



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JANUARY 27, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a 5:30 p.m. Work Session for a Permanent Fund Annual Report, 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
 Jerry Cleworth, Seat E
 David Pruhs, Seat F

Absent: None

Also Present: Christina Rowlett, Risk/Purchasing Manager
 Margarita Bell, Chief Financial Officer
 Paul Ewers, City Attorney
 D. Danyielle Snider, City Clerk
 Jeff Jacobson, Public Works Director
 Mike Meeks, Chief of Staff
 Kristi Merideth, FECC Manager
 Angela Foster-Snow, HR Director
 Nancy Reeder, Police Chief
 Tod Chambers, Fire Chief
 Andrew Ackerman, Environmental Manager

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

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

CITIZENS' COMMENTS

Michelle Ethun, 7415 Chena Hot Springs Road, Fairbanks – Ms. Ethun explained that her husband recently received a parking citation from Golden Heart Parking Services (GHPS), and she read aloud the Fairbanks General Code (FGC) relating to the delegation of authority for parking services. She stated GHPS did not have the authority to issue a \$43 citation in an area that was not marked in accordance with the FGC. Ms. Ethun commented that Mayor Matherly's vehicle

was seen parked on a curb, and that is what her husband was ticketed for. She stated she will appeal through the proper channels, but the Council should be aware that tickets were issued without authority. She stated she would like the Council to demand some answers from GHPS.

Mr. Cleworth asked if the citation was for parking on a sidewalk. Ms. Ethun stated it was issued under FGC 78-37, and in the notes it stated, "vehicles parked on a sidewalk". She stated she works in policy law, so she did some research and found that the ticket was issued with no authority. She stated that her husband should not have to appeal a citation that was issued under a law that does not exist. She stated the Council needed to be apprised of the situation. **Mr. Cleworth** asked if they filed an appeal; Ms. Ethun replied that they had.

Bill Satterberg, 1298 McGrath Road, Fairbanks – Mr. Satterberg stated that the last person who testified needs a good lawyer and commented that he is available. He stated he is attending to speak to Ordinance No. 6122, and he has to hurry because he has dinner waiting for him. **Mayor Matherly** called a Point of Order and informed Mr. Satterberg that the time to speak to Ordinance No. 6122 would come later under Unfinished Business. Mr. Satterberg stated he could not stay longer. He stated he has two clients who were beaten by the police, and, while there is video evidence of the incidents, there still needs to be accountability. He invited everyone to the open mic night at the Blue Marlin the following night.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger thanked the City for doing a better job removing snow from sidewalks. He stated he did not like being admonished by a Council member for speaking up. He stated there are too many secrets relating to the Polaris Building and suggested it be a tourist attraction for its historical integrity. He stated Explore Fairbanks gets the lion's share of City bed tax funds, and they benefit from their relationship with the City. He stated he knows that a Council member would likely benefit if a deal goes through with the building.

Floyd Terry, P.O. Box 73514, Fairbanks – Mr. Terry report he was contacted by the Fairbanks Daily News Miner about an individual who wanted to open up a roller-skating rink in Fairbanks. He stated he contacted the person but has not heard anything further. He requested that if anyone hears anything to let him know.

David van den Berg, Slater Drive, Fairbanks – Mr. van den Berg, speaking on behalf of the Downtown Association, stated that City snow removal needs to be ramped up in the downtown core area. He stated the downtown market is doing well, but the City needs to step it up to aid with revitalization. He stated the Council member serving on the GHPS board is distancing themselves from the problem. He urged the Council to take more of an interest in the parking authority and the things they are doing in the community.

Mr. Cleworth stated the City's representative to the GHPS Board is City Engineer Bob Pristash. **Mr. Cleworth** stated he volunteers his service on the Board. Mr. van den Berg stated Mr. Cleworth is assigned to the Board as a Council committee assignment. **Mr. Cleworth** explained that he is not assigned to serve on the Board; he serves at his leisure. He stated he would further address the issue during his comments later in the meeting.

Ms. Therrien stated the Council will soon be looking at its goals for the future and asked Mr. van den Berg to participate in those conversations.. Mr. Van den Berg stated he would be happy to.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin spoke against the need for collective bargaining at the City and referenced a handout he provided to Council Members. He stated he would like to see a roller-skating rink in Fairbanks. He spoke of the problems with the Alaska Public Employment Relations Act (PERA) and stated that the City should try to opt out it.

Ms. Kun asked Mr. Griffin if he is familiar with the “Janus Law”; Mr. Griffin replied that he has heard of it.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

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

City Clerk Snider read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of November 25, 2019.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Premises Address
4772	Ajimi Restaurant	Restaurant/ Eating Place	J & BY, Inc.	550 Third Street
995	Oaken Keg #2754	Package Store	Safeway, Inc.	3627 Airport Way
999	Oaken Keg #3410	Package Store	Safeway, Inc.	30 College Road
252	Club Alaskan	Beverage Dispensary	Jerwater, Inc.	901 Old Steese Highway
5291	The Attic	Beverage Dispensary	The Last Roundup, LLC	2701 S. Cushman Street (upstairs)
703	Gavora’s Fine Wine	Package Store	Market Basket, Inc.	250 Third Street
1134	Thrifty Liquors	Package Store	Market Basket, Inc.	1410 Cushman Street
4846	Wal-Mart Supercenter	Package Store	Walmart, Inc.	537 Johansen Expressway

Ms. Kun, seconded by **Mr. Gibson**, moved to PROTEST Thrifty Liquors’ application for renewal.

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

Ms. Kun stated she has extreme concern with the Thrifty Liquors license because there are so many police calls to the location. She stated the Fairbanks Police Department (FPD) does not have enough staff to deal with the high volume of public nuisance calls.

Mr. Gibson, seconded by **Ms. Therrien**, moved to POSTPONE Thrifty Liquors' application for renewal to the next Regular Meeting.

Ms. Therrien requested that the owner be invited to attend the next meeting.

Mayor Matherly asked Chief of Staff Mike Meeks to contact the owner. FECC Manager Kristi Merideth reported that a number of the calls on the list may not necessarily be related to the business. She explained that some of the calls may have been in response to passersby but were labeled with the Thrifty Liquors address for reference sake.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THRIFTY LIQUORS' APPLICATION FOR RENEWAL TO THE NEXT REGULAR MEETING AS FOLLOWS:

YEAS: Gibson, Cleworth, Kun, Therrien, Pruhs

NAYS: None

ABSENT: Rogers

Mayor Matherly declared the MOTION CARRIED.

Mr. Cleworth, seconded by **Mr. Gibson**, moved to WAIVE PROTEST on the seven remaining Liquor License Applications for Renewal.

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

Ms. Therrien asked Chief of Police Nancy Reeder for a staff report on the high number of calls to Wal-Mart Supercenter. **Mr. Gibson** asked Ms. Merideth to come forward again for a staff report.

Ms. Therrien shared her concern for the high call volume for Wal-Mart and asked what could be done to reduce the need for police resources. Chief Reeder stated the number of calls for service is not directly related to the package store license. She stated she has spoken with the Wal-Mart District Manager. Chief Reeder indicated that protesting the license for the liquor store inside the larger Wal-Mart store is not fair and explained that she is working in collaboration with the business to identify ways to reduce the need for service. She stated they do not want employees who work there not to call the police. She stated many of the calls to that location are reports of shoplifting, and those incidents should be taken seriously.

Ms. Kun stated there were 476 calls for service. Chief Reeder stated she would have to drill down into each call to provide more information, but if some calls note "retail theft" and others note "theft", there is no way to differentiate where the merchandise came from. Ms. Merideth explained

the difference between the two types of calls. She stated her staff has protocols in place to help process calls. She explained that one means the person has been identified, and the other is for cases where the perpetrator was not identified.

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

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

b) The Fairbanks City Council heard interested citizens concerned with the following application for a New Liquor License:

Type: Brewery
DBA: Lat 65 Brewing Company
Applicant: Latitude 65 Brewing Company, LLC
Location: 150 Eagle Avenue, Fairbanks, AK

Ms. Kun, seconded by **Ms. Therrien**, moved to PROTEST the New Liquor License until construction is complete and the Building Department has issued a Certificate of Occupancy.

Mr. Pruhs asked if they could combine items (b) and (c) of Special Orders. City Clerk Snider asked whether any Council Members objected to combining the two new liquor licenses (Lat 65 Brewing Company and Lat 65 Ciderhouse). No members objected. Clerk Snider asked if either the maker of the motion or the second took issue with addressing both applications in the same motion. Neither member objected to addressing both applications in the same motion.

Jeff Dyer, 330 Slater Drive, Fairbanks – Mr. Dyer stated he is happy to see some of the empty buildings around town being utilized.

Zeb Mabie, 2554 Twin Lakes Drive, Fairbanks – Mr. Mabie stated they purchased the building in October, and they are in early stages of construction. He shared his excitement in bringing new business to the City and making use of a vacant building. He stated they would partner with local food trucks to make food available, and if the business takes off they have enough space to renovate and build their own kitchen.

Andrew Rowe, 2580 Twin Lakes Drive, Fairbanks – Mr. Rowe stated they have a permit to complete all the structural changes, but they are in the early stages and are just trying to get all of their ducks in a row.

Mayor Matherly asked what the businesses would be serving. Mr. Rowe stated they would be serving beer. He stated the south side of the building could eventually accommodate a kitchen. **Mayor Matherly** asked when they would be opening. Mr. Rowe replied that they hope to open in August.

Mr. Pruhs asked what the estimated cost would be for the remodel so everyone could understand the size of the project they are taking on. Mr. Rowe stated the estimated cost is over \$370,000.

Ms. Kun asked if they had a safety plan in place for those who consume alcohol then try to operate a vehicle. Mr. Rowe stated they will have to follow the tasting room consumption rule where patrons can only have two beers per visit. He stated they are looking into a scannable bracelet system to ensure that no one overconsumes.

Mr. Cleworth asked why they needed a winery and a brewery license. Mr. Mabie stated that in order to brew hard cider, they are required to have a winery license. Mr. Rowe added that in order to add fruit to the batches, a winery license is required.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LAT 65 BREWING COMPANY LICENSE AND THE LAT 65 CIDERHOUSE LICENSE UNTIL CONSTRUCTION IS COMPLETE AND A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

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

c) The Fairbanks City Council heard interested citizens concerned with the following application for a new liquor license:

Type: Winery
DBA: Lat 65 Ciderhouse
Applicant: Latitude 65 Brewing Company, LLC
Location: 150 Eagle Avenue, Fairbanks, AK

The new winery license [Special Orders, Item (c)] was discussed and addressed in the same motion as Special Orders, Item (b) above.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly stated that Project Homeless Connect will meet Wednesday from 10 a.m. – 3 p.m. at the JP Jones Community Center where they will help those in need by providing various services such as haircuts, health check-ups, and job opportunities. He stated Housing and Homeless Coordinator Mike Sanders has planned the event, and it is a great resource for people in the community who need the help. **Mayor Matherly** stated it is very cold outside and shared his concern for those who do not have a home. He stated it was nice to see Mr. Terry again and hear his continued support for a roller-skating rink; he wished him well in his venture.

COUNCIL MEMBERS' COMMENTS

Ms. Kun stated she agrees that Fairbanks needs a roller-skating rink. She stated she posted about it on Facebook, and over 100 people agreed.

Mr. Cleworth stated he has been part of a downtown working group at the Borough for some time, but it is slow-moving. He stated that the Downtown Association also has representation on that working group, and he is unsure whether Mr. van den Berg's earlier comments were criticism of the Borough, the City, or both. **Mr. Cleworth** spoke to the old parking meter system in the core downtown area and to the problems it created. He stated that the Downtown Association was involved in getting rid of the meter system and creating diagonal parking on 2nd Avenue. He explained that although the City posted parking signage, nothing was enforced, and it created parking anarchy in the downtown area for about two years. He stated that is when they came up with two-hour free parking, and the Parking Authority was created. He explained that, at first, the City had total control over the Parking Authority, and later the non-profit organization was created. **Mr. Cleworth** explained that the Parking Authority has its own volunteer Board of Directors, and the organization cannot be subsidized by the City. He stated that the City could provide Board information to Ms. Ethun who spoke earlier. He explained that the City contracted with GHPS some years ago to manage the parking garage downtown, and they do a great job. He stated that people can appeal tickets issued by GHPS at their monthly hearings. He stated that there is always going to be conflict between citizens and the Parking Authority.

UNFINISHED BUSINESS

- a) Ordinance No. 6122 – An Ordinance to Repeal Fairbanks General Code Sections 2-471 through 2-474, Public Safety Commission. Introduced by Mayor Matherly and Council Member Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6122.

Jason McComas-Roe, Fairbanks – Mr. McComas-Roe stated that he is a member of the Public Safety Commission (PSC), and he believes it is ineffective. He stated that the City Council is accessible to citizens, so there is no need for the PSC. He recommended sunseting the PSC.

Ms. Kun asked Mr. McComas-Roe to share a positive experience in serving on the PSC. Mr. McComas-Roe stated that he found the PSC's purpose to be redundant. He stated that while the PSC may have served a purpose in the past, he has not seen tasks or direction given to the PSC in his time served on the Commission. He stated that he did serve with some wonderful people who genuinely care and have the public's best interest at heart.

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

Ms. Kun stated that she is sad that the PSC will likely be eliminated because it is a good place for people to bring concerns. She stated she is proud to have served on the PSC but that she understands the reasoning behind sunseting the Commission. She added that Council Members are always available to citizens.

Mr. Cleworth stated that the PSC was created as a result of a conflict between a former Mayor and a former Police Chief. He stated those issues are no longer relevant and have not been for some time. He stated that unlike the Building Department's commissions and the Parking Authority, the PSC does not address appeals. He stated that when he was Mayor, City staff

communicated to him that the PSC had no purpose and can consume a lot of staff time. He expressed support for sunseting the PSC and requested to hear from City staff.

