



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, NOVEMBER 9, 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 5:15 p.m. Work Session with Explore Fairbanks and a 5:50 p.m. Work Session with Fairbanks Economic Development Corporation to receive their annual reports and presentations, to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding (remotely) and with the following Council Members in attendance:

Council Members Present:        Shoshana Kun, Seat A (remotely)  
   June Rogers, Seat B (remotely)  
   Valerie Therrien, Seat C  
   Aaron Gibson, Seat D  
   Lonny Marney, Seat E  
   Jim Clark, Seat F

Absent:                                None

Also Present:                        Margarita Bell, Chief Financial Officer  
   Paul Ewers, City Attorney  
   D. Danyielle Snider, City Clerk  
   Mike Meeks, Chief of Staff  
   Kristi Merideth, FECC Manager (remotely)  
   Angela Foster-Snow, HR Director  
   Richard Sweet, Acting Police Chief  
   Tod Chambers, Fire Chief

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

**INVOCATION**

The Invocation was given by City Clerk Danyielle Snider.

**FLAG SALUTATION**

Mayor Matherly led everyone in the Pledge of Allegiance.

**CEREMONIAL MATTERS**

Mayor Matherly spoke about Patrick Cole and his long history with the City. He stated that Mr. Cole passed away in 2013, and the Council voted to rename City Hall in his honor. He stated the City has prepared a memorial plaque in Patrick Cole's honor to be displayed at City Hall.

## CITIZENS' COMMENTS

**Mayor Matherly** called for in-person public comment and, hearing none, declared in-person Citizens' Comments closed. Citizens comments over Zoom were heard next.

Helenmarie Matesi, Fairbanks – Ms. Matesi thanked the Council for the opportunity to speak. She applauded Fairbanks Police Department's (FPD) proposed training schedule, and she thanked the Mayor for appointing a member of the NAACP to the Police Chief hiring committee. She stated, however, that there is still concern as to the composition of the hiring committee. She wondered whether other groups, such as Indigenous people, the LGBTQ community, marginalized populations, would be represented on the committee. Ms. Matesi questioned whether there would be a specialist in mental illness on the committee. She stated that the new Chief's attitude will set the tone for FPD's interaction with people. She stated that she read that the plan for the committee is the same as it was with the hiring of the last Chief of Police, and she questioned whether the plan should be changed in light of all that has happened since the George Floyd incident.

**Ms. Therrien** asked whether she has recommendations for others who she would like to see serve on the hiring committee. Ms. Matesi stated she does not have specific recommendations, although she works with a police-interest committee which has members who would be good candidates for the hiring committee.

**Ms. Rogers** asked Ms. Matesi whether she is interested in serving on the hiring committee. Ms. Matesi replied that she would be interested but wondered whether she would be the most qualified person for the position. She stated there may be others who are more qualified. She expressed appreciation to Ms. Rogers for asking her.

City Clerk Danyielle Snider read the following written comments into record:

Savannah Fletcher, Fairbanks – Ms. Fletcher stated she is an attorney with Alaska Legal Services Corporation, and she represents Tribes in Interior Alaska, primarily in child welfare cases. She stated that police often play a role in cases where parents have criminal records that may be caused or exacerbated by mental illness or substance abuse. Ms. Fletcher thanked the City for the 18-month training plan the FPD has begun to undertake. She stated that learning de-escalation techniques, learning how to assist those who may be suffering from addiction or mental illness, and learning how to help those with a different culture or historic trauma related to law enforcement is pivotal to changing the narrative for many Fairbanks families. Ms. Fletcher asked the City to be intentional in the formation of the hiring committee for the new Chief of Police and to include individuals from Native communities and those who have suffered from or who work to treat substance abuse and mental illness. She stated those voices will ask the right questions when seeking a Chief who will set a healthy law enforcement culture.

