



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

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

Council Members Present: Shoshana Kun, Seat A
 June Rogers, Seat B
 Valerie Therrien, Seat C
 Aaron Gibson, Seat D
 David Pruhs, Seat F

Absent: Jerry Cleworth, Seat E

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
 Peyton Merideth, FPD Lieutenant
 Greg Foster, FPD Lieutenant
 Angela Foster-Snow, HR Director
 Nancy Reeder, Police Chief
 Jim Styers, Fire Chief
 Tod Chambers, Assistant Fire Chief

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.

CITIZENS' COMMENTS

Donna Gardino, P.O. Box 85056, Fairbanks – Ms. Gardino discussed performance-based planning and snow removal. She stated the Public Works snow plow schedule has a four-to-six-week turnaround time for snow removal. She stated the City of Fairbanks should have goals for snow removal similar to Fort Wainwright. She stated the Public Works Department should create a performance-based plan that would set goals and incentivize efforts.

Gregory Foster, P.O. Box 70935, Fairbanks – Mr. Foster stated he is a Lieutenant with the Fairbanks Police Department (FPD), but he is speaking his own opinions and not representing FPD. He stated he supports his command, the Chief, and the Administration, but he believes the department is broken. He stated the City’s most valuable asset is its police officers, and the department is losing many. He stated officers have the toughest jobs in the City, and the department is overwhelmed. Mr. Foster provided statistics for the violent crimes that occur in Fairbanks and shared that losing so many officers is dangerous for the community. He stated the Council has shown that they do not want the best police force, they want the cheapest police force. Mr. Foster stated FPD serves residents and non-residents alike, and while this Council may not have created the problem, they have inherited it to fix. He stated officers are the canaries in the coal mine, and the department will soon collapse. He stated the City will follow.

Ms. Therrien asked Mr. Foster if he was referring to the cuts in the current budget. Mr. Foster replied that it has been happening over his entire career. He stated that at the last meeting he did a presentation with Sergeant Werner who is no longer with the department; he stated they cannot afford to lose any more police officers.

Mr. Gibson asked what the Council should do to fix the problem. Mr. Foster stated funding is the number one issue harming the department. He stated that the Council could address the fact that people who do not live in the City are costing the City resources, but they pay nothing into the pot. He stated annexation and sales tax are good ideas for increasing revenue.

Frank Turney, 1434 Lacey Street, B, Fairbanks – Mr. Turney requested that the Clerk dictate his comments verbatim in the minutes. He stated that the Mayor accused him of saying that he hated cops, but he has never said such a thing. He spoke to the importance of mental health training for police officers. He suggested that the State have a “Christmas kickout” for non-violent offenders to help solve overcrowding in prisons.

Sue Sprinkle, 211 5th Avenue, Fairbanks – Ms. Sprinkle stated the nuisance properties in her neighborhood are getting out of control. She shared that one property recently had a break-in threat, and when the owner came to investigate, he was pepper-sprayed at his own property. She stated the owner did not call police because he did not want the police involved in his business.

Victoria Dowling, 124 5th Avenue, Fairbanks – Ms. Dowling stated she lives downtown, and she spoke at the last meeting about property nuisances in her neighborhood. She stated that earlier in the day she witnessed a person defecating in the street. She stated something needs to be done.

Ms. Therrien asked Ms. Dowling if she called the police. Ms. Dowling stated she did, and they found the person, gave him a warning and told him that if he did it again he would be charged with public indecency.

Ms. Kun thanked Ms. Dowling for coming forward and stated that she would be addressing the nuisance property issue with Deputy Chief Welborn; she stated she will look into whether the PSC could do anything about the issue.

Mayor Matherly asked Ms. Dowling to continue keeping him in the loop about what is happening with her property.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg spoke to the importance of the partnership between the City and the Downtown Association (DTA). He stated the Emergency Service Patrol (ESP) is the only function of government that operates through donations of the willing and suggested that it may be time to direct funds to the ESP.

Shaun Sims, 318 5th Avenue, Fairbanks – Ms. Sims stated she lives, works, and walks around downtown, and she spoke about nuisance properties. She stated that in the past five years, she has noticed a significant decline with some properties because they attract vagrants. She thanked the Mayor for attending meetings where nuisance properties are discussed but stated that some change needs to come after discussion.

Ms. Rogers asked Ms. Sims if she had any ideas as to how to correct the problems. Ms. Sims suggested that the City fine property owners to hold them accountable.

Raymond and Trish Mikolajczyk, 176 Clay Street, Fairbanks – Mr. Mikolajczyk stated earlier in the meeting the City Clerk read the City's mission statement that says one of the goals is to make Fairbanks a safe place to live. He stated the Council is failing miserably and shared that his car was broken into again in his driveway earlier that day. He stated he called Dispatch to make a complaint, and they take a long time to ask their standard questions. In the meantime, he stated that the perpetrator left with his property. Mr. Mikolajczyk stated he asked Dispatch if they would be sending an officer, and they told him they would not. He stated he asked to speak with the Sergeant in charge, and they sent Officer Butler to the scene although the perpetrator was already gone. He spoke of the many thefts that have occurred on his property and to the drug problem in the area and stated that something needs to be done about it. He stated the City no longer has a police force and is no longer safe, and he pleaded with the Council to act. Mr. Mikolajczyk stated that the worst problem in the City is crime and having nobody to do anything about it. He stated if the community is not safe, there is no reason to live in it.

Richard Wagner, 1301 Kellum Street, Fairbanks – Mr. Wagner stated he has a problem with drugs being used on the property where he lives and stated it is a federally-funded building. He stated nobody cares to do anything about it because the City police and Alaska State Troopers say they do not have federal authority. Mr. Wagner stated he would like to know what he is supposed to do because nobody will help him.

Ms. Kun thanked Mr. Wagner for coming and asked him if he had spoken to his landlord about the issue. Mr. Wagner state the landlord has never caught the offenders because warning must be given before inspections, and they clean up prior to the inspection.

Julie Smyth, 717 9th Avenue, Fairbanks – Ms. Smyth stated the previous testimony is an excellent example of why onsite consumption is so important. She stated she lives in a federally-funded building also, and she is not allowed to smoke marijuana there which is a hassle. She stated the Council should read the study proving that use of force by police is one of the leading causes of death of young Black men. She stated that, statistically, 1 in 1,000 Black men are going to be killed by police. She spoke to the statistics of other races and ages and stated the Alaska Native population is just as discriminated against. She asked the police to use less-lethal and non-lethal weapons to save the lives of her people and her children.

Chris Miller, 413 Cowles Street, Fairbanks – Mr. Miller stated he attended during the general budget discussion, but the climate has changed. He stated it is now time to react and get snow removal workers on the street. He stated having individuals on the street with radio equipment would save the City money because they would be cheaper than police officers. He stated he supports increasing City revenue so that the community can remain something to be proud of.

Kemp Lankford, Fairbanks – Mr. Lankford spoke to the decline of the downtown area and to the need to do something to clean it up.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien pulled Ordinance No. 6116 from the Consent Agenda.

Mr. Gibson pulled the Approval of the 2020 City Council Meeting Schedule 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 September 9, 2019.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
13479	North Star Fire	Standard Marijuana Cultivation Facility	North Star Fire, LLC	3780 Leasure Street, Suite 3

Ms. Kun, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Marijuana License Application 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 MARIJUANA LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

YEAS: Pruhs, Therrien, Kun, Gibson, Rogers
NAYS: None
ABSENT: Cleworth
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 Restaurant Designation Permit:

Type: Restaurant / Eating Place, License #3050
DBA: Cushman Irashai
Applicant: Three Star, LLC
1448 S. Cushman Street, Fairbanks
From: Irashai / 3 GIRO, Inc.
1448 S. Cushman Street, Fairbanks

Ms. Kun, seconded by **Mr. Gibson**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership and Restaurant Designation Permit.

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

Ms. Kun spoke in support of the license.

Ms. Rogers stated there is a relationship between establishment owners and the Council and that it is extremely important that the owner come to the meeting to discuss the license. She stated it is disappointing when the owners do not take part in the partnership.

Mayor Matherly stated Mr. Lee has spent a lot of time in his office and, while he understands Ms. Rogers' comments, the owner's absence does not mean that he has not put significant time into the process.

Ms. Rogers stated a visit to the Mayor's Office is not the same as approval by the City Council.

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

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

MAYOR'S COMMENTS AND REPORT

Mayor Matherly stated that three years ago today Sgt. Allen Brandt passed away, and he spoke about how Sgt. Brandt had attended a Council meeting shortly before he passed. He stated that

Sgt. Brandt policed with passion. **Mayor Matherly** stated the City is facing a crisis; he stated he hears the frustration of the police officer who testified earlier. **Mayor Matherly** stated that he led the charge on revenues for the City, but he cannot be the only one bringing ideas to the table. He stated he has made a lot of cuts at the City and spoke to the amount of consolidation that took place within his first term. He spoke to the cuts in his proposed budget and stated that it should never have gotten to such a bad place. He stated Chief of Staff Mike Meeks would be giving a staff report shortly to discuss the challenges of snow removal. **Mayor Matherly** stated the temporary snow removal crew that works on Fort Wainwright makes \$6 more per hour than City workers and \$7 more per hour going into their retirement plans. He stated the City his having a hard time finding employees because the Fort Wainwright crew gets paid too well for the City to compete with. **Mayor Matherly** stated the City does not even have the budget to run a snow removal night crew. He stated he needs everyone to come up with logical revenue streams because he is weary of proposing ideas that get rejected. He stated that police officers want to research property crimes, but they do not have the staff or the resources to do their jobs. He stated he City needs to do better.

a) Special Reports

Mr. Meeks stated he was the Director of Public Works at Fort Wainwright for 18 years and that he knows what it takes to remove snow in the Interior. He spoke to the difference between road conditions on base versus within City limits, and he explained that the snow removed from City streets has to be hauled away. He stated that on base they simply plow it onto the grass on the side of the street. Mr. Meeks spoke to the difference in pay between the City and Fort Wainwright crews and to the desirability of being a temporary employee on base. He stated that currently the City cannot even staff a full day shift. He closed by stating that he hopes the weather does not turn bad, because hope is a horrible course of action.

Ms. Kun asked if it would be cost effective for the City to privatize garbage service and snow removal. Mr. Meeks stated he ran a spreadsheet not long ago showing the cost effectiveness of privatizing certain services, including garbage service. He stated that it would come out as almost a wash, but residents would end up paying more for private garbage service than what the City charges. He stated it would cost more to privatize snow removal; he added that if the City is going to contract the service out at a higher rate, it would make sense to pay employees that rate.

Mayor Matherly stated they analyzed the cost of privatizing garbage and snow removal services, and it is not cost effective. He stated it would also not serve the citizens better.

COUNCIL MEMBERS' COMMENTS

Mr. Gibson stated he hears the concerns from residents about property crimes and that he has also had break-ins. He stated he is passionate about addressing the issue.

Mr. Pruhs stated he had no comments.

Ms. Therrien stated she would support exploring a solution for nuisance properties.

Ms. Rogers thanked everyone for coming out to testify. She stated that the best way to enact change is by having good community resources.

Ms. Kun thanked Mr. van den Berg and Mr. Foster for bringing up the idea of a sales tax; she indicated she would support one. She stated she was sad to hear that Sgt. Werner was leaving FPD and added that she has confidence in Police Chief Reeder. She stated that when there are scared cops policing, things can go wrong. She reaffirmed that she heard peoples' concerns.

Mr. Gibson requested a break; **Mayor Matherly** called for a brief recess. The meeting resumed after the brief recess.

UNFINISHED BUSINESS

- a) Ordinance No. 6114 – An Ordinance Amending Fairbanks General Code Sections 2-232 and 2-233 Regarding Composition and Quorum of the Fairbanks Diversity Council. Introduced by Mayor Matherly and Council Member Therrien. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Mr. Gibson**, moved to ADOPT Ordinance No. 6114.

Sara Harriger, 5445 Cascade Road, Fairbanks – Ms. Harriger stated she is a Chair of the Fairbanks Diversity Council (FDC), but she is not speaking to represent the body. She stated there have been issues with establishing a quorum due to vacancies, and she would like the Council to wait on the ordinance so the FDC can restructure itself. She asked the Council to allow the vacancies to be filled, then the FDC may bring the Council a recommendation to move forward. She stated if they were given that opportunity it would send a more positive message.

Jeff Walters, 2454 Killarney Way, Fairbanks – Mr. Walters stated he has served on the FDC since its inception in 2014 and, while he can see the advantage in having 11 members, he would prefer it to remain at 15 members. He stated Fairbanks is a diverse community and that all voices should be heard. He stated he would like to feel heard by the City Council and that he would prefer the Council wait on the ordinance.

Ms. Kun asked what advice he would give about seating applicants. Mr. Walters stated he has reached out into different groups within the community to gain applicants, but he wants to be careful so as not to appear that the FDC is looking for “token” members. He stated he would be interested in working with the City Council to do outreach to community organizations and groups to improve the FDC applicant pool.

Montean Jackson, Fairbanks – Ms. Jackson thanked the present and past Mayor and the City Council for their support of the FDC. She spoke to the history of the FDC and shared the importance in the diversity of its members. She asked the Council to continue to support the FDC and recognize the FDC's value.

Ms. Therrien asked Ms. Jackson what she thought about the ordinance. Ms. Jackson stated she agrees with her colleagues about not reducing the membership. She asked that the FDC be

allowed to continue to reach out to the underserved community and to maintain the current level of membership.

Mr. Gibson asked who the under-represented groups are. Ms. Jackson stated that Indigenous people, the Latina population, military, and youth are some of the under-represented groups. **Mr. Gibson** asked if there is anyone from the religious community serving. Ms. Jackson stated she did not think there were any clergy people serving currently, but there have been in the past. **Ms. Rogers** stated that people from all the groups have been present on the FDC at one time but may not be represented currently.

Rita Davis, Fairbanks – Ms. Davis stated she is one of the original FDC members, and she believes that filling vacancies should happen first to give the FDC the opportunity to consult at full capacity before making changes to the makeup.

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

Mayor Matherly stated he has plans to make some appointments at the next meeting, but he wanted the City Council to weigh in before he made the appointments. He spoke to the transparency and openness of the process for applying for City Boards and Commissions.

Ms. Therrien stated she sponsored the ordinance because she understood that the FDC supported it. She stated she does not have any objection to postponing the ordinance after hearing from members. She stated reducing the membership would help with a quorum, and she looks forward to continued work with the FDC no matter what the makeup may be.

Mr. Pruhs stated everyone who testified asked the Council to appoint more members and then allow them to reduce the membership on their own through attrition. He stated voices get drowned out when the membership is so vast, and it is hard to get large groups together no matter what. He spoke in support of reducing the FDC membership.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6114 AS FOLLOWS:

YEAS: Gibson, Therrien, Pruhs, Matherly

NAYS: Rogers, Kun

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6114 ADOPTED.

- b) Ordinance No. 6115 – An Ordinance to Amend Fairbanks General Code Sec. 74-34, Residential Property Tax Exemption. Introduced by Mayor Matherly and Council Members Cleworth, Therrien, and Rogers. SECOND READING AND PUBLIC HEARING.

Ms. Kun, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6115.

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

Mr. Meeks stated he will serve as Borough Chief of Staff Jim Williams' proxy since he had to leave the meeting. Mr. Meeks provided an update as to where the Borough is in the process.

Ms. Kun spoke in support of the ordinance.

Ms. Therrien stated she hopes the City Council will support the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6115 AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Kun

NAYS: None

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6115 ADOPTED.

NEW BUSINESS

- a) Ordinance No. 6116 – An Ordinance to Place Before City Voters the Question of Amending the Fairbanks Charter by Repealing Section 11.8. Elections: Run-Off. Introduced by Council Member Kun.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to ADVANCE Ordinance No. 6116.

Mr. Gibson stated he pulled the ordinance from the Consent Agenda because if the Charter section is amended, the Mayor could be elected by receiving only 30% of the vote. He stated that the 40% minimum is sufficient. He wondered whether ranked choice voting would be a better option.

Ms. Therrien asked when the last Mayoral run-off election occurred. Clerk Snider stated the last run-off election was in 2007. **Ms. Therrien** asked what the results were for that election. Clerk Snider stated she would locate that information while discussion continued. **Ms. Therrien** stated that the most current election shows that 40% of the vote can be reached, even with two strong candidates. She spoke in support of the ordinance.

Mr. Pruhs thanked the City Clerk for all her research. He stated that, historically, one-third of the time, a candidate receiving less votes in the regular election won in a run-off election. He stated that a change would cause the City election to differ from the Borough election.

Clerk Snider, in reference to Ms. Therrien's earlier question, read the election results from the 2007 regular and run-off elections. **Mayor Matherly** asked about the estimated expense of a run-off election; Clerk Snider stated a City run-off election would cost approximately \$40,000.

Ms. Rogers expressed agreement with Mr. Pruhs' comments about keeping election processes consistent with the Borough. She stated she is interested in hearing from a broader scope of people in regard to the ordinance.

Mr. Gibson asked whether the new voting system would accommodate ranked choice-type voting. Clerk Snider stated that the new system accommodates ranked choice-type voting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6116 AS FOLLOWS:

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

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Approval of the 2020 City Council Meeting Schedule

Mr. Gibson, seconded by **Ms. Kun**, moved to APPROVE the 2020 City Council Meeting Schedule.

Ms. Therrien stated that she would like to change some of the meeting dates. **Mayor Matherly** indicated that he would like everyone to be present before approving changes to the schedule. He asked for a motion to postpone until Mr. Cleworth could be present.

Ms. Therrien, seconded by **Mr. Gibson**, moved to POSTPONE the Approval of the 2020 City Council Meeting Schedule.

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

- b) Memo to Approve Ambulance Donation to UAF Community & Technical College

APPROVED on the CONSENT AGENDA.

- c) Reappointment of Julie Jones to the Clay Street Cemetery Commission and the Chena Riverfront Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Kun gave a land acknowledgment. She offered condolences to the family of Sean Martines who recently passed away. She encouraged anyone who is struggling with suicidal thoughts to reach out because there are people who care and are there to help.

Ms. Rogers stated she had no comments.

Ms. Therrien asked when the Administration plans to introduce a nuisance property ordinance. **Mr. Meeks** stated he is currently working on a draft. **Ms. Therrien** asked about the possibility of a Council retreat.

Mr. Pruhs spoke to his sadness in the loss of Sgt. Brandt three years ago and stated he is happy the Council was able to secure insurance for the Brandt family. **Mr. Pruhs** shared how pleased he was that the City came together to support the family.

Mr. Gibson stated he had no comments.

Mayor Matherly stated there is no school on the Thursday or Friday coming up, and he asked everyone to drive safely. He stated FPD will be out on Halloween evening handing out glow sticks to trick-or-treaters.

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 8:45 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB