



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2020-10  
**REGULAR MEETING – APRIL 27, 2020**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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*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.

NOTE: Due to concerns over the COVID-19 emergency, some special procedures are being implemented for City Council Meetings. Mayor Matherly and Council Members may participate telephonically during this time. Citizens may have written comments read into the record if submitted to the City Clerk in advance; the three-minute time limit applies to written testimony. To ensure compliance with Mandate 9 by Governor Dunleavy, the seating in Council Chambers has been arranged to accomplish social distancing. No more than 10 individuals will be allowed in the Chambers at the same time. Citizens arriving after the maximum number has been reached will be directed to wait in another area until it is their turn to speak to the Council. Those who are asked to wait in another area will be able to listen to the Council Meeting in progress and are asked to practice social distancing. We thank you for your understanding and cooperation during this difficult time.

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 February 10, 2020 – Corrected
- \*b) Regular Meeting Minutes of February 24, 2020
- \*c) Regular Meeting Minutes of March 9, 2020
- \*d) Special Meeting Minutes of March 19, 2020

8. SPECIAL ORDERS

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

| <b>Lic. #</b> | <b>DBA</b>                | <b>License Type</b>         | <b>Licensee</b>                | <b>Address</b>    |
|---------------|---------------------------|-----------------------------|--------------------------------|-------------------|
| 4530          | The Event Center & Lounge | Beverage Dispensary         | Pacific Rim Associates I, Inc. | 1288 Sadler Way   |
| 4941          | Seoul Gate Restaurant     | Restaurant/<br>Eating Place | Seoul Gate, Inc.               | 958 Cowles Street |

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6129 – An Ordinance Re-establishing an Incentive Bonus Program within the Fairbanks Police Department for Recruitment and Hiring. Introduced by Mayor Matherly and Council Member Therrien. **SECOND READING AND PUBLIC HEARING.**

12. NEW BUSINESS

- \*a) Resolution No. 4909 – A Resolution Extending for a Second Time the Mayor’s Declaration of a Disaster Emergency within the City of Fairbanks for the COVID-19 Pandemic and Requesting State and Federal Assistance. Introduced by Mayor Matherly.
- \*b) Resolution No. 4910 – A Resolution Awarding a Contract to HC Contractors, Inc. for the D Street Extension Improvement Project ITB 19-16 in the Amount of \$285,705. Introduced by Mayor Matherly.
- \*c) Ordinance No. 6130 – An Ordinance Amending FGC Sec. 2-201 Regarding the Fairbanks Parking Authority. Introduced by Council Member Cleworth.

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



CORRECTED

FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, FEBRUARY 10, 2020  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date, following a 5:00 p.m. Work Session for Strategic Planning on City Services & 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: Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Jeff Jacobson, Public Works Director  
Mike Meeks, Chief of Staff  
Angela Foster-Snow, HR Director  
Nancy Reeder, Police Chief  
Jim Styers, Fire Chief  
Tod Chambers, Assistant Fire Chief

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 Pledge of Allegiance.

**CITIZENS' COMMENTS**

Sue Sprinkle, 211 5th Avenue, Fairbanks – Ms. Sprinkle provided the Council with an update on a couple of properties in her neighborhood. She stated that a local business was robbed, and it is likely related to the property in her neighborhood. She shared that there was another break-in at the abandoned house near her property. She asked what would happen to the dilapidated house that recently burned down and expressed concern that it may become a problem property if it remains until the following summer. She stated she is excited about the idea of a nuisance property committee, and she would like to hear from the Council about what they would like to see happen.

**Mr. Cleworth** asked when the property Ms. Sprinkle referred to burned. Ms. Sprinkle stated that she believes the house burned down in January.

Max Plichta, 1763 Iniakuk Road, Fairbanks – Mr. Plichta addressed the Council about the issue of climate change. He urged the City Council to study the effects of global warming on Earth’s climate and gave suggestions as to how to go about addressing issues.

Julie Jones, 1442 Luke Street, Fairbanks – Ms. Jones stated she is speaking on behalf of the non-profit organization, Festival Fairbanks, and she spoke about Festival Fairbanks’ shared interest in nuisance properties. She expressed support for the renewal of the Mecca Bar liquor license. She stated that the Golden Heart Plaza has had many police calls recently, and it is not simply one particular area of downtown that is the problem. She stated it is up to all citizens to put their heads together to come up with a solution to these kinds of chronic problems.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he is sad about the recent deaths in the downtown area due to exposure; he shared that one of the men was a friend of his. He asked the Council to address what is really going on with the Polaris Building and how they intend to profit off the property. He suggested that the City is in with Explore Fairbanks and that it is a backdoor deal to acquire the building. Mr. Buberger stated he read that a \$200 million project was under consideration to put a performing arts center in that location; he commented that a certain Council member would be happy to chair that committee. He stated the City levies alcohol and bed tax but is keeping a secret as to what is going on with the Polaris project. He stated the building has been there for years and insinuated that Explore Fairbanks has something to hide. He stated that someone is going to make a lot of money.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg stated he is attending as the Director of the Downtown Association (DTA). He stated that the Borough has stalled completely in what could be done to help the downtown core area. He stated the City has the power to regulate on- and off-street parking, and he spoke to the importance of parking services. He stated Ordinance No. 5723 gave the authority over parking services to the Parking Authority and asked what kind of authority they actually have.

Michael Farrell, P.O. Box 61004, Fairbanks – Mr. Farrell stated he listened to the last meeting, and he thought it was inappropriate for the Mayor to tell citizens at a Council Meeting what is or is not appropriate be discussed; he stated that he would like a list of items that are not allowed to be spoken about. He stated the Mayor met someone with hostility at the last Council Meeting, and it was not appropriate. Mr. Farrell explained to the Mayor that if he intends to move up in politics he has to allow people to speak. He stated citizens should be allowed to ask any questions they wish about a huge project like the Polaris Building. He stated the public is asking about the plan, and they should be heard. He stated he saw a 300-page document relating to the project; he stated if that much has been invested in planning, there is likely something going on behind the scenes.

David Hayden, 147 3rd Avenue, Fairbanks – Mr. Hayden stated he lives in the neighborhood near American Tire and Auto and the Clay Street Cemetery; he expressed support for rewriting the local nuisance ordinance. He stated he has read Anchorage’s ordinance, and the City could adopt something similar. Mr. Hayden stated there is a house that was a nuisance all summer, but it never came up on the City’s radar until it recently burned down. He stated it should not take a crisis in

order for the City to pay attention to the area, and he mentioned the local business that was recently robbed. He stated he calls the police, makes reports, and has been talking about the problems since October, but nothing has been done to fix the problem.

**Mr. Cleworth** asked Mr. Hayden if he read the whole Anchorage ordinance and whether their ordinance is codified or just a policy. Mr. Hayden stated that the Anchorage ordinance is codified.

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 December 2, 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:

| <b>Lic. #</b> | <b>DBA</b>                  | <b>License Type</b> | <b>Licensee</b>             | <b>Premises Address</b> |
|---------------|-----------------------------|---------------------|-----------------------------|-------------------------|
| 710           | Mecca Bar                   | Beverage Dispensary | JRB, Inc.                   | 549 2nd Avenue          |
| 104           | Red Lantern Steak & Spirits | Beverage Dispensary | Westmark Hotels, Inc.       | 813 Noble Street        |
| 4247          | Brewster's                  | Beverage Dispensary | Restaurant Concepts, LLC    | 3578 Airport Way        |
| 4819          | The Antler Room             | Beverage Dispensary | The Antler Room, Inc.       | 1003 Pioneer Road, #A   |
| 5169          | HooDoo Brewing Company      | Brewery             | Fairbanks Fermentation, LLC | 1951 Fox Avenue         |
| 4168          | Food Factory                | Beverage Dispensary | CNR Enterprise, LLC         | 275 Bentley Trust Road  |

**Ms. Kun**, seconded by **Mr. Gibson**, moved to consider the Mecca Bar Liquor License Application for Renewal separately from other renewal applications.

**Mayor Matherly** called for objection to considering the Mecca Bar Liquor License Application for renewal separately from other renewal applications, and hearing none, so ORDERED.

**Mr. Pruhs**, seconded by **Ms. Kun**, moved to consider The Antler Room Liquor License Application for renewal separately from other renewal applications.

**Mr. Pruhs** declared a conflict of interest as a member of the Elk's Lodge and stated he would like to abstain from voting on The Antler Room liquor license renewal application. **Ms. Therrien** stated she is also an Elks Lodge member and may have a conflict.

City Attorney Paul Ewers advised that if Council Members are only general members of the Elks Lodge, it would not preclude them from voting on the liquor license renewal.

**Mr. Pruhs** stated he would be abstaining from the vote. **Mayor Matherly** advised Mr. Pruhs that there was no conflict and that he could vote. **Mr. Gibson** stated that he is also an Elks member.

**Mayor Matherly** stated that Attorney Ewers' advice stands, and if Council Members are only general members of the organization and are not benefiting monetarily, there is no conflict.

**Mayor Matherly** called for objection to considering The Antler Room Liquor License Application for renewal separately from other renewal applications, and hearing none, so ORDERED.

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the HooDoo Brewing Company, Food Factory, Brewster's, and Red Lantern Steak & Spirits Liquor License Applications for Renewal.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE HOODOO BREWING COMPANY, FOOD FACTORY, BREWSTER'S, AND RED LANTERN STEAK & SPIRITS LIQUOR LICENSE APPLICATIONS FOR RENEWAL AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Kun, Gibson, Therrien  
NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Kun**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on The Antler Room Liquor License Application for Renewal.

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

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

YEAS: Pruhs, Therrien, Kun, Cleworth, Gibson, Rogers  
NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the Mecca Bar Liquor License Application for Renewal.

Serena McCormick, P.O. Box 753171, Fairbanks – Ms. McCormick stated she is a bartender at the Mecca Bar; she stated she attends college classes during the day and works mostly at night. She stated she attended a Council Meeting two years ago for the liquor license renewal, and she invited Council Members to visit the bar for a tour; she stated that only two members have come in. She stated there is a problem in Fairbanks, but it is a community issue – not a license issue. Ms. McCormick stated there are times when a person is drunk and instead of leaving them lying half naked outside in subzero temperatures waiting for the service patrol to arrive, she allows them to warm up inside until help arrives. She stated two people have recently frozen to death, and she does not want that to continue to happen. She stated the Mecca Bar is the oldest bar in Fairbanks, and it has been at its original location for 74 years. She stated she is happy to be part of Fairbanks history.

Julie Jones – Ms. Jones stated the Mecca Bar is a great, downtown historic place to visit and is also a gaming location for Festival Fairbanks. She stated the Mecca Bar generates nearly \$70,000 for Festival Fairbanks, and they are hoping to use those funds to purchase cameras with recording capability at the Golden Heart Plaza. She stated that cameras should help the Fairbanks Police Department (FPD) and Public Works identify who is doing the damage at the Golden Heart Plaza. She stated they used to have webcams downtown that the police had access to, and it would be nice to have tools like that to combat the community problem that is only getting worse.

Tiffany Ayers, 2576 Linda Lane, Fairbanks – Ms. Ayers stated she is the owner of River City Café in the Co-op Plaza and shared that, including the Mecca Bar, there are nine establishments that serve alcohol on 2nd Avenue. She stated people who stumble out of the Mecca Bar come to her shop and disrupt her patrons, and she caters to tourists. She stated she employs young people who are still in high school, and her employees should not have to deal with drunk patrons from the Mecca Bar. Ms. Ayers stated a 17-year-old employee had to deal with a drunk individual who came into her establishment and took off all his clothes before passing out in the middle of the restaurant. She stated it is worse for people whose businesses within close proximity to the Mecca Bar, and she feels badly for them. She stated it was not as bad when her shop was just a little further down the street at 523 2nd Avenue. Ms. Ayers stated her boyfriend will not even come down to visit at her business because the people outside the Mecca Bar ask for rides, and when he has refused, they have told him they would steal his car. She stated she deals with the problems, but she is tired of dealing with the harassment of Mecca Bar patrons.

Larry Hackenmiller, 518 Farmers Loop Road, Fairbanks – Mr. Hackenmiller stated he sees people getting kicked out of the Mecca Bar and stated it is illegal to serve alcohol to an intoxicated person. He stated the employees at the Mecca Bar are diligent about kicking out people who come into the establishment already intoxicated. He stated Jodi has worked tirelessly and in harmony with the FPD to keep her business on the up-and-up. Mr. Hackenmiller stated that when the City came up with the alcohol tax it was intended to help deal with the community problem, but the revenue is not being used for that purpose. He spoke in support of the Mecca Bar liquor license.

Aly Rasley, 1161 Shypoke Drive, Fairbanks – Ms. Rasley stated she was a magistrate for 28 years. She stated she is familiar with the alcohol problem in the community because she was the



arraignment officer for many cases involving alcohol. She stated that cameras in the downtown core area will help combat the issue better than shutting down the Mecca Bar. She stated cameras would aid a short-staffed police department. Ms. Rasley stated the problem is with people buying alcohol at liquor stores and drinking it in the GHP, the Catholic parking lot, and other areas. She stated this is a community issue that is not caused by the Mecca Bar liquor license.

**Ms. Therrien** asked about a task force that Ms. Rasley was a part of. Ms. Rasley stated that when the City and mental health professionals work together, a lot can be done. She stated the program was successful because there was a lot of cooperation between entities; she indicated that is not how things are working anymore.

Kelly Locker, 129 1st Avenue, Fairbanks – Ms. Locker spoke in support of the Mecca Bar. She stated it has been a great place to work for 15 years, and she has never felt unsafe there. She stated people who get kicked out are intoxicated upon arrival, but when it is -40 degrees, it is wrong to put an intoxicated person who cannot stand onto the street. She questioned what they are supposed to do when the Emergency Service Patrol (ESP) will not take them and 9-1-1 will not respond.

Robert Fox, 843 5th Avenue, Fairbanks – Mr. Fox stated he works on 2nd Avenue, and he will not blame the Mecca Bar for the problems; he stated, however, that the business is a magnet for problems downtown. He stated often times he escorts people down the street who do not feel comfortable walking past the establishment alone. Mr. Fox stated there is often vomit and urine along the street that is not cleaned up. He stated that his business takes care of their little area, but they do not clean up other areas down the street. He stated the police will not respond because there is no money in it for the City. He stated he has had to get face-to-face with patrons from the Mecca Bar. He commented that the City should either shut the bar down or do what is needed to deal with the problems. He stated that patrons sometimes scare tourists, and the problem should be addressed by having a police presence downtown.

Kemp Lankford, 929 Cranberry Ridge, Fairbanks – Mr. Lankford stated he owns Aurora Apothecary next to the Mecca Bar. He stated alcoholism is a real problem, and it would be wrong for him to blame one bar for all of the problems. He reaffirmed that it is a community issue and that the City of Fairbanks is too good for this. He commented that revoking the liquor license will not solve the problem. He stated he does not believe the camera project is ever going to come to fruition and suggested that a mental health court might be a better way to combat the problem.

Rina Kowalski, Fairbanks – Ms. Kowalski stated the Mecca Bar has a terrible reputation for overserving people and a terrible staff. She spoke to a situation that occurred at the Mecca Bar when Ms. Locker was working that made her and her partner so uncomfortable they had to leave. She stated she has seen Ms. Locker overserve patrons to the point that they cannot walk, and that is wrong. She stated that the business is a nuisance to the community and asked the Council not to support renewal of the liquor license.

Victor Buberger – Mr. Buberger stated people confront him outside the Mecca Bar and in front of the Co-op Plaza, but in the old days there were always officers on patrol. He stated there used to be better control, and it is wrong to fault business owners for a problem much bigger than themselves.

Jodi Blakley, 2000 Patricia Court, Fairbanks – Ms. Blakley stated she has worked very hard to follow rules and make the Mecca Bar a welcoming place. She stated they do not allow intoxicated individuals in, and the only exception is when it is freezing outside, and a person is passing out on the street. She stated they had a customer who died from exposure. She stated the cameras are paid for and will be installed in the near future.

**Mr. Gibson** asked Ms. Blakley how long she had owned the bar; Ms. Blakley stated 13 years.

**Ms. Therrien** asked Ms. Blakley for her thoughts about the accusation that her bartenders overserve patrons. Ms. Blakley stated that it if happens, it happens rarely. She stated her staff takes care of Mecca Bar customers. **Ms. Therrien** asked whether the list of those who are not allowed in the bar grows each year. Ms. Blakley stated that once a person is on the list, their name does not come off. She stated, however, that once a year they go through the list and cross off names of those who have passed away.

**Ms. Kun** asked Ms. Blakley if she could hire a security guard. Ms. Blakley stated that a security guard would not be able to enforce anything outside, so their only function would be to do ID checks; she stated that would be redundant because the bartenders already do that.

**Ms. Rogers** asked Ms. Blakley what she meant when she said police officers do not come to 2nd Avenue anymore. Ms. Blakley stated that the police used to do regular walk-throughs at the bar, but they have gotten away from that. She stated she would be happy to have officers park in front of her bar while they do paperwork, just to establish a presence.

Travis Davis, P.O. Box 58265, Fairbanks – Mr. Davis stated that in all his years in Fairbanks he has never heard of a major shooting or stabbing at the Mecca Bar. He spoke in support of the liquor license renewal.

David van den Berg – Mr. van den Berg stated the Mecca Bar puts the DTA in an awkward spot because there is definitely a social problem, but there are also problems with the establishment. He stated it negatively affects the businesses downtown.

Debra Babcock, P.O. Box 55764, North Pole – Ms. Babcock stated her son was a chronically inebriated person who was a Mecca Bar customer; she shared that he passed away. She stated she has heard about downtown Fairbanks accepting money from the Mecca Bar, and money talks. She stated it hurt to hear Ms. Blakley say they go through their list and cross off those who have died.

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

**Mayor Matherly** pointed out that there were no department-recommended protests for the license.

**Mr. Cleworth** stated he owns the building next to the Mecca Bar, and he has a conflict of interest. He stated he would abstain from discussion and the vote on the Mecca Bar liquor license renewal.

**Ms. Rogers** asked Police Chief Reeder to provide a staff report on callouts. Chief Reeder stated a lot of calls on the list are not related to the license, but the address was used to direct police to the incident location. She stated that sometimes incidents are on the street or in parking lots.

**Mayor Matherly** spoke to the limited resources at the City – especially at FPD. Chief Reeder stated there are now eight vacancies in her department, and five officers intend to retire soon. She stated they have been trying to hire officers, but it is difficult to find qualified applicants. She stated FPD officers are call-driven and have no unobligated time.

**Mr. Gibson** asked about the 16 calls for service referenced by Chief Reeder. Chief Reeder stated she went through the entire list for the Mecca Bar, but only 14 of the calls were cause for concern. She stated the location is often used as a reference point for calls for service, but calls may not be related to the license.

**Ms. Therrien** asked if it would be possible to have a bigger police presence downtown. Chief Reeder stated there are a lot of neighborhoods that would like to have more police presence, but it is not feasible at this time. She stated that she would like to have a couple officers on bicycle patrol downtown in the summer, but with staffing levels as they are now, it is not feasible.

**Ms. Rogers** stated it is going to take everyone working together to find solution to the problems facing the community. She stated a lot of light has been shone on community issues throughout the meeting, and they are problems that are not easily fixed. She stated she was encouraged to hear people agree that it is a community issue; she stated she will be voting to support the liquor license renewal, and she thanked all those who attended and spoke about the issue.

**Ms. Therrien** stated that the chronic inebriate issue needs to be addressed in the goals of the City and that taking away the Mecca Bar is not going to solve the problem. She stated that the problem would just shift to another establishment. She stated she would like to see more of a police presence in the downtown area during the summer, but the bigger topic that needs to be addressed is the issue of chronic inebriates.

**Mayor Matherly** stated he has been working with the Chief of Staff on public inebriation and loitering issues because he does not want the problem to deter tourism. He stated his heart goes out to Ms. Babcock; he stated it is a sad statistic that Alaskans are not proud of. He stated alcohol is a major problem in Alaska, and he is working on a few different solutions at the ground level. He stated he will work with Chief Reeder on regulation and enforcement.

**Ms. Kun** stated she is a substance abuse counselor, and there is a need for the City to admit there is a problem. She stated she used to patronize the Mecca Bar when she was a care worker because one of her clients liked to go to the bar. She stated overserving is a very real issue, and she has received calls from citizens who want the Mecca Bar to be shut down. She stated that when she was running for office, a gentleman asked her to have the bar shut down. She stated that the man said he is a relapsing drug addict, and he can go to the Mecca Bar anytime and pick up any drug of his choice. She stated she would not vote in support of the liquor license renewal.

**Mr. Pruhs** stated there were some disparaging comments made about a fine person who works at the Mecca Bar, and he does not appreciate hearing such things about a good person.

**Mr. Gibson** stated he understands the downtown has issues, but it is the Council's job to address those issues – not the license holder's job.

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

YEAS: Therrien, Rogers, Pruhs, Gibson

NAYS: Kun

ABSTAIN: Cleworth

**Mayor Matherly** declared the MOTION CARRIED.

**Mayor Matherly** called for a brief recess. The meeting resumed following the short recess.

- b) The Fairbanks City Council heard interested citizens concerned with the following Application for a New Marijuana Product Manufacturing Facility License:

Type/License: Marijuana Product Manufacturing Facility, License #14874

DBA: GoodSinse, LLC

Applicant: GoodSinse, LLC

Location: 2604 Davis Road, Fairbanks

**Ms. Therrien**, seconded by **Ms. Kun**, moved to PROTEST the New Marijuana Product Manufacturing Facility License until a Certificate of Occupancy is issued by the Building Department.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE NEW MARIJUANA PRODUCT MANUFACTURING FACILITY LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING DEPARTMENT AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

**Mayor Matherly** stated that Jo Scott has been in his thoughts because her husband Dick passed away recently. He spoke to the events he attended since the last City Council Meeting.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Therrien** stated she looks forward to working on the nuisance property ordinance and shared that it is time for the Council to find a resolution to that issue.

**Mr. Gibson** thanked Mr. Plichta for attending and speaking to the Council about climate change, and he encouraged him to continue his work. He shared some things the City is doing to reduce its carbon footprint and energy usage.

**Mr. Pruhs** encouraged Mr. Buberger and Mr. Farrell to stay so he could address their comments later on in the meeting when he provides an update on the Polaris Work Group.

**Ms. Rogers** echoed Mr. Gibson’s comments and stated the City could put climate change information on the City website.

**Mr. Cleworth** stated that LED lighting has saved the City 50% on their light bill; he stated the City does its best to use as few resources as possible. He addressed Mr. Buberger’s earlier comments and shared that the Council approved a resolution within the past six months addressing what might happen with the Polaris Building property.

**Ms. Rogers** applauded Mr. Cleworth his efforts in the historical restoration of City Hall.

**UNFINISHED BUSINESS**

- a) The Fairbanks City Council addressed the following Liquor License Application for Renewal. POSTPONED from the Regular Meeting of January 27, 2020; public hearing was held at that time.

| Lic. # | DBA             | License Type  | Licensee            | Premises Address    |
|--------|-----------------|---------------|---------------------|---------------------|
| 1134   | Thrifty Liquors | Package Store | Market Basket, Inc. | 1410 Cushman Street |

*At the Regular Meeting of January 27, 2020, Ms. Kun, seconded by Mr. Gibson, moved to PROTEST the Thrifty Liquors liquor license application for renewal. The motion to protest remained on the floor.*

The Council requested to hear from the liquor license applicant.

Rudy Gavora, P.O. Box 70021, Fairbanks – Mr. Gavora stated he has never had to come before the Council for an existing liquor license – only when there was a new license or the transfer of a license. He stated he is somewhat offended. He stated the City has no problem taking millions of dollars in tax revenue from the location. He stated that they have been operating in Alaska for 60 years, and they have had package store and beverage dispensary licenses throughout the state. He stated they have always been a responsible retailer and have never lost the ability to sell at any of their stores, putting their record above any other chain in the State of Alaska. Mr. Gavora stated they have never gone through these kinds of proceedings with any other municipality. He stated his employees are trained through the Training for Alcohol Professionals (TAPS) Program. He stated that the Council is asking \$15-an-hour clerks to do law enforcement work. He explained that their job is to control liquor sales at the point of sale under the regulations of the State of Alaska Alcoholic Beverage Control (ABC) Board. He stated his employees do a great job, but they cannot control consumptions once a person leaves the business. He stated they sell to mostly sober people, and they have internal incident reports and “no-sell” lists. Mr. Gavora stated the 95 calls reported to the Council cannot be quantified as having direct correlation with the liquor store; he stated he spoke with City Dispatch. He explained that the majority of the calls were during summer months. He spoke about his service on former Mayor Strle’s Chronic Inebriate Task Force

and to how things were done at that time. He stated that people are trying to blame everything on alcohol, but there are much bigger problems. He stated the City is happy to embrace its new revenue partner “with the leaves”. He asked whether anyone has looked at the “zombie culture” at night when liquor establishments are closed; he stated they are the ones out at night causing trouble.

**Mr. Pruhs** asked for confirmation that the Gavora family had been in the liquor business since the 1960’s; Mr. Gavora confirmed. **Mr. Pruhs** asked whether they ever had a license pulled, and Mr. Gavora replied that they have not. **Mr. Pruhs** stated that there are many less liquor stores and bars in Fairbanks than there used to be, so there is a condensed group of people patronizing a smaller number of locations. Mr. Gavora stated the DTA has done a great job of pushing it out to other locations; he mentioned that Bentley Mall, Gavora Mall, and Fred Meyer East are affected by the same issues. **Mr. Pruhs** asked Mr. Gavora about the stores he currently owns and operates. Mr. Gavora stated they six stores in the Borough, three of which are in the City.

**Ms. Therrien** stated that when she drives near the location, she sees people loitering and drinking in the parking lot. She asked Mr. Gavora if he could offer any solutions. Mr. Gavora stated that he disagrees with Ms. Therrien and that he is there sometimes three times in one day. He stated that security guards and employees chase people off the property and that it is not necessarily his property where the people are congregating. Mr. Gavora stated that people also hang out on property near Stacia Street and that the liquor store is in close proximity to chronic inebriate housing. He stated the liquor store was there long before the facility. He indicated that alcohol problems are less now than they used to be and that there are about 60 chronically inebriated people causing the problem. He stated that his business pays millions of dollars to the City in alcohol and property taxes, and he asked what the funds were being spent on.

**Mr. Gibson** asked Mr. Gavora if he knew his liquor license renewal would be considered by the Council at the last meeting. Mr. Gavora stated that he was not aware and that he has never had to deal with an issue like this before.

**Ms. Kun** asked whether the TV at the location is ever turned off; she stated it is very bright. Mr. Gavora stated that he was unsure how that was pertinent to the liquor license. **Mayor Matherly** asked Council Members to stay on topic. **Ms. Kun** asked about theft procedures at the location. Mr. Gavora stated they try to stop theft unless it may cause harm to employees and that chronic inebriates are chronic thieves. He stated they try to prevent risk to employees as much as possible.

Hearing no more Council Member questions for Mr. Gavora, **Mayor Matherly** stated it was time for Council discussion.

**Mr. Pruhs** stated he has been told that the problem is not Thrifty Liquors – it is “First Housing”. He stated the subdivision has deteriorated because of the facility. He commented that Mr. Gavora should not be crucified because of that.

**Mr. Cleworth** corrected Mr. Pruhs; he stated that it is called “Housing First”. He stated that the problems near Stacia Street were there long before Housing First. He stated that area was a big problem area when he was Mayor. He stated that he agrees with Ms. Therrien that there are folks loitering outside the liquor store before it opens early in the morning, and he knows the individuals

by name because he has to deal with them at his business downtown. **Mr. Cleworth** stated he was asked recently by Borough officials if the Council would protest the Thrifty Liquors license; he stated the Borough is having problems at the transit station. He stated there is no legal tool to deal with the chronic inebriate issue, and he does not expect police to deal with those issues all the time. He acknowledged the bigger community problem. He spoke to his own experiences in dealing with the alcohol problem at his downtown business, and he stated he is tired of it.

**Ms. Therrien** disagreed with Mr. Pruhs' statement that the Council was crucifying Mr. Gavora; she stated they were only asking questions. She pointed out that the Council postponed the issue from the last meeting to give Mr. Gavora the courtesy of being able to speak about the license. She stated she is unsure what to do about the problem, and she suggested that perhaps the City should buy out some liquor licenses.

**Mayor Matherly** stated that it was not the intent to insult Mr. Gavora; he stated that the Council wanted to have more information before acting. He stated it is the Council's right to ask questions.

**Mr. Gibson** stated he did not want a repeat of the situation that occurred with The Spur's liquor license, so that is why he supported postponing the item.

**Ms. Therrien** stated the Council postponed the issue also because they wanted more information on police calls. **Mayor Matherly** asked FECC Manager Kristi Merideth for a staff report.

Ms. Merideth stated that there were 169 calls to Thrifty Liquors from January 1 – December 31, 2019. She explained that the calls include incidents near the store. She explained the process by which FECC stacks call location.

Clerk Snider was asked to call the roll on the motion. She clarified that the motion was on the floor from the last Council Meeting, but no details were provided in the motion to protest. She asked the maker of the motion if they wished to provide additional information.

**Ms. Kun** indicated that it would be great if Thrifty Liquors could post someone at the door to help with theft problems.

**Mr. Pruhs** moved to AMEND the motion to PROTEST by changing it to a motion to WAIVE PROTEST.

Clerk Snider stated that if the motion to protest fails, the Council essentially waives protest.

**Ms. Kun** stated she would like to stipulate that the Council protests until a theft safety plan is implemented. She stated she is not sure that the Council could do that.

**Mayor Matherly** stated he is not sure how the Council could quantify such a stipulation.

**Ms. Kun**, with the concurrence of the second, moved to WITHDRAW the motion to protest.

**Mr. Pruhs**, seconded by **Ms. Rogers**, moved to WAIVE PROTEST on the Thrifty Liquors Liquor License Application for Renewal.

**Mr. Cleworth** stated that he recalls that the Council has placed restrictions and stipulations on liquor licenses in the past. He asked Attorney Ewers whether the Council has the authority to do that. Attorney Ewers stated that the Council may place conditions on the waiver of a protest.

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

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

**Mayor Matherly** asked Clerk Snider what a failed motion to waive protest means. Clerk Snider stated that the failed motion to waive protest means that the Council protests the license renewal.

**Mr. Pruhs** stated he hopes everyone realizes what just happened.

Clerk Snider asked Attorney Ewers to confirm the effect of the failed motion to waive protest. Attorney Ewers confirmed that the failed motion to waive protest means that the Council protests.

**Mayor Matherly** asked Attorney Ewers whether the ABC Board makes the ultimate decision on the license renewal. Attorney Ewers explained that the ABC Board is the authority on liquor license renewals, but they are to give weight to the Council's protest.

**Ms. Therrien** suggested that some findings be included with the protest; she stated that one of the findings should be the number of incidents and ESP calls to the location.

Attorney Ewers stated it would be helpful to the Clerk in forwarding the protest if reasons were provided for the protest. He stated the Council would need to agree on findings.

**Mr. Cleworth** stated that there were a number of comments made during deliberations. He stated that, normally, the City Attorney would take all the comments to create findings of fact.

Attorney Ewers explained that when findings are needed, the Attorney prepares them and brings them back to the Council at the next meeting for approval. He stated that he could do that in this case, but, depending on the deadline for the City's response on the liquor license renewal, the protest may need to be sent to the state before findings are approved. Clerk Snider stated that the 60-day deadline is before the next Regular City Council Meeting. Attorney Ewers stated the response could go forward before the findings.

Attorney Ewers was directed to prepare findings of fact based on the Council's discussion to be presented for approval at the next meeting.

## **NEW BUSINESS**

- a) Resolution No. 4902 – A Resolution Requesting the Alaska Legislature to Fund the Recapitalization of the Community Assistance Fund. Introduced by Council Member Therrien.



PASSED and APPROVED on the CONSENT AGENDA

- b) Resolution No. 4903 – A Resolution Requesting the Borough Assembly to Reestablish the City Council as the Board of Adjustment for Appeals Involving Property Located within the City of Fairbanks. Introduced by Mayor Matherly and All City Council Members.

PASSED and APPROVED on the CONSENT AGENDA

- c) 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.

ADVANCED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

- a) Committee Reports

Explore Fairbanks – **Ms. Kun** shared that the new Board of Directors just took effect.

Polaris Work Group – **Mr. Pruhs** stated he was not in attendance at the last Work Group meeting. He stated that the group has discussed many options for future property development and that the City currently owns the property. He stated there is a great need in the community for senior housing. He spoke to the many different ideas that are on the table and clarified that none of them have been approved or are being funded by the City.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Permanent Fund Review Board Meeting Minutes of October 30, 2019

ACCEPTED on the CONSENT AGENDA.

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Gibson** stated the Fairbanks Children's Museum is a wonderful facility. He spoke to the recent retirement of Dr. Bergeson, a well-respected pediatrician in Fairbanks. **Mr. Gibson** commented on the amount of time Chief Reeder spent researching the call reports for liquor establishments and questioned whether the reports were doing more harm than good. He stated he is new to the Council and does not know how the reports came about, but perhaps the Council should reconsider the need for the reports. He suggested that the Chief's time may be better spent elsewhere. **Mr. Gibson** suggested that putting that kind of information on the record could be hurting a business since all of the calls may not have relevance to the business.

**Mr. Cleworth** asked whether staff could find a better way to prepare reports so that the Council has more clear and concise information. He thanked Attorney Ewers for taking the initiative to clarify the City's appointment of a representative to the Golden Heart Parking Service (GHPS)

Board; he stated he wished that information had been codified. He stated there is work being done to make the City Code match the agreements with the Parking Authority. **Mr. Cleworth** stated that he will bring Resolution No. 4903 to the Borough Assembly as he is the City representative for the next meeting. He expressed disappointment that the Borough does not allow the City to serve as the Board of Adjustment on appeals involving property within the City of Fairbanks. He thanked Public Works Director Jeff Jacobson for the restoration work he is doing in the downstairs hallway.

**Mr. Pruhs** stated he would like GHPS to provide the Council with a policy manual for the violations they have the authority to cite. He stated it is time for the City Council to look into the role it has in GHPS operations.

**Ms. Therrien** stated she is happy the Council has held its first goal-setting meeting. She encouraged the Council to schedule a second session so they stay on track.

Mr. Meeks asked when the Council would like to hold another session and what topics they would like to discuss. **Ms. Therrien** stated they need to continue with the earlier discussion.

**Mayor Matherly** stated a Work Session before the next Regular Council meeting was available.

**Ms. Rogers** asked Mr. Cleworth if he would like for her to attend the next Borough Assembly meeting with him; Mr. Cleworth stated that would be nice.

**Ms. Kun** thanked everyone for contributing to the difficult conversations about alcohol and the community. She gave a land acknowledgement and encouraged people who are struggling to reach out and ask for help.

**Ms. Therrien**, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing AFL-CIO, FFU, and IBEW Labor Negotiation Strategies.

**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) FFU Labor Negotiation Strategy
- c) IBEW Labor Negotiation Strategy

The City Council met in Executive Session to discuss AFL-CIO, FFU, and IBEW Labor Negotiation Strategies. Direction was given to 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 11:00 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, FEBRUARY 24, 2020  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date, 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 was 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.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, MARCH 9, 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 Nuisance Property Discussion, 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: Clem Clooten, Building Official  
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  
Bob Pristash, City Engineer  
Jim Styers, Fire Chief

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.

**CEREMONIAL MATTERS**

**Mayor Matherly** reported on the coronavirus and shared information he has been provided by other entities throughout the state. He reminded everyone about the importance of washing hands and sanitizing areas.

## **CITIZENS' COMMENTS**

Marna Sanford, 455 McKinley View Drive, Fairbanks – Ms. Sanford stated her husband's vehicle was recently towed from a private parking lot; she clarified that he neglected to read the parking signs and was rightfully towed. She explained that when they called about the towing fees and to find out when they could collect their vehicle, they were not given answers by the towing company. She indicated that the experience was unsatisfactory, and she told the gentleman at the towing company that she would change the law. Ms. Sanford stated that the Borough does not have the power to change towing laws, but the City does. She referenced Anchorage's consumer bill of rights in regard to towing which she distributed to Council Members. She stated that, fortunately, she and her husband were able to pay the cash-only payment to get their vehicle, but there are many people in the community who would not be able to afford such a cash payment. She asked the Council to introduce an ordinance.

**Mr. Cleworth** asked what time of day Ms. Sanford contacted the towing company. Ms. Sanford stated it was in the evening, and she spoke with a person in Anchorage.

**Ms. Therrien** asked which towing company it was; Ms. Sanford stated it is located on Peger Road.

**Mr. Gibson** asked whether a City ordinance would apply to any towing companies located outside the City. City Attorney Ewers stated it would not.

**Mr. Pruhs** asked Ms. Sanford if she would be interested in meeting with him and the City Attorney to begin drafting an ordinance. Ms. Sanford replied affirmatively.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he thinks of Donna Gilbert often and her references to the "good ole' boys club". He stated people should be allowed to know what is really going on with the Polaris Building downtown.

Paloma O'Riley, 1666 Market Street, Fairbanks – Ms. O'Riley stated that the coronavirus and a decline in oil prices are threatening our continued viability as a community. She spoke about the economic impacts of falling oil prices and the supply chain impacts that would result from China shutting down its factories. She stated the effects of the coronavirus are far-reaching, and it is not a matter of "if" but "when". She asked many questions about how an average citizen would be affected by the shutdown of schools, businesses, and other community organizations. She questioned whether there would be breaks given to citizens who may struggle financially during the crisis; she spoke about potential problems with health care. She provided some ideas for disaster mitigation and help to citizens.

**Ms. Therrien** asked Ms. O'Riley if she sent a letter to the State Legislature. Ms. O'Riley stated she had been in contact with some legislators but had not sent a letter.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin commented on a constitutional amendment that was proposed in the legislature the prior year regarding long-term sustainability of the State's Permanent Fund. He stated the amendment would place a "super lock" on the 5% annual draw. He stated he is concerned about legislators who are tempted to draw more than the statutory limit. He referenced a handout he provided to the Council regarding the amendment.

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.

**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 December 9, 2019.

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          |
|--------|----------------------------------|----------------------------------|-----------------------------------|---------------------------|
| 542    | Geraldo's Restaurant             | Beverage Dispensary              | Garlic Lovers, LLC                | 701 College Road          |
| 1475   | Pizza Hut of Fairbanks           | Restaurant/<br>Eating Place      | MP2 Alaska, LLC                   | 89 College Road           |
| 2424   | Sophie Station Hotel             | Beverage Dispensary<br>- Tourism | Fountainhead<br>Development, Inc. | 1717 University<br>Avenue |
| 3074   | Wedgewood Resort                 | Beverage Dispensary<br>- Tourism | Fountainhead<br>Development, Inc. | 212 Wedgewood Drive       |
| 3616   | Wedgewood Resort –<br>Bear Lodge | Beverage Dispensary<br>- Tourism | Fountainhead<br>Development, Inc. | 212 Wedgewood Drive       |
| 4344   | Bahn Thai Restaurant             | Restaurant/<br>Eating Place      | Somnuk, LLC                       | 541 Third Avenue          |

**Mr. Pruhs**, seconded by **Ms. Rogers**, moved to WAIVE PROTEST on the Liquor License Applications for Renewal.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATIONS 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 interested citizens concerned with the following Application for a New Liquor License:

Type/License: General – Wholesale/License #5887  
DBA: K&L Distributors Alaska  
Applicant: White Mountain Beverage Company, LLC  
Location: 945 Elizabeth Street, Fairbanks, AK

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Application for the New Liquor License.

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

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

YEAS: Gibson, Cleworth, Rogers, Kun, Therrien, Pruhs  
NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

- c) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership:

Type/License: Beverage Dispensary/License #4170  
DBA: The Library  
Applicant: Redbox, LLC  
603 Lacey Street, Fairbanks  
From: The Library/Tapas, LLC  
603 Lacey Street, Fairbanks

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

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

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

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth, Kun  
NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

**Mayor Matherly** offered condolences to the Gavora family for the recent loss of Rudy Gavora.

- a) Special Reports



**Mayor Matherly** asked Colonel Ben Bishop from Eielson Airforce Base (EAFB) to come forward to provide a report to the Council on things happening at EAFB. Col. Bishop provided a “State of the Wing” update to the Council, including information about the upcoming arrival of the F-35s. He spoke briefly about the history of EAFB.

**Ms. Rogers** thanked Mr. Bishop for attending and providing a report to the Council.

### **COUNCIL MEMBERS’ COMMENTS**

**Mr. Pruhs** shared that many considerations and ideas are being discussed for the Polaris Building property. He stated that discussions are still preliminary, and no funds have been allocated for anything specific at this time.

**Mr. Cleworth** spoke to the history of the towing industry in the City of Fairbanks. He thanked Mr. Griffin for attending and for providing reports to the Council.

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

**Ms. Kun** thanked Ms. O’Riley for attending and for speaking to the Council.

**Ms. Rogers** thanked everyone for coming and sharing their voice.

**Ms. Therrien** stated she would like the Council to address Ms. Sanford’s concerns about towing.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6124 – An Ordinance Amending the 2020 Operating and Capital Budgets for the First Time. Introduced by Mayor Matherly. **SECOND READING AND PUBLIC HEARING.**

**Ms. Kun**, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6124.

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

**Ms. Therrien**, seconded by **Ms. Kun**, moved to SUBSTITUTE Ordinance No. 6124, as Amended, for Ordinance No. 6124.

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

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

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6124, as Amended, ADOPTED.

- b) 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. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Mr. Gibson**, moved to ADOPT Ordinance No. 6125.

Steve Offenborn, Representative of Golden Heart Utilities (GHU) – Mr. Offenborn offered to answer any questions from the Council regarding the project or grant.

**Ms. Therrien** asked about the project number missing from the loan reimbursement agreement. Mr. Offenborn stated he believes that number is assigned after they apply for the loan.

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

**Mr. Cleworth** thanked the City Attorney for preparing the ordinance and stated that the most important part is the ballot question. He commented that the City has received \$8.7 million for the utility that it still owns.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6125 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6125 ADOPTED.

### **NEW BUSINESS**

- a) Resolution No. 4905 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for the FFY2019 Assistance to Firefighters Grant (AFG). Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4906 – A Resolution Supporting SB 179, an Act Including Provisions Relating to a Multistate Nurse Licensure Compact. Introduced by Mayor Matherly and All City Council Members.

PASSED and APPROVED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

- a) Committee Reports

Explore Fairbanks Board of Directors – **Ms. Kun** reported that the Board met recently, and there were some concerns about how the coronavirus may affect tourism.

Legislative Priorities Committee – **Ms. Therrien** reported that the Council would be meeting with legislators the following morning. She shared that she and Ms. Rogers would be travelling to Juneau later in the week to meet with legislators.

Fairbanks Diversity Council (FDC) – **Ms. Rogers** shared that the FDC would meet the following evening at 5:30 p.m. **Mayor Matherly** stated the meeting would be an informal work session.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Chena Riverfront Commission Meeting Minutes of July 10, 2019  
ACCEPTED on the CONSENT AGENDA.
- b) Chena Riverfront Commission Meeting Minutes of September 11, 2019  
ACCEPTED on the CONSENT AGENDA.
- c) Clay Street Cemetery Commission Meeting Minutes of November 6, 2019  
ACCEPTED on the CONSENT AGENDA.
- d) Hotel/Motel Discretionary Fund Committee Meeting Minutes of January 10, 2020  
ACCEPTED on the CONSENT AGENDA.
- e) Appointment to the Building Code & Landscape Review & Appeals Commission  
APPROVED on the CONSENT AGENDA.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Kun** gave a land acknowledgement and provided the suicide hotline for anyone who may need it.

**Ms. Rogers** thanked the Mayor for inviting Col. Bishop to the meeting. She asked everyone to use caution on the roads.

**Ms. Therrien** shared her desire to continue working on goal setting.

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

**Mr. Cleworth** spoke to the FDC and about the creation of the Diversity Action Plan (DAP). He also discussed the history of the Public Employees Retirement System (PERS) and to the costly mistakes that had been made with PERS over the years.

**Mr. Pruhs** offered his condolences to the Gavora family. He shared that services would be held at 3:30 p.m. on Wednesday at the Monroe Chapel. He commended CFO Margarita Bell for bringing the Council through the first budget amendment of the year.

### **CITY CLERK'S REPORT**

Clerk Snider reminded Council members that annual Financial Disclosure statements are due March 15.

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to ENTER Executive Session for the purpose of discussing AFL-CIO and IBEW Labor Negotiation Strategies.

**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) IBEW Labor Negotiation Strategy

The City Council met in Executive Session to discuss AFL-CIO and IBEW Labor Negotiation Strategies. Direction was given to the 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 8:58 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB



FAIRBANKS CITY COUNCIL  
SPECIAL MEETING MINUTES, MARCH 19, 2020  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 5:30 p.m. on the above date to conduct a Special Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor pro tempore Valerie Therrien presiding (Council Member, Seat C) and with the following Council Members in attendance:

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

Absent: Jerry Cleworth, Seat E  
Jim Matherly, Mayor

Also Present: D. Danyielle Snider, City Clerk  
Mike Meeks, Chief of Staff

**Mayor pro tem Therrien** called the meeting to order and stated that the Special Meeting was called to consider Ordinance No. 6126, An Emergency Ordinance Temporarily Authorizing the Telephonic Participation of Council Members at Council Meetings and Temporarily Authorizing the Mayor to Modify Provisions of the Fairbanks General Code Regarding Public Meetings and Participation in Order to Ensure the Health, Safety, and Welfare of Our Community During a State-Declared Public Health Emergency. She stated that Charter Section 3.6 provides that an ordinance may be introduced and adopted at the same meeting only in very limited circumstances. **Mayor pro tem Therrien** stated that first, a motion would be needed to suspend the rules to allow Ordinance No. 6126 to be introduced and adopted at the meeting. She explained that the motion must state the nature of the emergency and requires a unanimous vote of all council members in attendance.

**Mayor pro tem Therrien**, seconded by **Ms. Kun**, moved that the Council SUSPEND THE NORMAL RULES to allow introduction and adoption of Ordinance No. 6126 at this special meeting, based on the emergency created by the COVID-19 virus, as set out in the “whereas” statements in the Ordinance, and based on the need to adopt emergency measures so the council can continue to meet as mandated by the Charter while minimizing the risk of spreading the virus.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUSPEND THE NORMAL RULES TO ALLOW INTRODUCTION AND ADOPTION OF ORDINANCE NO. 6126 AT THIS SPECIAL MEETING, BASED ON THE EMERGENCY CREATED BY THE COVID-19 VIRUS, AS SET OUT IN THE “WHEREAS” STATEMENTS IN THE ORDINANCE, AND BASED ON THE NEED TO ADOPT EMERGENCY MEASURES SO THE COUNCIL CAN CONTINUE TO MEET AS MANDATED BY THE CHARTER WHILE MINIMIZING THE RISK OF SPREADING THE VIRUS AS FOLLOWS:

YEAS: Pruhs, Rogers, Kun, Gibson, Therrien

NAYS: None

ABSENT: Cleworth

**Mayor pro tem Therrien** declared the MOTION CARRIED.

## **NEW BUSINESS**

- a) Ordinance No. 6126 – An Emergency Ordinance Temporarily Authorizing the Telephonic Participation of Council Members at Council Meetings and Temporarily Authorizing the Mayor to Modify Provisions of the Fairbanks General Code Regarding Public Meetings and Participation in Order to Ensure the Health, Safety, and Welfare of Our Community During a State-Declared Public Health Emergency. Introduced by Mayor Matherly. PUBLIC HEARING.

**Ms. Kun**, seconded by **Mayor pro tem Therrien**, moved to ADOPT Ordinance No. 6126.

**Mayor pro tem Therrien** called for public comment and, hearing none, declared Public Testimony closed.

Clerk Snider requested to read comments submitted by Council Member Cleworth into the record. **Mayor pro tem Therrien** advised the Clerk to proceed. Mr. Cleworth's comments were read into the record as follows:

Mayor and Council Members:

I apologize for missing tonight's meeting. I have a conflict that on short notice I could not change. I have read the Ordinance before the Council and offer the following observations and thoughts.

I have no problem with temporarily changing our code regarding telephonic participation by the Mayor or Council members. I would prefer, unless absolutely necessary, that our future meetings still be held in the council chambers with the following conditions:

- 1) Only essential staff be there. If they are not comfortable with this, then provisions can be made to accommodate them. Council members uncomfortable with this or under possible quarantine can participate via phone.
- 2) It is essential to also accommodate the public for their input. I leave it up to the Council to discuss this and come up with the best solution that balance health concerns and open public meetings.
- 3) We have microphones at several tables, and if necessary for "safe distance", the council members could easily spread out farther than our current seating.
- 4) Executive sessions remain a logistical problem. This is one of the primary reasons I still favor having an actual meeting in chambers. I have a great deal of trust with all of the Council Members, and participating via phone should still be temporarily acceptable as long as there is no other person present in the room of the caller.

A final thought – I believe I heard the FNSB School Board recently wrestled with these questions as well, and they seemed to strike a good balance similar to what I have proposed. I may have misheard and apologize if that is the case. But it would be wise to take a look at what they did. Best to all of you! Jerry

**Ms. Kun** pointed out that the provisions of Ordinance No. 6126 will expire on May 31 unless extended by the Council, and she believes it was wise to include a deadline. She stated the Council will need to decide how to handle telephonic attendance at Executive Sessions.

**Mr. Gibson** asked for confirmation that Council Meetings would still take place in City Council Chambers and would not be held strictly by phone. Clerk Snider explained that the plan is to continue to hold Council Meetings in City Council Chambers. She stated there is no plan to hold Council Meetings by telephonic participation only.

**Mr. Pruhs** stated that extraordinary times call for extraordinary measures, and he believes it is in the best interest and safety of the general public, City employees, and Council Members to take these temporary measures.

**Ms. Rogers** stated the ordinance is prudent and necessary. She stated that the expiration date of the ordinance could be reassessed at a later time, if necessary.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6126 AS FOLLOWS:

YEAS: Pruhs, Therrien, Kun, Gibson, Rogers

NAYS: None

ABSENT: Cleworth

**Mayor pro tem Therrien** declared the MOTION CARRIED and Ordinance No. 6126 ADOPTED.

### **ADJOURNMENT**

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

Hearing no objection, **Mayor pro tem Therrien** declared the meeting adjourned at 5:40 p.m.

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JIM MATHERLY, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: DS



# City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6715

Fax (907)459-6710

## MEMORANDUM

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Liquor License Renewals

DATE: April 22, 2020

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

| Lic. # | DBA                       | License Type            | Licensee                       | Address           |
|--------|---------------------------|-------------------------|--------------------------------|-------------------|
| 4530   | The Event Center & Lounge | Beverage Dispensary     | Pacific Rim Associates I, Inc. | 1288 Sadler Way   |
| 4941   | Seoul Gate Restaurant     | Restaurant/Eating Place | Seoul Gate, Inc.               | 958 Cowles Street |

Pursuant to FGC Sec. 14-178 the Council must determine whether to protest liquor license renewal applications after holding a public hearing.

Per the Council's request, the Police Department has included a call report for the locations listed.

There are no department-recommended objections to these liquor license renewals.



**CITY OF FAIRBANKS PUBLIC SAFETY**

**EVENT CENTER 1288 Sadler Way**

03/31/2019 - 03/29/2020

| <b>Report #</b> | <b>Call Time</b> | <b>Nature</b> | <b>Location</b> | <b>Prime Unit</b> | <b>Disp.</b> | <b>Close Time</b>   |
|-----------------|------------------|---------------|-----------------|-------------------|--------------|---------------------|
|                 | 06/01/2019 23:30 | CIVIL PROBLEM | 1288 SADLER WAY | O5                | NRP          | 06/02/2019 01:55:42 |

Total Number of Events Listed: 1

**CITY OF FAIRBANKS PUBLIC SAFETY**

**Seoul Gate 958 Cowles St**

03/31/2020 - 03/29/2020

| <b>Report #</b> | <b>Call Time</b> | <b>Nature</b>      | <b>Location</b> | <b>Prime Unit</b> | <b>Disp.</b> | <b>Close Time</b>   |
|-----------------|------------------|--------------------|-----------------|-------------------|--------------|---------------------|
| 20000055        | 01/05/2020 17:07 | PAST VEHICLE THEFT | 958 COWLES ST   | O52               | RPT          | 01/05/2020 18:48:55 |
| 19001352        | 04/21/2019 12:03 | FRAUD/FORGERY -    | 958 COWLES ST   | O7                | RPT          | 04/21/2019 12:32:13 |

Total Number of Events Listed: **2**

**ORDINANCE NO. 6129**

**AN ORDINANCE RE-ESTABLISHING AN INCENTIVE BONUS PROGRAM WITHIN  
THE FAIRBANKS POLICE DEPARTMENT FOR RECRUITMENT AND HIRING**

**WHEREAS**, Ordinance No. 6050, as Amended, passed by the City Council in June of 2017, approved an incentive bonus program within the Fairbanks Police Department (the Department) for recruitment and hiring to address the significant shortfall in police officer staffing; and

**WHEREAS**, the sunset date for the bonus program, originally July 1, 2018, was extended until December 31, 2019, by Resolution No. 4832; and

**WHEREAS**, the reasons for providing a bonus to lateral hires were: (1) the cost to the City of sending an officer to the Police Academy (approximately \$30,000); and (2) a one-time, sign-on bonus of \$20,000 for a lateral hire would help attract applicants and would constitute a significant cost savings to the City; and

**WHEREAS**, while the bonus program has helped in attracting lateral hires, the Department's staffing levels continue to be a challenge due to retirements and transfers; and

**WHEREAS**, the Council finds that there continues to be a need for the bonus program; and

**WHEREAS**, the Department continues to have salary savings from unfilled positions that will fund the bonus program.

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

**SECTION 1.** An incentive bonus program for recruitment and hiring within the Fairbanks Police Department is hereby approved as follows:

- (a) An applicant who is a certified police officer in the State of Alaska or is able to meet Alaska Police Standards Council (APSC) certification standards without attending a basic officer academy will be paid a \$20,000 "sign-on bonus" in their first paycheck following completion of Field Training, subject to the payback provisions specified in the attached Sign-on Bonus Agreement.

- (b) If an active FPD employee recruits a new officer, as defined in subsection (a), who successfully completes the hiring process, the employee will receive a recruitment bonus of \$5,000.

**SECTION 2.** The bonuses established in Section 1 may only be funded by salary savings from unfilled, budgeted positions, if available.

**SECTION 3.** The bonus program created by this ordinance will apply retroactively to January 1, 2020 and will sunset on June 30, 2021, unless extended by Resolution of the City Council.

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**Jim Matherly, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, CMC, City Clerk

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Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS  
FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6129

Abbreviated Title: POLICE DEPARTMENT INCENTIVE BONUS

Department(s): POLICE DEPARTMENT

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:**

| <b>EXPENDITURES:</b> | <b>2020</b> | <b>2021</b> | <b>2022</b> | <b>Total</b> |
|----------------------|-------------|-------------|-------------|--------------|
| FPD SALARY AND WAGES |             |             |             | \$0          |
|                      |             |             |             | \$0          |
|                      |             |             |             | \$0          |
|                      |             |             |             | \$0          |
|                      |             |             |             |              |
| <b>TOTAL</b>         | <b>\$0</b>  | <b>\$0</b>  | <b>\$0</b>  | <b>\$0</b>   |

| <b>FUNDING SOURCE:</b> | <b>2020</b> | <b>2021</b> | <b>2022</b> | <b>Total</b> |
|------------------------|-------------|-------------|-------------|--------------|
| GENERAL FUND           |             |             |             | \$0          |
|                        |             |             |             |              |
| <b>TOTAL</b>           | <b>\$0</b>  | <b>\$0</b>  | <b>\$0</b>  | <b>\$0</b>   |

All incentive bonuses will be paid using unspent wages in the current budget.

Reviewed by Finance Department: Initial mb Date 4/7/2020



Fairbanks Police Department  
**Sign-On Bonus Contract**

This agreement is made between the CITY OF FAIRBANKS (“City”) and \_\_\_\_\_ (“Employee”).

WHEREAS, this contract will apply to an Employee who begins employment for the City in the Police Department (“Department”) for the first time as a POLICE OFFICER and meets the City requirements as a lateral-hire Police Officer; and

WHEREAS, the Department wishes to bestow upon the Employee a “Sign-on Bonus” as an incentive for the Employee to accept employment at the City and to remain satisfactorily employed in the Department for at least three full years;

THEREFORE, the City and the Employee agree to the following terms:

1. The City, acting through the Department, agrees to bestow upon the Employee the amount of \$20,000.00 as a Sign-on Bonus in return for the Employee accepting the City’s offer of employment. This amount shall be paid directly to the Employee on the Employee’s first paycheck following the successful completion of field training.
2. The City will apply all required federal and state tax deductions and will report all payments made under this Agreement as required by federal and state law. Taxes shall be withheld as bonus earnings from the Sign-on Bonus and reported to the Internal Revenue Services as income on the Employee’s Form W-2. The Sign-on Bonus is not considered “salary” and shall not be included for purposes of retirement benefit calculations or salary increases.
3. The Department will adhere to all relevant City and Department policies during the hiring process and in making bonus payments to employees.
4. In return for accepting the Sign-on Bonus as provided in paragraphs 1 and 2 above, the Employee agrees to work for the Department on a regular and full-time basis for at least three years beginning “Start Date” and ending on “3 Year Date”. Should the Employee resign, quit, or be terminated for cause before the above stated ending date, the Employee shall repay a prorated amount of the Sign-on Bonus as provided in the following paragraphs.
5. The Employee’s failure to remain employed by the Department for three years will trigger the Employee’s duty to repay, pro-rata, the amount paid by the City pursuant to paragraph 1, above. (This amount may be more than the Employee received due to tax or other withholdings.) For example, if the Employee leaves one year prior to the end date, they will repay 12/36 of such amount. To facilitate this repayment, the Employee, by signing below, expressly gives the City a lien on their salary, wages, and other sums payable to them by the City. In addition, the Employee hereby authorizes the City to withhold all amounts so due from any sum payable to the Employee by the Department or the City. The Employee also agrees that any tax consequences resulting from the repayment of the Sign-on Bonus or any portion thereof will be the sole and exclusive responsibility of the Employee.

6. If the Employee fails to remain employed by the Department for three years for reasons beyond their control (e.g. injury, illness or death), other than just cause termination, the Department may in its sole discretion waive all or part of the liability owed by the Employee. Any such waivers must be approved in writing by both the Chief of Police and the Mayor.
  
7. If any part of the Agreement is found to be invalid or unenforceable, the other parts shall remain valid and enforceable and Employee agrees, represents, and warrants that they will be held to any applicable repayment of the Sign-on Bonus.

BY SIGNING BELOW, the Employee certifies that they have not accepted a financial incentive for accepting employment at the City, other than as described in this Agreement.

IN WITNESS THEREOF:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief of Police Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor Signature

\_\_\_\_\_  
Date

cc: Personnel File

**RESOLUTION NO. 4909**

**A RESOLUTION EXTENDING FOR A SECOND TIME THE MAYOR'S  
DECLARATION OF A DISASTER EMERGENCY WITHIN THE CITY OF FAIRBANKS  
FOR THE COVID-19 PANDEMIC AND REQUESTING STATE AND FEDERAL  
ASSISTANCE**

**WHEREAS**, on March 24, 2020, Mayor Matherly issued a Declaration of a Disaster Emergency Within the City of Fairbanks for the COVID-19 Pandemic and Requesting State and Federal Assistance; and

**WHEREAS**, on March 30, 2020, the City Council approved Resolution No. 4907, extending the Mayor's declaration of a disaster emergency with the provision that the declaration would remain in effect through April 30, 2020, unless extended or terminated by resolution of the City Council; and

**WHEREAS**, Governor Dunleavy's state-wide declaration of emergency remains in place; and

**WHEREAS**, while there have been some positive developments on the local level, it remains vital for the City to be prepared and to take all needed precautions throughout the entire timeframe of the emergency related to COVID-19; and

**WHEREAS**, state assistance in response to the virus, including assistance for fire protection, emergency medical services, and the provision of other funds, services, functions, supplies, or materials determined by the Mayor, in consultation with local emergency agencies and partners, remains necessary to meet the public safety and welfare needs arising from or incidental to COVID-19 and to recover from the damages caused; and

**NOW, THEREFORE**, be it resolved by the Fairbanks City Council that the Mayor's Declaration of a Disaster Emergency Within the City of Fairbanks for the COVID-19 Pandemic and Requesting State and Federal Assistance is hereby extended through May 30, 2020, unless extended or terminated by further resolution of the City Council.

**FURTHERMORE**, the Council reaffirms its support for the Mayor's request for State and Federal Public Assistance and Individual Assistance to the City of Fairbanks in its response and recovery from this event.

**PASSED and APPROVED** this \_\_\_\_\_ day of April 2020.

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Jim Matherly, City Mayor



AYES:  
NAYS:  
ABSENT:  
APPROVED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, CMC, City Clerk

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Paul J. Ewers, City Attorney

**RESOLUTION NO. 4910**

**A RESOLUTION AWARDING A CONTRACT TO HC CONTRACTORS,  
INC. FOR THE D STREET EXTENSION IMPROVEMENT PROJECT  
ITB 19-16 IN THE AMOUNT OF \$285,705**

**WHEREAS**, in accordance with FGC Chapter 54, Article IV, Competitive Bidding, bids were solicited for the D Street Extension Project (ITB-19-16); and

**WHEREAS**, the most responsive bidder for the project is HC Contractors, Inc. of Fairbanks in the amount of two hundred eighty-five thousand, seven hundred five dollars and zero cents (\$285,705.00); and

**WHEREAS**, this project entails relocating the existing temporary road on a 12.5-acre City owned parcel of property approximately 50 feet parallel to the existing road without utility mains for future development; and

**WHEREAS**, funding for this project is provided by the Capital Fund; and

**WHEREAS**, the City of Fairbanks will continue to maintain the street.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fairbanks, that the Mayor is hereby authorized to execute a contract and such other documents in a form approved by the City Attorney as may be necessary to effect award of this contract.

**PASSED and APPROVED this 27th Day of April 2020.**

\_\_\_\_\_  
**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: 4910

Abbreviated Title: AWARDING CONTRACT TO HC CONTRACTOR FOR D STREET PROJECT

Department(s): ENGINEERING DEPARTMENT

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  | Contracts        | Personnel  | Total            |
|--|------------|------------------|------------|------------------|
| D Street Extension Improvement Project |            | \$285,705        |            | \$285,705        |
|  |            |                  |            |                  |
|  |            |                  |            |                  |
|  |            |                  |            |                  |
|  |            |                  |            |                  |
| <b>TOTAL</b>                           | <b>\$0</b> | <b>\$285,705</b> | <b>\$0</b> | <b>\$285,705</b> |

| FUNDING SOURCE:          | Equipment  | Contracts        | Personnel  | Total            |
|--------------------------|------------|------------------|------------|------------------|
| 2020 Capital Fund Budget |            | \$285,705        |            | \$285,705        |
|                          |            |                  |            |                  |
| <b>TOTAL</b>             | <b>\$0</b> | <b>\$285,705</b> | <b>\$0</b> | <b>\$285,705</b> |

The maintenance costs associated with these improvements will continue to be performed by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department:

Initial mb

Date 4/17/2020

**ORDINANCE NO. 6130**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SEC. 2-201  
REGARDING THE FAIRBANKS PARKING AUTHORITY**

**WHEREAS**, the City Council created the Parking Authority in 1988 and stipulated that the new entity be "a self-supporting enterprise"; and

**WHEREAS**, succeeding ordinances in 2003 and 2007 changed the Parking Authority's structure; and

**WHEREAS**, it is necessary to update City Code and the accompanying Parking Management Agreement.

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

**SECTION 1.** That Fairbanks General Code Section 2-201. Delegation of parking enforcement to the Fairbanks Parking Authority, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

**Sec. 2-201. - Delegation of parking enforcement to the Fairbanks Parking Authority d/b/a Golden Heart Parking Service.**

Authority for parking enforcement of the city parking ordinances (for non-moving violations only) is delegated to the Fairbanks Parking Authority, **which was created by the City in 1988 and restructured as an independent non-profit corporation in 2003 and is now doing business as Golden Heart Parking Service** ~~in the area of the city defined by agreement.~~ **The area of parking enforcement will be defined by the Parking Management Agreement between the City and the Fairbanks Parking Authority.** The council, by ordinance, may amend or revoke this delegation at any time. Subject to confirmation by the city council, an employee of **the** city public works or engineering **department,** with expertise in parking issues or traffic engineering, will be appointed to a seat on the parking authority board of directors. **The FPA is self-supporting and will not receive city funding for on-street parking enforcement.**

**SECTION 2.** That the effective date of the ordinance shall be the \_\_\_\_ day of May 2020.

\_\_\_\_\_  
Jim Matherly, City Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
D. Danyielle Snider, CMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

## **PARKING MANAGEMENT AGREEMENT**

The City of Fairbanks and the Fairbanks Parking Authority, d/b/a Golden Heart Parking Service, enter into the following agreement for the management of parking in certain designated area within the City of Fairbanks.

### **Recitals**

**WHEREAS**, an adequate supply of parking (both on-street and in the Downtown Transportation Center) is an important ingredient to a viable and accessible downtown; and

**WHEREAS**, the Fairbanks Parking Authority (FPA) was established by Ordinance No. 4781, as Amended (1988), which was based on the recommendations of an ad hoc committee on downtown parking. Under that ordinance, the FPA was an instrumentality of the City but existed independently and separately from the City; and

**WHEREAS**, in 2003, the city restructured the FPA based upon advice of the city auditors. Under Ordinance No. 5547, as substituted, amended, the FPA became an independent non-profit corporation. The ordinance also granted the mayor the authority to enter into an agreement with the restructured FPA regarding its duties; and

**WHEREAS**, the City and FPA entered into a Parking Management Agreement in 2003, which the parties agree needs revision.

### **Agreement Terms**

1. The FPA will enforce the City's parking ordinances in the area of the City described as:

The north side of 8th Avenue from Barnette Street to Noble Street, then north on Noble to the Chena River, including Griffin Park, then west along the south bank of the Chena River to Wickersham, then south on

Wickersham to 5th Avenue, then east on 5th Avenue to Barnette Street, then south on Barnette Street to 8th Avenue.

If conditions warrant, the FPA may reduce the area of enforcement within that area described above.

2. Within the areas designated in paragraph 1, the FPA, subject to technical review by the City Engineer, is authorized to make provisions for on street parking, including but not limited to handicapped parking, loading zones, two-hour free parking, taxicab and police vehicle parking, and no-parking areas.

3. The City agrees to provide street signage and marking as requested by the FPA, subject to appropriation.

4. The City will consult with FPA regarding parking before starting road construction projects within the designated areas listed above and keep the FPA informed as to regular road or other maintenance activities in these designated areas.

5. Subject to confirmation by the city council, an employee of the city public works or engineering department, with expertise in parking issues or traffic engineering, will be appointed to a seat on the parking authority board of directors.

6. The FPA agrees to provide a hearing board to consider appeals of persons aggrieved by FPA actions.

7. The City agrees to advise, represent, and defend the FPA (including board members, employees, and officers) in any challenge to the authority of the FPA to perform its delegated duties under this agreement, provided that this section does not include or encompass any claims of property damage or personal injury.

8. The city council may terminate this agreement at any time. The FPA may terminate this agreement upon 60 days' written notice to the City.

**Parking Management Agreement**

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2020, at Fairbanks, Alaska.

CITY OF FAIRBANKS

By: \_\_\_\_\_  
Jim Matherly, Mayor

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2020, at Fairbanks, Alaska.

FAIRBANKS PARKING AUTHORITY

By: \_\_\_\_\_