Maria Berger, Ester – Ms. Berger expressed appreciation to the Council and to Acting Chief Sweet for incorporating department-wide trainings like implicit bias and verbal judo. She thanked the Mayor and Council for inviting a representative from the NAACP to serve on the hiring committee. She urged the Mayor to extend the invitation to other community groups, including those who represent people who are disproportionately affected by police violence. Ms. Berger stated that

involving diverse stakeholders in the hiring process not only increases community buy-in and trust, but adds value by bringing perspectives, experiences, and ideas to the process. She requested that the hiring committee include representatives from the Indigenous community, Black and other communities of color, LGBTQ+ community, communities of different physical and mental abilities, armed forces personnel, homelessness agencies, addiction and detox service agencies, and crisis intervention/mental and behavioral health experts. She added that an inclusive and considerate hiring process is consistent with FPD's mission to "serve the public with integrity, wisdom, courage, and compassion; working in partnership with the community." She thanked FPD employees and the City Council for their dedication to serving and supporting all Fairbanks community members.

Alyssa Quintyne, Fairbanks – Ms. Quintyne inquired about the hiring committee for the new Chief of Police. She stated that she and other community members met with former Chief Reeder and Deputy Chief Sweet following the "I can't Breathe" march earlier in the summer. She stated that, in those meetings, they discussed having more communal representation and engagement with hiring and training at FPD. Ms. Quintyne stated it would behoove the City to follow through with those conversations and recruit members from Black, Indigenous, and LGBTQ communities, as well as advocates from the fields of mental health, Housing First, disabilities, crisis intervention, and armed forces. She emphasized the importance that the next Chief of Police be vetted by the community and understand and how best to serve the community. Ms. Quintyne stated that the City Council and Diversity Council knows a plethora of people who can step up to the plate, and she encouraged the Mayor to lean on the Councils and the community to help with recruitment.

Cathy Walling, Fairbanks – Ms. Walling strongly requested to have many different members of the Fairbanks community serve on the hiring committee for the new Chief of Police. She applauded the plan to have a member of the NAACP serve on the committee, and stated that there also needs to be committee members from the Native community, the LGBTQ community, homeless agencies, crisis intervention agencies, communities with disabilities, mental and behavioral health agencies, addiction and detox services, and armed forces personnel. Ms. Walling stated that it is an important time to seek to understand people from many different vantage points and to bring as many diverse perspectives to the process as possible. She stated the community is stronger and more vibrant when different perspectives are heard and uplifted.

Arleigh Hitchcock, Fairbanks – Mx. Hitchcock stated that FPD is meant to serve the Fairbanks community, therefore community members should be a part of the hiring committee for FPD's new leader. They stated that there is a need for people from Black, Indigenous, and People of Color (BIPOC) communities, homelessness agencies, LGBTQ+ communities, crisis intervention, the mental and behavioral health sector, communities with disabilities, addiction and detox services, and the armed forces. They stated that having a diverse committee will create a representative hiring committee that will ask informed questions from multiple viewpoints. Mx. Hitchcock commented that training is not enough and that FPD needs good leadership from someone who understands Fairbanks, loves all community members, and is approved by the community. They asked Mayor Matherly for transparency in the selection of the hiring committee and stated they hope to hear more information on the process.

Wendy Dominique, Fairbanks – Ms. Dominique spoke to the Fairbanks community being at the table for the selection of the next Police Chief. She stated that without all people in the community having a part of the community, it only works for some – not all. She stated that community input is vital to the process.

Esther Cunningham, Fairbanks – Ms. Cunningham asked the Mayor and Council to develop a hiring committee to include members from several marginalized populations who reflect the population of Fairbanks and stated that it is in the community’s best interest to do so.

Mary Burtness, Fairbanks – Ms. Burtness stated that she read the recent article about police training in the News Miner, and she applauded the steps FPD is taking in various areas of training. She also applauded the inclusion of member of the NAACP on the hiring committee for the new Chief of Police. She encouraged the inclusion of other key community members with knowledge of the population that may encounter the police. She stated that such a move would increase transparency and bridge the community/police connection.

There being no more public comment, **Mayor Matherly** declared Citizens’ Comments closed.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

**Ms. Kun**, seconded by **Ms. Rogers**, 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 October 26, 2020

APPROVED on the CONSENT AGENDA.

**SPECIAL ORDERS**

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

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

**Mr. Gibson**, seconded by **Mr. Clark**, moved to WAIVE PROTEST on the Marijuana License Application for renewal.

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

**Ms. Therrien** stated that there were four complaints for failure to pay taxes on time, but it appears that the issue is being resolved. She pointed out that there are no departmental protests.

**Ms. Rogers** recalled when the Council first considered the license application; she stated she is sorry to see the lapse in taxes, but she did not have any questions.

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

YEAS: Marney, Clark, Rogers, Kun, Gibson, Therrien

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

Lic. #	DBA	License Type	Licensee	Premises Address
328	Drop In Lounge	Beverage Dispensary	N & P Enterprises, LLC	1420 S. Cushman Street
1912	The Crepery	Beverage Dispensary	Bulgar Corp.	523 2nd Avenue

**Mr. Clark**, seconded by **Mr. Marney**, moved to WAIVE PROTEST on the Liquor License Applications for renewal.

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

**Mr. Marney** remarked on the high number of calls to the Drop In Lounge but pointed out that that neighborhood is a high-call area.

**Ms. Therrien** requested that the Chief of Police come forward to speak on the call report. She asked Acting Chief Sweet whether the Council can assume that all the calls listed are directly related to the Drop In Lounge. AC Sweet stated that there may be calls on the list that are not directly related to the business. **Ms. Therrien** asked whether there is any way for the Council to get clearer information when receiving the call lists; AC Sweet replied affirmatively. He explained that although there were many calls on the list, few of them were related to the establishment; he stated he does not recommend protest. **Ms. Therrien** asked what "SI" means as referenced on the list; AC Sweet replied that "SI" indicates a self-initiated, follow-up call. **Ms. Therrien** commented that it would be nice to have a cheat sheet available in the future to help explain the codes in the report.

**Ms. Kun** asked which code indicates that a report was done by the officer. AC Sweet explained that "RPT" indicates that an officer report was completed.

**Ms. Rogers** asked whether FPD has a good working relationship with the establishment. AC Sweet stated that, in his experience, they have been helpful to the FPD.

**Mr. Gibson** asked whether there were only eleven incidents on the call list that resulted in a report. AC Sweet replied affirmatively, and he explained that just because a report was filed does not necessarily mean that something bad happened. He explained reports and call types in greater detail. He stated that if he sees something on a report that is of significance or indicates a pattern, he would bring it to the attention of the Council.

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

YEAS: Gibson, Marney, Rogers, Kun, Therrien, Clark

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, Location, and Name Change:

Type/License: Beverage Dispensary/License #4547

DBA: Ethos Brewing Company

Applicant: Humble Roots, LLC

314 Wendell Avenue, Fairbanks

From: McCoy's Underground/North Star Dining, LLC

636 28th Avenue, Suite 2, Fairbanks

Clerk Snider reported that a letter of opposition to the transfer was submitted to the Clerk's Office from Fairbanks Native Association (FNA), but the letter was inadvertently left out of the agenda packet. She stated that the letter was sent to Council Members in advance of the meeting.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to PROTEST the Liquor License Application for Transfer until a Certificate of Occupancy is issued.

**Mayor Matherly** called for public comment and, hearing none, declared Public Testimony closed. He asked the applicant to come forward to speak and answer questions from the Council.

Rick Mensik, Fairbanks – Mr. R. Mensik explained that the building is an old laundromat that has been abandoned since about 2009 and has been deemed contaminated by the Department of Environmental Conservation (DEC). He stated that two former owners of the property have gone bankrupt, and the building has not been secured or maintained. He stated they purchased the building and thought it would be a great opportunity to bring a brewery to the downtown core area. Mr. R. Mensik stated they have invested heavily in the building, removing all the hazardous material, and now they would like to invest in the brewery. He explained that they have to apply for a beverage dispensary license because the area is not zoned for a brewery. He indicated that they would not be seeking a beverage dispensary license if it was zoned for a brewery. He stated that his grandson, Talon, has a vision for the location, and he turned it over to Mr. T. Mensik.

Talon Mensik, Fairbanks – Mr. T. Mensik shared that “ethos” means the “characteristic spirit of a culture, era, or community as manifested in its beliefs and aspirations.” He stated that the name

of the brewery reflects its mission. He stated he was born and raised in Fairbanks, and he has always wanted to conduct business in Fairbanks in some way. He stated this is an opportunity to conduct business with family, clean up an eyesore in downtown Fairbanks, and create a community gathering place. He stated it would be a hub, more than just a place that makes great beer.

**Mr. Gibson** asked whether they plan to expand or keep the building the same size. Mr. T. Mensik stated they plan to maintain the building footprint and just remodel. **Mr. Gibson** commented that he thinks it is a great business venture.

**Mr. Clark** stated he wished someone from FNA was present. He asked whether the establishment would serve dinner or just snacks. Mr. T. Mensik stated they intend to serve something in between. He explained that there will not be an extensive menu or a full kitchen; it would be small, quick meals to pair with beers.

**Mr. Marney** stated he had the pleasure of touring the location with Mr. R. Mensik over the summer, and he expressed appreciation for the development of property in the downtown area. Mr. T. Mensik stated they are currently doing business as the Midnite Mine Brewing Company in the upstairs of the Midnite Mine; he explained that that ownership transfer took place in 2017. He stated they have been active in cleaning up that area of the downtown, and this effort is an extension of that. Mr. R. Mensik shared that they would have to let the Midnite Mine Brewing Company go in order to move forward with the Ethos Brewing Company.

**Ms. Therrien** asked Mr. R. Mensik whether he has had the opportunity to review the letter from FNA. Mr. R. Mensik acknowledged that he had. He explained that he reached out to FNA and left two phone messages asking for an opportunity to explain their business plan; he stated he has not heard back from FNA. He stated that they want to be good neighbors, and they allow FNA to use their parking lot; he stated he is unclear about their reason for opposing the license transfer.

**Ms. Therrien** asked Mr. R. Mensik whether he considered the close proximity of FNA's location when he purchased the building. Mr. R. Mensik stated that FNA moved into that location after the Midnite Mine beverage dispensary license was already there. He stated he presumed that they knew where they were, and he mentioned that there are other alcohol establishments nearby. **Ms. Therrien** stated this would create two alcohol establishments right next to each other, and that may be their concern. Mr. R. Mensik stated that the two establishments are completely different operations; he explained that the brewery closes early and is more family oriented. He stated the brewery would not really be a bar, but he has to obtain a beverage dispensary license due to the zoning. **Ms. Therrien** asked City Attorney Ewers whether the transfer would have any bearing on the number of allowable liquor licenses within the City. Mr. Ewers stated that it would not. He stated, however, that it would trigger FGC Sec. 14-178(b)(6), which speaks to the heavy burden of an applicant wishing to have a liquor license in the core downtown area to demonstrate that the license will contribute to the revitalization of the downtown area.

**Ms. Kun** asked whether FNA's complaint fits the criteria for triggering that ordinance. Mr. Ewers replied that the establishment location – not the letter – triggers the ordinance.

**Ms. Rogers** referenced the fact that the applicant must obtain a beverage dispensary license in order to have a brewery since the location is not zoned for a brewery. She asked City Attorney

Ewers whether the beverage dispensary license, once transferred, could later be used as a bar. Mr. Ewers replied that the license could be later used as a bar if the transfer is approved, although the applicant is currently planning to use the license only as a brewery. He explained that the applicant has reported that he would rather obtain a brewery license, but they cannot due to the Borough zoning restrictions. **Ms. Rogers** asked whether the license had already gone through the Borough. Mr. R. Mensik replied that the application was approved by the State of Alaska, pending City government approval. **Ms. Rogers** asked whether it would be to the applicant's advantage to have the license approved by the Borough. Mr. R. Mensik stated they spent about two years working on the brewpub zoning before they could get the brewpub license; he explained that for some reason when the Borough approved the zoning for a brewpub, they did not approve the zoning for a brewery. He stated that this is the only way he could figure out how to get a brewery in that area. Mr. T. Mensik stated that part of the business model is to offer food, community-focused events, music, and things like that. He stated that those things are not afforded to a brewery license, but they are afforded to a brewpub license. **Ms. Rogers** expressed hope that the applicant would be able to communicate with its neighbors like FNA.

**Ms. Therrien** asked whether it would be a Borough zoning violation to take the brewery license at the Midnite Mine and put it at the new location next door. Mr. R. Mensik explained that they must apply for a new brewpub license, and a brewpub license cannot be transferred. He stated that brewpub licenses are also tied to beverage dispensary licenses. He stated that they plan to dissolve the Midnite Mine brewery license. He stated that in order to do business, they must purchase a beverage dispensary license – which costs \$50,000 - \$75,000 – whereas a brewpub license costs about \$600. Mr. T. Mensik clarified that the brewery license is generally a less expensive route to go because a beverage dispensary license is not necessary. **Ms. Therrien** asked Mr. R. Mensik why he has not yet applied for the brewpub license. Mr. R. Mensik stated that first, they had to buy the property, then apply for a beverage dispensary license, then apply for the federal license, ensure the Borough zoning is in order, and come before the City Council. He spoke about the many levels of government that they must go through in the process; he commented that they cannot afford to spend a million dollars only to come before the Council and be turned down. He stated they are trying to find out whether the City will allow them to move forward at this time, and a Certificate of Occupancy (CO) would have to be issued for the location. **Ms. Therrien** asked Mr. R. Mensik when he anticipates a CO being issued. Mr. R. Mensik replied that a CO would likely not be issued until late the following year. **Ms. Therrien** asked Clerk Snider about the City's deadline for a response to the State of Alaska; Clerk Snider replied that the City's response is due by December 4, and she confirmed that there would be another Council Meeting prior to that date.

**Mr. Marney** suggested that the Council is losing sight of what the applicant is trying to do in revitalizing a property in the downtown area.

**Ms. Kun** asked about the applicant's continued plans for revitalizing the area. Mr. T. Mensik stated that it is about more than just making beer. He stated that breweries are an important facet to a City, and he spoke about how local breweries give back to the community. He stated that they plan to do the same as part of their business plan. He stated that FNA is a major part of Fairbanks, and they look forward to working with them.



**Ms. Rogers** thanked the Mensiks for coming in and for answering questions from the Council. She stated that whenever the Council has this type of deliberation, it is so important to work together; she commended the applicants for coming to speak to the Council.

**Mr. Marney** stated that he heartily supports the applicant, and he hopes the license goes through.

**Mr. Clark** asked whether he could ask a question of AC Sweet; **Mayor Matherly** called AC Sweet forward. **Mr. Clark** asked AC Sweet about the call volume to that 1st Avenue area of downtown Fairbanks. AC Sweet replied that it depends on the season. He stated that there are many more calls during the summer, but most calls FPD receives pertain to fighting in the park downtown. He stated that if he had to guess, he would say about 15% of calls in the summertime are related to that particular area.

**Mr. Gibson** applauded the applicants for the work that they are doing with a dilapidated property and for their willingness to invest in downtown Fairbanks. He stated that a multi-million-dollar investment by the applicant meets the requirement in the ordinance that the applicant will have a “heavy burden” in introducing evidence that their license will contribute to revitalization.

**Ms. Kun** agreed with Mr. Gibson’s comments and stated she believes the applicant falls right in with the intent of the ordinance. She stated she will support the license because of the applicant’s plans to bridge communications with FNA.

**Ms. Rogers** echoed Ms. Kun’s comments regarding bridging communications.

**Ms. Therrien** stated she has some real concerns with the letter from FNA.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to POSTPONE the Liquor License Application for Transfer to the next Regular Council Meeting so FNA can be invited to participate.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE LIQUOR LICENSE APPLICATION FOR TRANSFER TO THE NEXT REGULAR COUNCIL MEETING SO FNA CAN BE INVITED TO PARTICIPATE AS FOLLOWS:

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

**Ms. Therrien** stated the Council should consider that another liquor license will be going into the downtown area, and it is a full beverage dispensary license. She stated that there have been no promises made to not turn the establishment into a bar. She stated that there was a purpose for the ordinance referenced earlier, and she will vote against the license.

**Mayor Matherly** stated that Ms. Therrien has a good point, but he spoke against postponement speaking to the pressure it puts on the applicant. He stated that Mr. R. Mensik has historically been a responsible bar owner in the community, and he commented on Mr. T. Mensik’s strong enthusiasm for the business. He stated that Council Members could reach out to FNA if they wish.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE APPLICATION FOR TRANSFER UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

YEAS: Rogers, Gibson, Clark, Kun

NAYS: Therrien, Marney

**Mayor Matherly** declared the MOTION CARRIED.

- d) The Fairbanks City Council considered its protest of the following liquor licenses after receiving new information and following an appeal by the licensee to the State of Alaska Alcoholic Beverage Control (ABC) Board:

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

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

**Mayor Matherly** informed the Council that this item is a little unusual. He explained that the location is in the old Fairbanks Athletic Club, visible from the Steese Highway. He stated that the applicant has been in contact with him and the Clerk, and Attorney Ewers has been involved also.

**Mr. Gibson**, seconded by **Mr. Clark**, moved to WITHDRAW the City's protest of the two Lat 65 Liquor Licenses.

Clerk Snider explained that the cover memo summarizes what has happened with the license. She stated that the licenses came before the Council in January, at which time the Council voted to protest until a CO was issued. She stated that the applicant has encountered some COVID-related challenges, and the State's 180-day abeyance period for the license ended on October 19. She added that no CO was issued by the City as of that date. She reported that the applicant, Mr. Mabie, has been in close contact with her, and she has had discussions with the Mayor and the Building Official regarding the licenses. She shared that she and the City Attorney attended the October 27 ABC Board meeting where the issue was discussed, and the Board's hands were tied due to the City's protest. Clerk Snider stated that the Board could not extend the 180-day abeyance period per State regulation, so they tabled the issue in hopes that the City could review its protest.

City Attorney Ewers reiterated that State regulations do not allow for an extension of the abeyance period. He stated that the procedural move was for the ABC Board to table the appeal to be taken up at their next meeting, which gives the Council the opportunity to revisit the issue. He stated he believes the Council did not object to the license itself and only stipulated that the license not be issued until such time as a CO is issued. He stated that this is the first time this issue has been

encountered, so staff thought it would be appropriate to bring it back to the Council due to the unintended consequence that the City's protest has resulted in. He stated that there is a possible solution if the Council is amenable to consider it.

Clerk Snider added that the ABC Board mentioned the possibility of looking at the regulation in their next review to prevent the issue from occurring in the future.

**Mayor Matherly** invited the applicants forward to speak and answer questions. Applicants introduced themselves as Zeb Mabie (owner), Adam Kiehl (head brewer), and Andy Roe (owner).

Zeb Mabie, Lat 65 Brewing Company, Fairbanks – Mr. Mabie summarized the process so far, from securing a loan for the property to where they are currently at in the licensing and construction process. He shared that COVID-19 has caused delays in the delivery of supplies and products, and the pandemic has also affected workforce resources such as building inspectors, engineers, and architects. He stated that the ABC Board tabled the issue and may address the regulation in the future. Mr. Mabie stated that they have no problem complying with the CO requirement, but the City's protest is the barrier.

Adam Kiehl, Lat 65 Brewing Company, Fairbanks – Mr. Kiehl stated that at about the same time they go the green light to proceed, factories began shutting down due to COVID-19. He stated it was about eight weeks before normal production began again, so that was an automatic setback.

Andy Roe, Lat 65 Brewing Company, Fairbanks – *Mr. Roe's comments were inaudible.*

**Ms. Therrien** asked City Attorney Ewers whether the City can withdraw its protest and still require a CO. Attorney Ewers suggested a two-motion approach: a motion withdraw the City's protest, then a motion to waive protest conditioned upon the issuance of a CO.

**Ms. Therrien** asked the applicants how long they believe it will take to finish the construction. Mr. Roe replied that it would take an estimated four months, but they have asked for six months as a buffer.

**Ms. Rogers** stated it is a difficult situation the applicant is in, and she spoke in favor of remedying the problem.

**Mr. Gibson** asked how much the applicants have invested in the property thus far. Mr. Mabie shared that the entire north side of the building is being remodeled, and it is a tremendous amount of money. He described some specifics on what has been done structurally to the building. He shared that the south portion of the building will not be remodeled as it will be used for storage. **Mr. Gibson** commended the applicants on their efforts.

**Mr. Marney** stated the applicants must have a real passion to go through all the challenges; he wished them luck.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WITHDRAW THE CITY'S PROTEST OF THE TWO LAT 65 LIQUOR LICENSES AS FOLLOWS:

YEAS: Therrien, Rogers, Clark, Gibson, Kun, Marney

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Mr. Marney**, seconded by **Mr. Clark**, moved to WAIVE PROTEST on the two Lat 65 Liquor Licenses, conditional upon the issuance of a Certificate of Occupancy.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE TWO LAT 65 LIQUOR LICENSES, CONDITIONAL UPON THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY AS FOLLOWS:

YEAS: Kun, Gibson, Therrien, Clark, Marney, Rogers

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

### MAYOR'S COMMENTS AND REPORT

**Mayor Matherly** called for a brief recess. The meeting reconvened with Mayor's Comments and Report following the brief recess.

**Mayor Matherly** stated that once his comments are complete, he will skip to the second round of Council Members' Comments and combine it with Committee Reports. **Mayor Matherly** stated that there is a lawsuit against the Municipality of Anchorage regarding an alleged violation of the Open Meetings Act (OMA). He stated that he is proud of the way public meetings are conducted at the City, and he commended City staff for providing so many options for the public to attend meetings. **Mayor Matherly** commended the Public Works Department for their work in dealing with the frigid weather then heavy snow later the same week. He stated they are working hard at removing snow throughout the City, and he asked the public for their cooperation in moving vehicles off the streets in advance. **Mayor Matherly** reminded the Council of the makeup of the selection committee when the City hired a Chief of Police a couple years ago. He stated that it was a great group of diverse people, and the process was transparent. **Mayor Matherly** stated he has spoken recently with the Governor's Office, Dr. Zink, and Foundation Health, and he strongly encouraged masking and social distancing in Fairbanks. He stated that he and the other two local Mayors will be working on a video to remind people to wear masks. He stated that progress is being made with a vaccine for the virus. **Mayor Matherly** commended FEDC and Explore Fairbanks for their earlier presentations and for their great work in the community. **Mayor Matherly** assured the public that the City is doing its best with snow removal; he stated that his assistant, Teal Soden, will be posting an updated snow removal schedule to the City website. He asked homeowners to avoid pushing snow into the street.

### NEW BUSINESS

- a) Resolution No. 4941 – A Resolution Approving the Sale of the 1995 Platform Aerial Ladder Truck to the West Lakes Fire Department. Introduced by Mayor Matherly and Council Members Kun, Rogers, and Marney.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 6143 – An Ordinance Amending the 2020 Operating and Capital Budgets for the Third Time. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

**WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Reappointment to the Finance Committee

APPROVED on the CONSENT AGENDA.

- b) Appointment to the Finance Committee

APPROVED on the CONSENT AGENDA.

- c) Reappointments to the Permanent Fund Review Board

APPROVED on the CONSENT AGENDA.

- d) Reappointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- e) Approval of the 2021 City Council Meeting Schedule

APPROVED on the CONSENT AGENDA.

**DISCUSSION ITEMS AND COUNCIL MEMBERS' COMMENTS**

**Ms. Kun**, referencing earlier citizens' comments, stated it sounds like the Mayor has a good grasp on organizations to include on the selection committee for the hiring of the new Chief of Police. She spoke to her confidence in the City administration to be transparent throughout the process. **Ms. Kun** stated that she will not provide a report on the Explore Fairbanks Board of Directors since the earlier Work Session was pretty comprehensive. **Ms. Kun** stated that the term BIPOC, referenced in a written citizens' comment earlier in the meeting, stands for "Black, Indigenous, and People of Color." **Ms. Kun** gave a land acknowledgement and recognized that November is Native American Heritage History month. She commended Public Works for all they do.

**Ms. Rogers** acknowledged all the written citizens' comments that were read into the record. She spoke to the importance of gathering comprehensive, community experience for the Chief of Police selection committee, and she acknowledged that the letters received may be seeking even greater diversity than that of the last selection committee. She stated that the Fairbanks Diversity Council (FDC) will address that issue at their meeting the following evening. **Ms. Rogers** reported

that the Hotel/Motel Discretionary Fund Committee met for the first time this grant season on November 2. **Ms. Rogers** reported that there are several new Committee members this year, and the Committee is in good shape in regard to policy and the application process. She shared that organizations that were not able to hold events due to the pandemic have been allowed to extend funds into next year; she clarified, however, that those organizations are not eligible for this year's grant. She stated that meetings are being conducted via Zoom, and the next Committee meeting is scheduled for noon on November 16, a Presentation Meeting will be held at 5:30 p.m. on December 15, and the Distribution meeting would take place on December 21. **Ms. Rogers** thanked all those who testified at the meeting. She spoke to the new types of businesses that have come into downtown Fairbanks within the last few years, and she commended young people in the community who have been willing to take a step forward with a business.

**Mr. Gibson** commended Council Members Kun, Rogers, and Marney and Mayor Matherly for bringing forth Resolution No. 4941. He stated that the resolution will allow the City to sell an older aerial platform to West Lakes Fire Department, and the resolution speaks to how Alaskans work together and take care of each other.

**Mr. Clark** thanked Mayor Matherly for his comments and report, specifically his comments regarding the selection process for the Chief of Police. He thanked the Mayor also for reiterating that Fairbanks is not Anchorage.

**Mr. Marney** echoed Ms. Rogers' comments regarding young entrepreneurs. He reported that he attended newly elected officials training all day, and he will attend another session the following day. He stated he is awaiting an appointment to a committee by Mayor Matherly.

**Ms. Therrien** stated she did not realize that Mayor Matherly had appointed a member of the NAACP to the Police Chief selection committee. She stated it would be nice to understand the process by which the Mayor appoints members to the committee. She echoed the citizens' comments read earlier requesting that the Mayor broaden the committee as much as possible. She wondered whether the Mayor might consider appointing a Council Member to the committee, and she stated it is important to have someone from the mental and behavioral health field on the committee.

**Mayor Matherly** asked Council Members to think about their current Committee assignments. He stated he will speak with the Clerk and will bring it back for discussion with the Council at a later time. **Mayor Matherly** shared that Veterans Day is approaching, and he reminded everyone to remember those who have served our country and thank a veteran. **Ms. Therrien** shared that her father is 103 years old, and he served in World War II. **Ms. Rogers** wished her mother a happy 95th birthday.

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

Clerk Snider reported that there is still a vacancy in the Clerk's Office, but they are currently conducting the second round of interviews.

**Ms. Therrien**, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing PSEA Fairbanks Police Command Unit (FPCU) and IBEW Labor Negotiation Strategies.

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

**Mayor Matherly** called for a ten-minute recess. The Council reconvened in Executive Session following the recess.

**EXECUTIVE SESSION**

- a) PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy
- b) IBEW Labor Negotiation Strategy

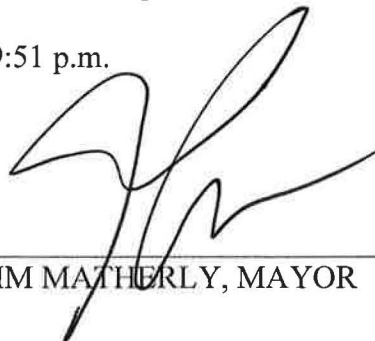
The City Council met in Executive Session to discuss PSEA FPCU and IBEW Labor Negotiation Strategies. Direction was given to the negotiating teams, and no action was taken.

**ADJOURNMENT**

**Mr. Marney**, seconded by **Mr. Clark**, moved to ADJOURN the meeting.

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

**Mayor Matherly** declared the meeting adjourned at 9:51 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: DS