Mayor Matherly called forward Chief Reeder, Asst. Fire Chief Chambers, Public Works Director Jacobson, and FECC Manager Merideth.

Asst. Chief Chambers stated he does not believe the PSC currently serves a purpose and recommended that it be disbanded. He stated that staff is required to attend meetings, and it is a waste of time. He stated there are multiple ways for citizens to report issues and that citizens should not have to wait for the PSC to meet to share their concerns.

Ms. Merideth echoed Mr. Chambers' statements and shared that there have not been any meetings she attended that were relevant to her department.

Chief Reeder stated that FPD has protocols in place for complaints, and every complaint is logged, tracked, and receives follow-up. She stated complaints are taken seriously by FPD and are thoroughly investigated to promote transparency. She stated that members of the PSC feel as though they have no direction, and she can understand their frustration.

Mr. Jacobson spoke to the history of the PSC. He stated that PSC members serve with great professionalism. He recommended sunseting the PSC and turning the focus to how the City can better serve the community.

Mayor Matherly stated the City has formed a Task Force to deal with nuisance property issues. He stated that the PSC has served its purpose, and it is time to sunset the Commission.

Mr. Cleworth clarified that if someone has a personnel-related complaint, the PSC or the City Council could not address it; he stated those complaints would be handled by the City's Human Resources (HR) Department. He spoke briefly to the role and purpose of the Fact Finding Commission.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6122 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Kun, Gibson, Therrien

NAYS: None

ABSENT: Rogers

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6122 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4901 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Fairbanks Area Surface Transportation (FAST) Planning's Congestion Mitigation & Air Quality (CMAQ) Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

DISCUSSION ITEMS

a) Committee Reports

Permanent Fund Review Board – **Ms. Therrien** stated the Board recently met and prepared its presentation to the City Council. She invited anyone interested to attend the next Board meeting on April 29 at 1:30 p.m.

Fairbanks Diversity Council (FDC) – **Mayor Matherly** reported that the FDC did not have a quorum for its January meeting, but the body will meet again in February.

b) City Council Member Committee Assignments

Mayor Matherly stated he has asked Ms. Kun to sit on the Explore Fairbanks Board of Directors, and he has asked Mr. Gibson to serve on the FAST Planning Policy Board. He stated that since the FAST Planning Policy Board is a complex and important Board for the City, he would like to allow a transition period for Mr. Cleworth to pass the baton to Mr. Gibson. He stated that for the next few months, he would like to have them both assigned to the Board, and he asked whether any Council member objected. No members objected.

Mr. Cleworth stated that the City representative to the GHPS Board of Directors is City Engineer Bob Pristash, not him. He stated that he serves on the Board in a volunteer capacity, and it makes more sense to have a City employee with expertise serve as the City representative instead of a Council member.

WRITTEN COMMUNICATIONS TO COUNCIL

a) Hotel/Motel Discretionary Fund Committee Meeting Minutes of December 16, 2019

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Pruhs acknowledged the recent passing of three outstanding Fairbanks community members: “Bub” Larson, Ms. Miscovich, and Dr. Lundquist.

Mr. Cleworth stated he had no comments.

Mr. Gibson stated he had no comments.

Ms. Kun gave a land acknowledgement and provided resources to those in the community who may be struggling. She commended the Stone Soup Café for their recent “Soup Off” event.

Ms. Therrien stated she hopes the Council will discuss the number of liquor licenses in Fairbanks at the upcoming strategic planning sessions. She stated the Council could discuss the outright purchase of some liquor licenses to help with problem areas.

Ms. Kun, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing Roberts et al v. City of Fairbanks Litigation Strategy, AFL-CIO Labor Negotiation Strategy, FFU Labor Negotiation Strategy, and IBEW Labor Negotiations Strategy.

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

Mayor Matherly called for a brief recess. The Council reconvened in Executive Session following the brief recess.

EXECUTIVE SESSION

- a) Roberts et al v. City of Fairbanks Litigation Strategy
- b) AFL-CIO Labor Negotiation Strategy
- c) FFU Labor Negotiation Strategy
- d) IBEW Labor Negotiation Strategy

The City Council met in Executive Session to discuss Roberts et al v. City of Fairbanks Litigation Strategy, AFL-CIO Labor Negotiation Strategy, FFU Labor Negotiation Strategy, and IBEW Labor Negotiations Strategy. Direction was given to legal counsel and the negotiating teams, and no action was taken.

ADJOURNMENT

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


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

Mayor Matherly declared the meeting adjourned at 9:45 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB