



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, FEBRUARY 24, 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 5:00 p.m. Work Session for Strategic Planning on City Services and Revenues, 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: Margarita Bell, Chief Financial Officer (CFO)
 Paul Ewers, City Attorney
 D. Danyielle Snider, City Clerk
 Jeff Jacobson, Public Works Director
 Kristi Merideth, FECC Manager
 Angela Foster-Snow, HR Director

City Clerk 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 Flag Salutation.

CITIZENS' COMMENTS

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he believes the City gives over \$5 million a year to Explore Fairbanks. He spoke to the ideas for increasing taxes, and he questioned the Council's intentions for the Polaris Building. He stated if it becomes a performing arts center or a convention center the public deserves to know what the annual interest cost would be. He spoke to the plans he has seen that range in property size. He stated the Council should be interested in something that brings in revenue, like a casino, rather than burdening taxpayers.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg stated he is the Executive Director of the Downtown Association. He stated that parking management is a City service, just as snow removal is, and it is delegated to the Fairbanks Parking Authority. He read an excerpt from the *Downtown Idea Exchange* that spoke to the importance of parking management downtown. He stated that the City Council has the sole authority to grant, amend, or revoke the delegation of authority for parking services. He asked the Council to address whether it is interested in addressing its role in how services are delivered and received.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Cleworth pulled Ordinance No. 6124 from the Consent Agenda.

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

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

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Premises Address
1920	Salty's on 2nd	Beverage Dispensary	Tres Amigas, LLC	706 2nd Avenue

Ms. Kun, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Liquor License Application for Renewal.

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

Ms. Rogers stated that the owners of Salty's on 2nd spoke to the Council recently, and she spoke well of the owners and their efforts.

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

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

- b) The Fairbanks City Council heard the following Appeal of a Denied Application for a New Chauffeur License:

Applicant: Tiffany D. Edwards

Ms. Therrien, seconded by **Mr. Cleworth**, moved to GRANT the Chauffeur License Appeal.

Tiffany Edwards, Fairbanks – Ms. Edwards stated she would like to give it a try and asked the Council to approve her application.

Ms. Therrien asked Ms. Edwards whether alcohol was involved in the assault case on her record. Ms. Edwards replied affirmatively. **Ms. Therrien** asked Ms. Edwards what efforts she is making to combat her alcohol issue. Ms. Edwards stated she is working with the Office of Children's Services (OCS) and the LEAP program.

Mr. Gibson asked Ms. Edwards whether she plans to chauffeur as a fulltime job. Ms. Edwards stated that she plans to chauffeur fulltime for a while, but she is due to have a baby in August. She stated that she lost her other job in caregiving due to the assault charge.

Ms. Kun thanked Ms. Edwards for attending and asked if she was working towards certification in the LEAP program and whether she had enrolled with the Fairbanks Alcohol Safety Action Program (FASAP). Ms. Edwards stated that is what LEAP is. She stated she is unsure when she will complete the program, because they did not give her a timeframe.

Mayor Matherly thanked Ms. Edwards for coming and shared that driving a cab is a serious job with a public safety element.

Ms. Therrien asked Ms. Edwards to explain a little more about the LEAP and FASAP programs. Ms. Edwards stated she has to take assessments to determine how long she must remain in the program. **Ms. Therrien** asked if it was an alcohol rehab program; Ms. Edwards replied that she believes it is an anger management program.

Ms. Rogers stated there is a history of similar charges on Ms. Edwards' record. She stated it appears Ms. Edwards is addressing the most recent assault. **Ms. Rogers** asked Ms. Edwards if she is expecting her first child. Ms. Edwards stated that she is expecting her third child. **Ms. Rogers** asked Ms. Edwards whether she believes she is succeeding in the alcohol treatment program. Ms. Edwards replied affirmatively; she stated she is a kind, caring person when she is not drinking. **Mr. Rogers** stated she is happy Ms. Edwards is working on a path to recovery and wished her well.

Mr. Gibson asked Ms. Edwards how long it would take to get her certificate of completion from the LEAP program. Ms. Edwards stated the length of her participation in the program will be determined by the assessment. **Mr. Gibson** asked Ms. Edwards if she had begun the program. Ms. Edwards stated that she has been in contact with them, and she is working on it.

Ms. Kun stated she will base her considerations on what is set forth in Fairbanks General Code (FGC) Sec. 86-95(d)(1).

Mr. Cleworth, seconded by **Ms. Rogers**, moved to AMEND the motion to GRANT the Chauffeur License Appeal by requiring that the applicant favorably complete the LEAP program and provide proof to the City Clerk.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO GRANT THE CHAUFFEUR LICENSE APPEAL BY REQUIRING THAT THE APPLICANT FAVORABLY COMPLETE THE LEAP PROGRAM AND PROVIDE PROOF TO THE CITY CLERK AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Cleworth, Kun
NAYS: Pruhs
Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien, seconded by **Mr. Rogers**, moved to AMEND the motion to GRANT the Chauffeur License Appeal by also requiring that the applicant attend an assessment for alcohol use and follow the recommendations of that assessment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO GRANT THE CHAUFFEUR LICENSE APPEAL BY ALSO REQUIRING THAT THE APPLICANT ATTEND AN ASSESSMENT FOR ALCOHOL USE AND FOLLOW THE RECOMMENDATIONS OF THAT ASSESSMENT AS FOLLOWS:

YEAS: Kun, Gibson, Therrien, Cleworth, Rogers
NAYS: Pruhs
Mayor Matherly declared the MOTION CARRIED.

Ms. Kun asked Attorney Ewers whether the requirements are in line with City Code; Attorney Ewers replied affirmatively.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO GRANT THE CHAUFFEUR APPEAL UPON THE APPLICANT'S FAVORABLE COMPLETION OF THE LEAP PROGRAM WITH PROOF PROVIDED TO THE CITY CLERK AND UPON THE APPLICANT ATTENDING AN ASSESSMENT FOR ALCOHOL USE AND FOLLOWING THE RECOMMENDATIONS OF THAT ASSESSMENT AS FOLLOWS:

YEAS: Gibson, Cleworth, Rogers, Kun, Therrien
NAYS: Pruhs
Mayor Matherly declared the MOTION CARRIED.

Mayor Matherly encouraged Ms. Edwards to stay in touch with the City Clerk and thanked her for attending the meeting.

MAYOR'S COMMENTS AND REPORT

a) Special Reports

Hellen Renfrew, Fairbanks – Ms. Renfrew stated she is attending on behalf of Explore Fairbanks and spoke to Alaska Federation of Natives (AFN) events; she reported the 2020 and 2021 conventions would be held in Anchorage. She thanked Mr. Meeks and Ms. Kun for attending the Golden Heart Greeter Volunteer Banquet. She reported on Fairbanks events during 2019.

Mayor Matherly thanked everyone for their input during the earlier Work Session and stated that similar discussions would continue over the next few weeks. He reported he was in Juneau for the week, and he was able to speak to the Interior Delegation about the needs of Interior Alaska. He discussed State budget issues and how they may affect the Interior, and he thanked the Police and Fire Departments for their continued diligence in serving the community. **Mayor Matherly** stated Dispatch is a department that struggles across the state; he commented that the community is fortunate to have the services it has. He thanked the Public Works Department for their diligence in serving the City. He stated he relies heavily on the City Hall staff and stated that the City Clerk's Office often goes unsung.

COUNCIL MEMBERS' COMMENTS

Ms. Kun asked if the Council would be scheduling a Work Session about parking services.

Mayor Matherly stated he would speak to Clerk Snider about future Work Session dates.

Mr. Gibson thanked Mr. Buberger for attending and shared that he is following the issue of gambling in the State Legislature. He stated he would support a Work Session to discuss parking services.

Mr. Cleworth discussed the history of parking in the downtown area and spoke to the problem years ago with parking meters. He stated people became discouraged when coming downtown to shop, so the meters were removed. He stated the Downtown Association asked for some kind of parking regulation because it became anarchy. He stated that is when the two-hour free parking rule was adopted, and it is more user friendly. **Mr. Cleworth** spoke at length about the history of the Parking Authority and pointed out that it operates independently, without any subsidy from the City. He stated if something goes wrong with the structure, the City has to fix it, but the City does not oversee the parking services entirely. He explained why it would be a conflict and pose a staffing issue for the City to take parking services back over. **Mr. Cleworth** explained the process of appeals for parking citations. He stated it is a neutral body which does not cost the City any money, but it is not as formal as the State Court. He stated the City CFO Margarita Bell oversees the financials, but that is the extent of the City's involvement with the Parking Authority.

UNFINISHED BUSINESS

- a) Ordinance No. 6123 – An Ordinance to Amend Fairbanks General Code Chapter 78 by Repealing Art. XIV, Sec. 507 Bicycle Licenses and Sec. 508 Bicycle License Fee. Introduced by Council Member Kun. SECOND READING AND PUBLIC HEARING.

Ms. Kun, seconded by **Mr. Cleworth**, moved to ADOPT Ordinance No. 6123.

Victor Buberger – Mr. Buberger stated he was raised in California where they had bicycle licenses but stated it is something that should no longer be regulated. He stated it is a waste of money.

Ms. Therrien asked Mr. Buberger if he understood that the Council intends to repeal the bicycle license requirement. Mr. Buberger stated he is happy to hear that.

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

Mr. Pruhs, seconded by **Ms. Kun** moved to AMEND Ordinance No. 6123 by changing the word “scheme” in the second and third whereas statements to “program”.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6123 BY CHANGING THE WORD “SCHEME” IN THE SECOND AND THIRD WHEREAS STATEMENTS TO “PROGRAM” AS FOLLOWS:

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6123, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Kun, Gibson, Therrien
NAYS: None
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6123, as Amended, ADOPTED.

NEW BUSINESS

- a) Resolution No. 4904 – A Resolution to Amend the City Schedule of Fees and Charges for Services by Adjusting Garbage Collection Rates. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 6124 – An Ordinance Amending the 2020 Operating and Capital Budgets for the First Time. Introduced by Mayor Matherly.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to ADVANCE Ordinance No. 6124.

Mr. Cleworth asked whether Mr. Meeks had time to review the \$30,000 budget item discussed at the last Finance Committee meeting. **Mayor Matherly** stated it would be reviewed before the next Council Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6124 AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

- c) Ordinance No. 6125 – An Ordinance to Place Before City Voters Ratification of a Pass-through Loan from the Alaska Clean Water Fund to Golden Heart Utilities for Up to \$1.5 Million for Main Extension and Water Piping Improvements at the City-owned Wastewater Treatment Facility. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Polaris Work Group – **Mr. Pruhs** reported on the group’s progress but stated that nothing is concrete. He stated they are still in the brainstorming arena. He stated he was surprised to hear that Mayor Ward stated the Borough would charge the City tipping fees for the demolition of the Polaris Building.

Legislative Priorities Group – **Ms. Therrien** reported that the group recently met with City Lobbyist Yuri Morgan and went over recent legislation. She stated they would meet again the following week.

FAST Planning Policy Committee – **Mr. Cleworth** spoke about Congestion Mitigation Air Quality (CMAQ) funds, federal dollars for projects that have an impact on fine particulate matter (PM 2.5). He stated that the Engineering Department had ready-to-go projects, including D Street. He stated that the top projects on the list that came before the Committee were for projects that had not been scored, and the City projects that were scored were at the bottom of the list. He stated he questioned the point of having projects scored if unscored projects trumped others. **Mr. Cleworth** stated he and the Mayor pushed to have the D Street project moved up on the list. He shared that, in the end, D Street was ranked number two and was funded.

Fairbanks Diversity Council (FDC) – **Ms. Rogers** reported the last meeting was a success, and a lot of effort was made to prioritize the interest of citizens. She stated she was also in Juneau recently on personal business and met with the Mayor and Yuri Morgan while she was there.

Mayor Matherly asked for everyone's input on diversity-related issues. He shared that the next FDC meeting would be a time to discuss publicly the issues submitted by citizens.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Fairbanks Diversity Council Meeting Minutes of December 10, 2019

ACCEPTED on the CONSENT AGENDA.

- b) Fairbanks Diversity Council Meeting Minutes of January 14, 2020

ACCEPTED on the CONSENT AGENDA.

- c) Appointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

- d) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Kun gave a land acknowledgement and thanked everyone for their involvement in the strategic planning Work Session earlier in the evening.

Ms. Rogers thanked Ms. Edwards for attending and having the courage to appeal to the Council. She indicated that she would like to continue the strategic planning discussions in the future.

Ms. Therrien state she appreciates all the work put into strategic planning. She stated that she would like to take a more thorough look at parking services before addressing the issues.

Mr. Pruhs offered his condolences for the recent passing of Joe Nava.

Mr. Cleworth asked CFO Bell to provide a report on the City's Permanent Fund since its inception, showing all of drawdowns. He stated he would like to see continued efforts in restoring the basement halls of City Hall and shared that he is happy with the progress to date.

Mr. Gibson thanked everyone for the good discussions during the meeting. He spoke to his and Ms. Kun's recent meeting with the Governor and to the Governor's comments about the importance of local government.

Ms. Kun, seconded by **Mr. Pruhs**, moved to ENTER Executive Session for the purpose of discussing AFL-CIO Labor Negotiation Strategy and Gavora, Inc. v. City of Fairbanks Settlement 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) AFL-CIO Labor Negotiation Strategy
- b) Gavora, Inc. v. City of Fairbanks Settlement Strategy

The City Council met in Executive Session to discuss AFL-CIO Labor Negotiation Strategy and Gavora, Inc. v. City of Fairbanks Settlement Strategy. Direction was given to the negotiating team and to legal counsel, and no action was taken.

ADJOURNMENT

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


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

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



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB