a response from the owner is attached.

The Police Department has included a call report for the above-listed locations (attached); however, there is no recommended protest by FPD.

There are **no departmental objections** to the above-listed marijuana license renewal applications. Please contact me if you need any further information.

CITY OF FAIRBANKS PUBLIC SAFETY
PAKALOLO SUPPLY COMPANY- 1851 FOX AVE
08/13/2018-08/12/2019

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	09/02/2018 08:03:17	ALARM BURGLARY -	1851 FOX AVE	S5	NRP	09/02/2018 08:14:50

Total Number of Events Listed: 1

CITY OF FAIRBANKS PUBLIC SAFETY

NATURE'S RELEAF- 503 7TH AVE

08/13/2018-08/12/2019

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	04/16/2019 18:58:21	TRESPASS/UNWANTED -	503 SEVENTH AVE	O4	NRP	04/16/2019 20:00:39
	09/03/2018 19:59:11	PD PROQA PROCESSED	503 SEVENTH AVE		DUP	09/03/2018 19:59:50
	09/03/2018 19:53:26	FOUND PERSON - BRAVO	503 SEVENTH AVE	O29	NRP	09/03/2018 20:14:20

Total Number of Events Listed: 3

CITY OF FAIRBANKS PUBLIC SAFETY

GRASS STATION 49- 1326 CUSHMAN ST

08/13/2018-08/12/2019

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
19002269	06/18/2019 07:15:08	PAST THEFT - BRAVO	1326 CUSHMAN ST	O2	RPT	06/18/2019 16:02:10
	05/29/2019 18:05:14	INCAPACITATED PERSON	1326 CUSHMAN ST	O29	NRP	05/29/2019 18:24:20
	05/04/2019 16:09:10	DUI - PARKED - CHARLIE	1326 CUSHMAN ST	S11	NRP	05/04/2019 16:30:21
	04/30/2019 19:53:12	SI - COMMUNITY	1326 CUSHMAN ST	L7	NRP	04/30/2019 23:03:46
	04/30/2019 19:20:45	SUSP CIRCUMSTANCES -	1326 CUSHMAN ST	L7	NRP	04/30/2019 19:52:11
	03/20/2019 20:08:51	DUI - MOVING - DELTA	1326 CUSHMAN ST	L7	NRP	03/20/2019 20:44:31
	02/25/2019 22:56:30	10-36	1326 CUSHMAN ST	O23	WARN	02/25/2019 23:04:11
19000624	02/22/2019 11:29:18	THEFT FROM VEHICLE -	1326 CUSHMAN ST	O7	RPT	02/22/2019 18:31:32
	09/11/2018 17:54:16	SI - FOLLOW-UP	1326 CUSHMAN ST	S8	NRP	09/11/2018 17:59:02
	08/27/2018 16:54:26	PRIVATE IMPOUND	1326 CUSHMAN ST		REPO	08/27/2018 16:56:23
	08/16/2018 23:15:05	10-36	1326 CUSHMAN ST	O29	NRP	08/16/2018 23:40:47

Total Number of Events Listed: 11

CITY OF FAIRBANKS PUBLIC SAFETY

GRASS STATION 49- 3505 AIRPORT WAY

08/13/2018-08/12/2019

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	07/23/2019 11:05:46	DISTURBANCE VERBAL	3505 AIRPORT WAY	O41	NRP	07/23/2019 11:34:57
	06/06/2019 17:22:25	URGENT WELFARE	3505 AIRPORT WAY	O29	SUBL	06/06/2019 17:40:10
	05/01/2019 11:24:30	WELFARE CHECK - LOG	3505 AIRPORT WAY		COMM	05/01/2019 11:37:03
	04/28/2019 13:24:37	10-36	3505 AIRPORT WAY	O3	WARN	04/28/2019 13:27:35
	04/19/2019 17:36:17	911 HANG-UP - CHARLIE	3505 AIRPORT WAY		911	04/19/2019 17:39:07
	02/27/2019 11:24:32	THREAT - BRAVO	3505 AIRPORT WAY	O15	NRP	02/27/2019 12:05:17
	02/14/2019 09:39:30	PD PROQA PROCESSED	3505 AIRPORT WAY		CBAC	02/14/2019 09:41:34
	02/11/2019 23:18:37	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O4	NRP	02/11/2019 23:37:22
	02/10/2019 09:23:10	ALARM BURGLARY -	3505 AIRPORT WAY	O7	FAB	02/10/2019 09:34:58
	01/03/2019 09:29:18	ALARM BURGLARY -	3505 AIRPORT WAY	O39	NRP	01/03/2019 09:37:59
	12/30/2018 09:19:18	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O7	FAB	12/30/2018 09:31:51
	12/29/2018 00:19:42	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O21	FAB	12/29/2018 00:34:17
	12/24/2018 20:33:46	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	L7	FAB	12/24/2018 21:19:16
	12/24/2018 11:26:58	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O2	FAB	12/24/2018 11:39:11
	12/23/2018 09:25:59	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O7	FAB	12/23/2018 09:41:53
	12/22/2018 09:29:13	ALARM HOLDUP/PANIC -	3505 AIRPORT WAY	O9	FAB	12/22/2018 09:38:48

Total Number of Events Listed: 16

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3/8/19

License #/Type: #13949 Marijuana Retail Stores

Licensee: Wishful Things, LLC

Address: 3505 Airport Way, Fairbanks, AK 99709

DBA: Wishful Things, LLC

AMCO Case #: AM19000391

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 2/15/19 manifest # 647506 was created by Grass Station 49 Retail # 10869 with a departure and arrival date of 2/15/19. METRC reflects Wishful Things, LLC did not accept the product until 2/20/19 at 9:10 am. The original handwritten copy of the manifest reflects Wishful Things received the product on 2/15/19 but failed to enter the product as "accepted" in METRC upon receipt.

On 2/18/19 manifest # 650609 was created by Grass Station 49 Retail #10869 with a departure and arrival date of 2/18/19. METRC reflects Wishful Things, LLC did not accept the product until 2/20/19 at 9:10 am. The original handwritten copy of the manifest reflects Wishful Things received the product on 2/18/19 but failed to enter the product as "accepted" in METRC upon receipt.

This is a violation of 3 AAC 306.750 (e) Transportation

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: A. Stonecipher

SIGNATURE: 

Delivered VIA: Email

Received by: 

SIGNATURE: 

Date: 

Date: 03/12/2019
Licensee: Wishful Things, LLC
DBA: Wishful Things, LLC

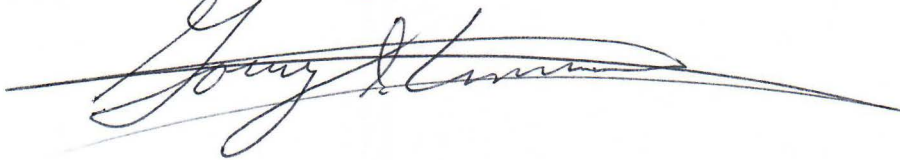
License #/Type: #13949 Marijuana Retail Store
Address: 3505 Airport Way. Fairbanks, AK 99709
AMCO Case #: AM19000391

To whom it may concern:

In regards to the above case number, the incidents that occurred were mostly clerical errors. We apologize for any inconvenience this may have caused. Upon this violation, what we found out is that we may have piled too much work onto one person, and a few mistakes were made in METRC by doing so. To remedy this situation, we will now have a small team of people being more involved in METRC and our point of sale inventory. This will establish tighter checks and balances to mitigate making any further mistakes. Not only will this spread the workload out, but we will be cross-checking/referencing all of the work being done before it is finalized. Please feel free to contact us at any time with any further questions or concerns.

Thank you for all you do,

-Gary Evans
Grass Station 49/Wishful Things

A handwritten signature in black ink, appearing to read "Gary Evans", with a long horizontal flourish extending to the right.

ORDINANCE NO. 6111

**AN ORDINANCE TO ENTER INTO A CONTRACT WITH THE
FAIRBANKS NORTH STAR BOROUGH FOR FIRE SERVICE FOR THE
BOROUGH'S LAND FILL**

WHEREAS, the FNSB operates a landfill that is outside of City limits; and

WHEREAS, the City has been called upon to suppress fires at this landfill; and

WHEREAS, the City has no formal contract with the FNSB to recoup City costs for fighting these fires; and

WHEREAS, FGC Sec. 2-656 allows the City to provide services to entities outside the City's boundaries with the approval of the City Council by ordinance.

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

Section 1. The Council approves the provision of firefighting services to the Fairbanks North Star Borough's landfill under the terms and conditions set out in Attachment A.

Section 2. That the effective date of this Ordinance shall be the ___ day of _____ 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. 4890

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO
ACCEPT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE
FOR THE FFY2019 EDWARD BYRNE MEMORIAL JUSTICE
ASSISTANCE GRANT**

WHEREAS, the City of Fairbanks received notification of funding through the Bureau of Justice Assistance for the FFY2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$23,731 to support a range of program areas including law enforcement; and

WHEREAS, the City of Fairbanks will use the funds to update and improve technology available to conduct and support major case and drug investigations and for officer wellness; and

WHEREAS, the City of Fairbanks is not required to provide a match.

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 applying and accepting funds on behalf of the City for this grant.

PASSED and APPROVED this 26th Day of August 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: 4890

Abbreviated Title: FFY2019 JUSTICE ASSISTANCE GRANT (JAG) FEDERAL PROGRAM

Department(s): POLICE

Does the adoption of this ordinance or resolution authorize:

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

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

If yes, what is the estimate? see below

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

If yes, how many positions? _____

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

II. FINANCIAL DETAIL:

PROJECTS:	Equipment	Training	Personnel	Total
Security Camera System (downtown)	\$18,420			\$18,420
NIBRS Compliance Training		\$711		\$711
Officer Wellness Training		\$4,600		\$4,600
TOTAL	\$18,420	\$5,311	\$0	\$23,731

FUNDING SOURCE:	Equipment	Training	Personnel	Total
FFY2019 Edward Byrne Memorial JAG	\$18,420	\$5,311		\$23,731
TOTAL	\$18,420	\$5,311	\$0	\$23,731

The operations and maintenance costs associated with this equipment will be performed by contractors and incorporated in the annual general fund budget.

Reviewed by Finance Department: Initial cp Date 8/15/2019

ORDINANCE NO. 6112

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE SEC. 2-487,
COMPOSITION OF THE CLAY STREET CEMETERY COMMISSION, TO
REMOVE THE CITY CLERK AS ADMINISTRATIVE SUPPORT**

WHEREAS, the Clay Street Cemetery Commission was created in 2010 by the City Council with the adoption of Ordinance No. 5813; and

WHEREAS, the makeup of the Commission was amended in 2014 by Ordinance No. 5936, which increased the membership from five voting members to seven voting members, changed the City residency requirement for a portion of the membership, and assigned the City Clerk as administrative support to the Commission; and

WHEREAS, after a recent review of the Clay Street Cemetery Commission and the City Clerk's role in Boards and Commissions, the City Council determined that the City Clerk's attendance at Commission meetings and full administrative support is not necessary.

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

Section 1. FGC Section 2-487 is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~striketrough~~ font]:

Sec. 2-487. Composition.

The membership of the Clay Street Commission shall be seven members as follows:

- (a) Seven voting members, three of whom must be residents of the city, appointed by the city mayor and confirmed by the city council:
 - (1) One member active in the study of Fairbanks history.
 - (2) One member with experience or interest in maintaining the cemetery.
 - (3) Five at-large public members or four at-large public members if a council member is appointed to the commission.
- (b) The City Public Works Director, or designee, shall be an ex officio member of the commission.
- (c) The chairperson shall be selected from among the commission's members by the commission.
- (d) ~~The city clerk shall supply the commission with administrative support.~~

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

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney