



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 23, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council 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 (joined 6:34 p.m.)
 Aaron Gibson, Seat D
 Lonny Marney, Seat E
 Jim Clark, Seat F

Absent: None

Also Present: Clem Clooten, Building Official (remotely)
 Margarita Bell, Chief Financial Officer (remotely)
 Paul Ewers, City Attorney
 D. Danyielle Snider, City Clerk
 Mike Meeks, Chief of Staff
 Kristi Merideth, FECC Manager (remotely)
 Richard Sweet, Acting Police Chief (remotely)
 Ron Dupee, Acting Deputy Police Chief (remotely)
 Tod Chambers, Fire Chief (remotely)
 Geoff Coon, Assistant Fire Chief (remotely)

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 the Flag Salutation.

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.

City Clerk Danyielle Snider called for a Mr. Lou Frenzl to comment, and there was no response.

Greg Foster, Fairbanks – Mr. Foster thanked the Council for the opportunity to speak and wished everyone a Happy Thanksgiving. Mr. Foster said he was speaking to the recently opened police chief position and that he looked forward to the opportunity to apply. Mr. Foster stated that he had retired earlier this year after 25 years in the Fairbanks Police and Fire departments. Mr. Foster stated he believes the largest issue facing the Fairbanks Police Department (FPD) is a lack of understanding of the Fairbanks community and community concerns and, if chosen for the position, he would work to create partnerships and community awareness. Mr. Foster stated he believes he is uniquely qualified for the position due to his understanding of the impact of issues such as mental health, alcohol/drug abuse, domestic violence, and race relations within the community. He encouraged the Council to reach out with questions and thanked them for their time.

Mayor Matherly asked the Council for questions regarding Mr. Foster's testimony.

Mr. Marney asked when Mr. Foster had retired. Mr. Foster responded that his retirement occurred on July 1, 2020.

Ms. Rogers asked the Mayor for clarification on why Mr. Foster's application would need Council approval.

Mayor Matherly explained that it is not a requirement. He stated that Mr. Foster, who is a member of the public, has the right to announce his intent to apply to the Council.

Ms. Rogers asked for clarification on the employment process.

City Clerk Snider interjected to remind the Mayor that this time is for questions to citizens and that he could address Ms. Rogers' questions during his comments.

Ms. Rogers thanked Mr. Foster for his testimony and his desire to apply for the position of Police Chief for the City of Fairbanks.

Ms. Kun asked Mr. Foster how he would feel about having a captain if he were to become Chief. Mr. Foster responded that he does not oppose the position of captain but would want to know the intent behind the position being created.

Mr. Gibson asked Mr. Foster if he thought it was wise to make organizational changes before a new chief is hired. Mr. Foster stated that he is not against organizational changes, he would just like to know the reasons behind the desired changes.

Victor Buberger, Fairbanks – Mr. Buberger spoke to how far behind the City is with snow removal. He did note that Cowles Street and sidewalk had finally been cleared, but he expressed concern about hitting someone walking in the street because the sidewalks are not clear. Mr. Buberger went on to give his remembrance for Frank Turney, who had passed away a year ago, and he hoped that the City would continue its reading the Bill of Rights in December. Mr. Buberger offered to donate his time and fuel to operate a sidewalk machine, and he suggested that Mayor Matherly spend less time on Facebook and more time on the City's needs.

Alyssa Quintyne, Fairbanks – Ms. Quintyne gave a land acknowledgment and spoke to its importance. Ms. Quintyne explained that she was attending the meeting as a member of the NAACP Police Accountability working group, and she spoke about their position statement that was sent to the Mayor’s office and the City Council. She was elated to share the new partners who endorsed their position statement and went on to name many organizations and individuals. Ms. Quintyne requested that the Mayor and City Council reconsider the nine-member panel by adding seats for members from the LGTBQ, Disabled Persons, and Armed Forces communities. Ms. Quintyne stated she shares the belief of the accountability work group that by adding members from the aforementioned communities, it would ensure that all voices are heard. She added that it would open the door for solutions and provide a more transparent process moving forward, ultimately fostering trust between the community and the City of Fairbanks. Ms. Quintyne stated that over the past couple of years the Council has heard many different accounts of police violence in the community. She expressed her desire to see solutions that are equitable and adequate, giving capacity to police officers having conversations and trainings to foster trust. She stated that it is the organization’s belief that this is not possible if not all members of the community are represented in the committee to hire a new Police Chief.

Helenmarie Matesi, Fairbanks – Ms. Matesi requested to read the Greater Fairbanks Branch NAACP Unit 1001 Position Statement on Policing and Our Community as it would cause her to go over the allotted time frame. **Mayor Matherly** allowed for the extension of time. Ms. Matesi went on to read the statement regarding the FPD and the hiring of a new Police Chief. Ms. Matesi stated that the background behind the position issued by the NAACP included the fact that over the past five and a half years, 43 individuals had been killed by Alaskan law enforcement officers, and a single FPD officer was involved in three incidents that resulted in fatalities. Ms. Matesi quoted the Anchorage Daily News article from August 3, 2020 which gave an affirmative response to the NAACP and the Black Lives Matter movement. She stated that the document is in response to systemic oppression, discrimination, and unjustifiable murders that have happened to Black people, people of color, and marginalized people. Ms. Matesi thanked the Council for their time.

City Clerk Danyielle Snider stated that there were no more comments to be heard over Zoom and proceeded to read the following written comments into record:

Montean Jackson, Fairbanks – Ms. Jackson reminded the Council of the role played by the FPD and requested that the following ten factors be addressed and communicated to the public: 1. Transparency in committee member selection; 2. Interview committee comprised of a diverse cross of Fairbanks citizens; 3. A comprehensive and broad-range recruitment search, which would include justification by the Council for appointing a former or current employee; 4. The opportunity for the community to meet the final candidates; 5. City Council input; 6. Diversity Council input; 7. Support and respect for the interview committee by the City administration; 8. Commitment to an open, fair, and equitable process; 9. Adequate timeframe to complete the hiring process; and 10. Adequate competitive salary and compensation. Ms. Jackson stated that by considering those factors, it will send a message of commitment to transparency and maintain the integrity of the new chief hiring process. Additionally, she stated that it will help build positive relations between the City and the underserved, marginalized sectors of the community.

Sharon (Shari) George, Fairbanks – Ms. George spoke on behalf of the League of Women Voters of the Tanana Valley (LWVTV). Ms. George stated that the LWVTV is committed to diversity,

equality, and inclusion in principle and practice. She further stated that the LWVTV is in support of the NAACP Position Statement on Policing and Our Community. Ms. George affirmed the need for a diverse group of community members to be represented on the hiring committee for the new Chief of Police to rekindle public trust.

Julie Smyth, Fairbanks – Ms. Smyth stated that she was writing regarding the hiring process for the new Police Chief. Ms. Smyth went on to explain that she is a member of many marginalized communities within Fairbanks and expressed her hope that the Mayor and Council will consider placing as many individuals from marginalized groups on the hiring committee as possible and make the process as public as possible. Ms. Smyth ended her statement by thanking the Council for their public service.

Lou Brown, Fairbanks – Ms. Brown stated she would like to speak to two different, but related, topics. Ms. Brown first expressed her pleasure at reading the Mayor’s press release on November 18, 2020 and commended the decision to expand the diversity of the Police Chief hiring committee to include so many varied and different perspectives. Ms. Brown went on to state she would like to see members of the armed forces, LGBTQ, and disabled communities represented as well. Secondly, Ms. Brown expressed her support of the NAACP Position Statement on Policing and Our Community. Ms. Brown stated her support of the mental health response and training of the FPD officers.

Dorothy Jones, Fairbanks – Ms. Jones stated that she has been a resident of Fairbanks for over forty years and is in support of the Greater Fairbanks NAACP Position on Policing and Our Community. Ms. Jones stated that by thinking outside of the box and working together for resolutions to the many issues facing the community and the police department, the relationships between the community and its marginalized groups can be reconciled. Ms. Jones expressed that she is very concerned about these issues and the process to address them.

Cathy Walling, Fairbanks – Ms. Walling thanked the Mayor and the Council for the recent press release regarding the committee make-up for the hiring of the new Police Chief. She stated that she believes it would be beneficial to include members of the LGTBQ, Armed Forces, and persons with disabilities communities to further round out the committee and make it more representative of the composition in the City of Fairbanks. Ms. Walling also shared information regarding a Mobile Crisis Team being installed in Anchorage with the coordination of the fire department. Ms. Walling thought that this may be a good option for Fairbanks as well and asked if it might fill a need in our community.

Rev. Leslie Fails, Fairbanks – Rev. Fails expressed her excitement and gratitude for the proposed community panel that will offer input on the hiring of a new FPD Police Chief. Rev. Fails stated that the Council’s ability to listen to the community in making these important decisions is commendable and thanked them for implementing this process. Rev. Fails asked that the Council and the Mayor consider adding positions to the committee that include members of the Peoples with Disabilities and LGTBQ communities. Rev. Fails ended by thanking the Council and the Mayor for the opportunity to have her statement read and for the hard work that they do.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Clark, seconded by **Mr. Marney**, moved to APPROVE the Agenda and Consent Agenda.

Ms. Therrien pulled Resolution No. 4944 from the Consent Agenda.

Ms. Kun pulled Ordinance No. 6144 from the Consent Agenda.

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

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

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of November 9, 2020.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
18493	Petrichor, LLC	Marijuana Product Manufacturing Facility	Petrichor, LLC	3780 Leasure Street, Unit A
11927	Green Life Supply, LLC	Retail Marijuana Store	Green Life Supply, LLC	511 30th Avenue
10958	Green Life Supply, LLC	Standard Marijuana Cultivation Facility	Green Life Supply, LLC	511 30th Avenue

Ms. Therrien, seconded by **Mr. Gibson**, moved to WAIVE PROTEST on the Marijuana License Applications for renewal.

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

Mayor Matherly noted for the Council that there no departmental protests; however, the FPD was available to respond to the request by the Council for more information regarding these renewals.

City Clerk Danyielle Snider stated she noted in the memo that the FPD has asterisked any calls that were related to the business itself, to avoid any additional confusion.

Mayor Matherly asked the Council for questions of Acting Police Chief Richard Sweet regarding the license requests.

Mr. Clark asked for AC Sweet’s insight regarding the calls for alarms and burglaries. AC Sweet responded that those were burglar alarms they had responded to and that none of them resulted in an investigation.

Ms. Rogers recalled the business in question had reported issues with their alarm system malfunctioning in the past and thought it may be a continuation of those issues being reported. AC Sweet confirmed Ms. Roger’s statement.

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

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

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
725	Midnite Mine	Beverage Dispensary	Midnight Mine, LLC	308 Wendell Avenue
5629	Midnite Mine	Beverage Dispensary Duplicate	Midnight Mine, LLC	308 Wendell Avenue
5764	Midnite Mine Brewing Company	Brewpub	Midnight Mine, LLC	308 Wendell Avenue

Ms. Kun, 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.

City Clerk Danyielle Snider announced that Rick Mensik, owner of Midnite Mine, LLC, was entering the meeting.

Mayor Matherly called upon the Council to ask questions of Mr. Mensik or AC Sweet regarding the Liquor License Renewal Application.

Ms. Therrien asked Mr. Mensik to address the fourteen calls that were specific to the business.

Mr. Mensik asked if Ms. Therrien would like them addressed in general or independently. **Ms. Therrien** asked for information regarding the 14 out of 48 calls that were related to his establishments. Mr. Mensik responded that he has spoken to the police a number of times and provided all information contained in logbooks or on video. **Ms. Therrien** asked for information regarding the safety protocols in place at the establishments. Mr. Mensik explained that his staff is very professional and there are 1-4 security staff members present all the time.

Ms. Therrien ask AC Sweet if he felt that 14 out of 48 calls is something the Council should be concerned about. AC Sweet replied that he did not have any concerns when he read the report, and

in addition, he had worked with the Midnight Mine in the past and they proved to be one of the few establishments following all State guidelines such as regularly checking identification and providing security.

Ms. Rogers stated that this establishment has always been open in their communications with the Council, and she was pleased to hear AC Sweet's comment regarding his knowledge of the businesses operations and the history he had with the owner.

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

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly stated that it is Thanksgiving week, and he hopes that everyone will take time to think about those that are less fortunate. He said it was very heartening to see all the different businesses help others and named multiple organizations running food drives. He thanked the City Council for their continued support of the Zoom meetings. **Mayor Matherly** echoed the thoughts of Governor Dunleavy and other leaders recommending the community to tone down holiday celebrations. He stated that there has been an uptick in COVID cases, but he is hopeful about the upcoming availability of a vaccine near the end of this year. **Mayor Matherly** stated that he believes the community working together to wear masks and keep social distancing has helped a lot, and by gathering in smaller groups now, and during the holidays, it will continue to help. **Mayor Matherly** went on to share how the City of Fairbanks had been personally affected by positive cases among the staff, which has contributed to some of the delays in snow removal throughout the City. He asked for public's patience with snow removal and commended Public Works Director Jeff Jacobson for his hard work during this time. **Mayor Matherly** acknowledged the frustrations and stated that he has been in communication with the public; he noted that the strange weather coupled with the COVID pandemic and positive cases among Public Works crews has made this a very challenging time. **Mayor Matherly** spoke to the testimony regarding the hiring process of the new Police Chief. He reminded the public and the Council that this is the same process that was followed two years ago, and he believes the nine-member panel is a good, manageable number that will be challenging enough with remote meeting. **Mayor Matherly** also stated that the number limitation does not mean the committee is not hearing the public's comments or thoughts, and that all feedback is welcome. He went on to share names of the organizations that have agreed to participate in the process of hiring the new chief, and he conveyed that the strides the committee has taken to be inclusive addresses all the concerns mentioned during public testimony. **Mayor Matherly** clarified that diversity, transparency, and officer training are all very important to him, and he is working hard to ensure the process is successful. He also indicated that he has responded to the NAACP Position on Policing and Our Community. **Mayor Matherly** continued by stating that part of this agenda, Resolution No. 4943, involves a grant that will provide funds for mental health assistance at FPD. He stated that much like Ms. Walling's suggestion regarding a Mobile Crisis Team, he has been working on this for some time and agrees it is a real need in the community. **Mayor Matherly** thanked the Council

for their hard work on the 2021 budget, recognizing that it was a much different process this year. He expressed appreciation for the hard work that has been put in by the Council and the various departments to work together through this interesting time of COVID and remote meetings. **Mayor Matherly** expressed his gratitude to the newer members of the Council, Mr. Clark and Mr. Marney, recognizing the difficulties that come with being a new Council member and tackling the budget immediately. **Mayor Matherly** gave exceptional recognition to the Dispatch Center (FECC). He expressed his appreciation for the staff's ability to help people connect with first responders. He stated that dispatchers are constantly in front of their computers and their communication lines, which can be hard on mental health, and they need to be recognized for the hard work they do and the service they provide to the City of Fairbanks. **Mayor Matherly** closed by recognizing how much we must be thankful for by living in this great community. He stated he is thankful for the Council and their continued efforts, and he wished everyone a very happy Thanksgiving.

COUNCIL MEMBERS' COMMENTS

Mr. Marney thanked the Mayor for his input and the trust he has placed in himself and Mr. Clark. He expressed concern that members of the hiring committee for the new police include those who are supporters of law enforcement. **Mr. Marney** stated that it is very important that the City and the Council show 100% support for the FPD.

Mr. Clark echoed Mr. Marney's comments. He stated that he was very pleased with the processes that the Mayor has put in place and feels that, based on this, the Chief of Police who is ultimately hired will be a well-qualified person.

Ms. Rogers asked the Mayor to restate the nine organizations represented on the committee to hire the new Chief of Police. **Mayor Matherly** read the list. **Ms. Rogers** stated that she believed the City is headed down a good path, emphasizing that the diversity each individual holds on their own is important to consider. She expressed her belief that the nine-member panel will be a good number, providing much diversity and accommodations. **Ms. Rogers** went on to discuss the issues of snow removal, especially the concern addressed by Mr. Buberger, of pedestrians using the roadway and being struck by a vehicle due to the sidewalks being unusable. She stated that it is an issue of public safety, not simply an inconvenience, and should be taken very seriously. **Ms. Rogers** ended her comments by thanking the members of the public who have taken the time to write in with public testimony, especially during this time of remote meetings due to COVID.

Ms. Kun gave a land acknowledgement and thanked Ms. Quinyne for doing the same. She also recognized Mr. Buberger's comment regarding sidewalks and noted that some of the side roads have become very difficult to drive on. **Ms. Kun** thanked Ms. Rogers for her attention to the public safety priority. She thanked the Mayor for his work in regard to the hiring committee. **Ms. Kun** went on to state that while not all marginalized groups may be directly involved in the hiring committee, members of the Fairbanks Diversity Council (FDC) that will be providing feedback as well. **Ms. Kun** thanked Mr. Foster for his intention to apply for the Chief of Police position and wished him luck. She also thanked all the individuals that took time to email or speak to the Council. She also pointed out that many answers to those questions were either answered in the November 18, 2020 press release by the Mayor, or more directly in his comments during this

meeting. **Ms. Kun** ended by thanking the Mayor for being proactive and transparent during this hiring process.

Mr. Gibson, in response to the public testimony by Ms. Walling regarding the mental health crisis team created in Anchorage, explained that the grant funding application approved on the consent agenda with Resolution No. 4943, if awarded, would pay for a two-year partnership with The Bridge to install a similar system within the Fairbanks community. **Mr. Gibson** stated that it is a substantial amount of money, \$250,000 for two years, and thanked the Mayor, Ms. Rogers, and Ms. Therrien for sponsoring the resolution. He stated he is optimistic about the opportunities it provides the City.

Mr. Gibson asked the Mayor for clarification on the hiring process for the new Police Chief and why Mr. Foster was requesting the opportunity to apply. **Mayor Matherly** responded the position will be offered in-house first and, if a good candidate is not found, it will be offered to the general public. He stated that Mr. Foster is no longer employed with the City of Fairbanks, meaning he is welcome to apply if the position is opened externally. **Mayor Matherly** explained that because Mr. Foster is a member of the public, he has the right to address the Council on any matter, including his own interest in the position of Police Chief.

Ms. Therrien thanked the public for their comments regarding the hiring committee. She shared the significance of the policy made by the LWVTV, as they do not make new policies lightly. In response to the request for the marginalized groups to be represented on the committee, **Ms. Therrien** asked the Mayor if maybe one of the established groups would already be providing the representation requested. **Mayor Matherly** responded that a member of the FDC would be on the committee and would be representing the LGBTQ community. **Ms. Therrien** then made a request that the Mayor consider instilling a mask mandate, as the Governor's office has given the cities of Alaska the right to do. She went on to mention that the FNSB has been involved in litigation regarding the same issue. **Mayor Matherly** stated that there has not been a question as to the power of the City of Fairbanks to issue a mandate; however, he has chosen not to. He explained that one of his concerns is due to the fact that the City is within the Borough, and if there were conflicting mandates it could be difficult. **Mayor Matherly** went on to state that the lack of enforcement makes mandates not only harder to control but has shown to increase intimidation and division in communities that have mandates. He stated that another issue is the false security behind masks, making individuals more likely to ignore social distancing, which could result in large gatherings. **Ms. Therrien** stated that she had misunderstood that and believes that the encouragement of wearing masks is very important.

UNFINISHED BUSINESS.

- a) Ordinance No. 6143 – An Ordinance Amending the 2020 Operating and Capital Budgets for the Third Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Gibson, seconded by **Mr. Clark**, moved to ADOPT Ordinance No. 6143.

Mr. Gibson, seconded by **Mr. Clark**, moved to SUBSTITUTE Ordinance No. 6143, as Amended, for Ordinance No. 6143.

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

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

Ms. Therrien noted the increase of \$350,000 to Hotel/Motel taxes and expressed her hope that the Council will support the \$50,000 increase to FECC for bonuses.

Ms. Kun stated that she has spent a lot of time considering the bonus to FECC. She went on to state that the large amount, \$5,000, was a lot of money for a bonus and may set a precedent for the future or may create animosity among the other City departments. She stated she would like to recognize FECC employees and their hard work, but perhaps with a lesser amount. **Ms. Kun** requested that this be open for discussion.

Ms. Rogers stated that she has also spent a lot of time considering the bonus. She indicated that it is apparent that everyone agrees that FECC employees deserve a bonus. **Ms. Rogers** recognized FECC employees for being the core of the community, and she stated she feels strongly about giving them a bonus. She stated, however, she also believes that Ms. Kun has made some good points, and it is worth discussing dollar amounts.

Mr. Gibson asked Ms. Bell to confirm the estimated ending balance for 2020. Ms. Bell stated that the budget ending balance is approximately \$10.2MM. **Mr. Gibson** then asked about the estimated surplus for the end of 2020, which would be added to the existing estimate of \$10.2MM. Ms. Bell stated she is expecting a reduction of expenses and salary savings to be approximately an additional \$1M. **Mr. Gibson** then asked if the HR Director, Ms. Foster-Snow, could recall another time when a bonus of this size had been issued. Ms. Foster-Snow stated that she could not remember a request for a bonus of this size; however, she could not also recall a time when a department was requested to work over 500 overtime hours, many of which were not optional.

Mr. Gibson, seconded by **Ms. Therrien**, moved to amend Ordinance No. 6143, as Amended, by transferring \$200,000 from the General Fund to the Capital Fund.

Mr. Marney asked Ms. Bell to confirm that the year-end surplus is estimated to be \$1M. Ms. Bell replied that she is projecting there may be an additional \$1M in the fund balance. **Mr. Marney** asked why the Council should not move as much of that as possible to the Capital Fund. Ms. Bell stated that it would not be recommended because the surplus is only a projection, and not a guaranteed amount. **Mr. Marney** then asked Ms. Bell if she believed it would be safe to transfer the requested \$200,000. Ms. Bell agreed that the \$200,000 would be a reasonable amount to transfer but recommended against anything over \$500,000.

Ms. Therrien indicated that she would support a transfer of \$200,000. She indicated that it is important to consider the amount saved in salaries. She expressed concern that there are no extra funds allocated for the Capital Budget in 2021 and stated it is prudent for the Council to transfer 2020 savings to the Capital Fund.

Ms. Rogers agreed with previous comments and the transfer request.

Ms. Kun stated she agrees with the amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6143, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Mr. Gibson, seconded by **Mr. Clark**, moved to AMEND Ordinance No. 6143, as Amended, by reducing the FECC bonus from \$5,000 to \$3,000 each for the ten full-time staff, resulting in a total bonus amount of \$31,000.

Mr. Gibson recognized that there is some concern about the amount of the bonuses being offered to the FECC employees and desired to make the amount more palatable for all Council members.

Mr. Clark stated that he understands the amount of overtime required of FECC employees is extreme, but he was a bit surprised by the request. He agreed that the reduced amount is more tangible.

Mr. Marney expressed concern about the precedent this would set for future years. He also expressed concern that if the employees have been given a raise this year, it may not be appropriate to award bonuses as well. **Mr. Marney** asked for clarification about the largest bonuses previously awarded by the City. Ms. Foster-Snow indicated that in the recent past there were bonuses awarded to Public Works employees that fell between \$3,000-\$5,000 each. **Mr. Marney** followed up with a question regarding mandated overtime at the Fire and Police departments. Ms. Foster-Snow confirmed that it is often mandatory according the schedule and staff availability.

Ms. Therrien spoke in support of the original \$5,000 bonus due to the forced overtime and the stress involved with the job. She went on to explain that these bonuses, as they have been awarded in the past to the FPD, are also intended to help retain employees. She spoke in opposition to the amendment.

Ms. Rogers thanked Ms. Kun for providing the discussion and appreciated the ability to fully consider the bonuses and their amounts. **Ms. Rogers** suggested amending the bonus amount to consider years of service, as was done in the Public Works bonuses mentioned previously.

Ms. Kun expressed interest in the tiered system approach, giving the higher amount of \$5,000 to the senior employees and \$3,000 to the newer ones. She asked Ms. Foster-Snow if this is workable with the current tenure of the employees in Dispatch. Ms. Foster-Snow indicated it would be helpful to hear from the Dispatch Manager, Kristi Merideth, regarding the tenure of the employees. City Clerk Snider indicated that the Dispatch Manager is attending via Zoom. **Mayor Matherly** stated that he would like to hear from Ms. Merideth after discussion between Council Members was complete. Ms. Kun said she would support a tiered system for bonuses.

Mayor Matherly reminded the Council that the funds used to help this department are coming from salary savings. **Mayor Matherly** stated he believes strongly that the incentive bonus is well-deserved and asked the Council to lower the amount or consider the tiered system.

Mr. Gibson made it clear he had suggested a flat \$3,000 instead of \$5,000 as a lower amount was suggested by Ms. Kun and Ms. Rogers.

Ms. Rogers stated that the Mayor's comments were very compelling, and she is willing to agree to the original ask of \$5,000.

Ms. Kun thanked the members for the conversation and stated she will support the original ask of \$5,000.

Mr. Marney asked if the new recruit mentioned in the original request had been employed less than a year. Ms. Foster-Snow confirmed.

Mr. Clark stated that he understands the sentiment behind the Mayor's request and agrees that the City can afford it. **Mr. Clark** stated that the Council approved a significant raise mid-year for another department. He expressed his frustration that COVID has been a significant struggle for everyone. He stated that the private sector is struggling, and businesses are shutting down, yet the Borough and the City are still running strong. **Mr. Clark** stated he feels like this is a time when the City should be pulling back and giving any bonuses or raises feels inappropriate. He continued to state that this is happening in multiple departments, in different ways, and the Council is repeatedly told that it is an exception due to COVID. **Mr. Clark** ended by saying he believes it sets a precedent, as the Council has no idea what will happen in the coming year.

Mayor Matherly stated that he appreciates members' comments and passions, but he again reminded the Council that the funding source is salary savings from not having enough employees. He stated he believes this is a great opportunity to say thank you in a big way.

Mr. Gibson gave a final thought to his proposed amendment, recognizing the comments made around the tiered system and how it would not be treating each employee equally. **Mr. Gibson** stated the original proposal does, in fact, single out the recruit by giving them \$4000 less than the other dispatchers. He clarified his point by stating that the original proposal does not treat everyone equally, and that should be noted.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6143, AS AMENDED, AS FOLLOWS:

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

Ms. Therrien, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6143, as Amended, by increasing the FECC bonus from \$1,000 to \$5,000 for the one recruit, resulting in a total bonus amount of \$55,000.

Ms. Therrien stated that given the comments made by the Mayor regarding the tiered system, all the dispatch employees should be treated the same.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6143, AS AMENDED, AS FOLLOWS:

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

Mr. Marney stated that he could not recall the conversation regarding the \$100,000 increase to the Fire Department budget for salary and benefits. **Mayor Matherly** stated he remembers discussing it and asked the Council for their input. Ms. Bell stated it was discussed prior to the first reading of the ordinance. Ms. Bell continued to state that the department is currently over budget on overtime, and this is the amount needed to cover the expenses through the end of the year. She also stated that this is not the actual cost of the overtime as the department had salary savings in the regular pay. Ms. Bell also stated that the department had to hire new employees and purchase new gear due to unexpected retirements. **Mr. Marney** asked if this was over and above the original 2020 budget. Ms. Bell stated that it was overbudget; however, the original 2020 budget had a low projection for the item originally.

Mr. Gibson stated he is pleased that the Council has agreed to put \$200,000 towards the Capital Fund, and he also agreed with Ms. Therrien that it would good to revisit the issue again in December or January. He continued by stating that funding Capital is one of the most important things the Council can do so that the City can continue to provide its employees with good equipment. **Mr. Gibson** reminded the Council that they approved salary savings expense increase to \$55,000. He asked that the Council remain cognizant of where they are spending money because things could tighten up in the following year if things do not return to normal quickly.

Mayor Matherly stated that he agrees with Mr. Gibson's thoughts regarding the Capital Fund and thanked him for bringing it forward.

Ms. Therrien stated that there is often a lot of salary savings at the end of the year, especially in the FPD. She stated that she thinks this is a fair ordinance and hopes that the Council can support it.

Ms. Kun stated she is very pleased at the decision to move \$200,000 to the Capital Fund.

Mayor Matherly thanked the Council for all of their input and expressed appreciation for their ability to work well together.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6143, AS AMENDED, AS FOLLOWS:

YEAS: Gibson, Marney, Rogers, Kun, Therrien, Clark
NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6143, as Amended, ADOPTED.

Mayor Matherly called for a brief recess. The meeting resumed at New Business following the brief recess.

NEW BUSINESS

- a) Resolution No. 4942 – A Resolution to Form a Cooperative Agreement Between the City of Fairbanks and the North Star Council on Aging to Participate in the CDBG Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4943 – A Resolution to Apply for the FY221/2022 Restore Hope in Linkage to Care Collaboration Grant from the State of Alaska Department of Health and Social Services. Introduced by Mayor Matherly and Council Members Therrien and Rogers.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4944 – A Resolution Stating the City of Fairbanks Legislative and Capital Priorities for 2021. Introduced by Mayor Matherly.

Mr. Marney, seconded by **Mr. Clark**, moved to APPROVE Resolution No. 4944.

Ms. Therrien, seconded by **Ms. Kun**, moved to AMEND Resolution No. 4944 by adding a fourth legislative priority to read, “That the Legislature decide upon and implement new funding sources for State expenditures.”

Ms. Therrien stated that this was an item approved as a priority at the Alaska Municipal League (AML) board of directors meeting. She continued to state that it is an issue that the City of Fairbanks should weigh in on. She explained that it was passed unanimously that the legislature consider new funding sources, and without asking them to implement a sales tax or an income tax, there is a need for more revenue sources to cover municipal assistance, schools, the police, etc.

Ms. Rogers agreed that the City should be backing up the work of AML, and this is a very practical and pragmatic amendment.

Mr. Marney stated that he agrees as long as they are not requesting that the State implement additional taxes.

Mayor Matherly stated that obviously the Council cannot control the means by which the State will proceed, but the Council can ask that they find alternatives.

Mr. Clark asked Ms. Therrien to elaborate on the sources available for the State to consider. **Ms. Therrien** responded that the AML’s focus was that the need for new funding sources is more necessary now than ever. She continued that she feels the City should be supporting all the other

municipalities. **Ms. Therrien** stated that when the legislative committee meets, it would be nice to say all Council members agree that the State needs to do something, be it new business ideas, minerals, and other forms of revenue. **Mr. Clark** asked whether the priority is to find new revenues or find new ways to cut expenditures. **Ms. Therrien** stated that she believes the AML holds the position that there have been enough cuts and now is the time to find new revenue sources.

Ms. Kun stated she seconded the motion because she supports the AML and their resolutions. She agreed that the State needs to consider new funding sources and that it is in the City's best interest that the State do so.

Mayor Matherly asked for input from Chief of Staff Mike Meeks. Mr. Meeks asked for clarification regarding the language. **Ms. Therrien** indicated that the language is not as important as the understanding behind it. Mr. Meeks asked the Clerk if there was enough time to have this amendment completed and to the Council before the meeting with the Interior Delegation. City Clerk Snider suggested that there was enough time to postpone the resolution until the next regular meeting.

Mr. Gibson, seconded by **Ms. Therrien**, moved to AMEND the motion to amend by adding the language, "and cost saving measures" after the word "sources."

Mayor Matherly called for objection to the motion to AMEND and, hearing none, declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4944 BY ADDING A FOURTH LEGISLATIVE PRIORITY TO READ, "THAT THE LEGISLATURE DECIDE UPON AND IMPLEMENT NEW FUNDING SOURCES AND COST SAVING MEASURES FOR STATE EXPENDITURES." AS FOLLOWS:

YEAS: Gibson, Marney, Rogers, Kun, Therrien, Clark
NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien asked Mr. Meeks to provide the language in the attachment to support the amendment between now and the next meeting. Mr. Meeks confirmed. **Mayor Matherly** called for further discussion on Resolution No. 4944, as Amended.

Mr. Gibson remembered the previous year's request for SART (Sexual Assault Response Team) funding. He continued to state that the City had received the funding because they had asked for it and felt it was important to ask again.

Ms. Therrien, seconded by **Mr. Gibson**, moved to AMEND Resolution No. 4944, as Amended, by adding a new legislative priority to increase funding for SART kits.

Ms. Therrien stated that it is very important for Mr. Marney and Mr. Clark to understand this is a request done to help pay for SART kits, but the payment takes a long time, and this is an important step to reduce the backlog. **Ms. Therrien** recommended directing Mr. Meeks to come up with the language using previous years as an example.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4944, AS AMENDED, BY ADDING A NEW LEGISLATIVE PRIORITY TO INCREASE FUNDING FOR SART KITS AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

Ms. Kun, seconded by **Mr. Gibson**, moved to POSTPONE Resolution No. 4944 until the next regular meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4944, AS AMENDED, TO THE NEXT REGULAR MEETING AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

d) Ordinance No 6144 – An Ordinance Amending Fairbanks General Code Chapter 2, Article V, Division 3, by Adding a New Section 2-658 Regarding Grant Procedures. Introduced by Council Member Gibson.

Mr. Gibson, seconded by **Ms. Therrien**, moved to ADVANCE Ordinance No. 6144.

Ms. Kun, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6144 by striking section 2-658(a) in its entirety.

Ms. Kun stated she wants to strike the section because it will tie hands in the future. She continued to say that the following three subsections give enough directives, and subsection (a) is unnecessary.

Ms. Rogers agreed with striking subsection (a) but stated she would like to hear from Ms. Bell. She continued to say that she believes subsection (a) presents a good idea, but that it requires more polishing. **Ms. Rogers** hesitated to decide at this time and requested that Mr. Gibson consider postponing the resolution until there is time to make it into a good working document. Ms. Bell stated that subsection (a) addressed staff concerns and would allow staff to move forward if a grant opportunity comes available without time to bring it before the Council.

Ms. Therrien stated that she seconded the amendment because she is having second thoughts regarding the ordinance and feels strongly that it should be postponed to sometime in January after the budget is complete.

Mr. Marney agreed with Ms. Therrien that there has been a lot of back and forth and indicated that he would be in favor of postponing the issue.

Mr. Clark asked Mr. Gibson if the language “if the grant does not require matching funds” included incurring funds in the future, or only upfront funds. **Mr. Gibson** explained that grants are clear about matching funds when you apply for them. **Mr. Clark** clarified his question by using road maintenance costs after a project is completed as an example. **Mr. Gibson** stated that the example given would be a separate issue, outside of the actual grant.

Mr. Gibson stated that he took feedback from Council members and worked with Mr. Ewers to draft the language in subsection (a). He continued to say that he believed the language and intent of the Council was to not tie the hands of those wanting to apply for grants but also not to allow for the application of grants outside the Council’s knowledge or desires. **Mr. Gibson** ended by saying he believes the language should stay because the Council is trying to strike the balance between flexibility for the Grant Administrator and assurance that the Council is aware of what is happening.

Ms. Therrien stated that she believes the intent is to allow for emergency grant situations in which there is not a lot of time, in which cases, she believes an Emergency Meeting could be held. **Ms. Therrien** said she is still very conflicted with the language; she acknowledged the work Mr. Gibson has put into the resolution but stated that she would like more time.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6144 BY STRIKING SECTION 2-658(a) IN ITS ENTIRETY AS FOLLOWS:

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

Ms. Therrien, seconded by **Ms. Rogers**, moved to POSTPONE Ordinance No. 6144 to be heard in the Finance Committee on January 19, 2021 with a first reading at the Regular Council Meeting on February 8, 2021.

Mr. Gibson stated that this represents a lot of consideration. He stated that the issue has been discussed in many meetings, and the Council could continue talking about this for many months. He continued to say that the ordinance is a good place to start, and that by passing it, it does not mean it cannot be changed or modified. He asked that it be advanced to the next meeting to obtain public input. **Mr. Gibson** indicated that would give the Council an idea of whether they are moving in the right direction, and if not, the Council could postpone at the next meeting.

Mr. Marney stated that the Council should receive public input on the ordinance.

Ms. Therrien stated she did not like the idea of introducing an ordinance with the intent of amending it in the future. She stated she would rather work on something and do it right to begin with; therefore she thinks the Council should postpone.

City Clerk Snider asked for clarification on the motion to postpone: whether the intent is to postpone the first reading of the ordinance or to advance it to a second reading in February.

Ms. Therrien stated her intent is to postpone the first reading until February.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6144 TO BE HEARD IN THE FINANCE COMMITTEE ON JANUARY 19, 2021 WITH A FIRST READING AT THE REGULAR COUNCIL MEETING ON FEBRUARY 8, 2021 AS FOLLOWS:

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

DISCUSSION ITEMS AND COUNCIL MEMBER COMMENTS

Mr. Gibson stated that he recently met with FAST Planning where they discussed the Fifth Avenue project and readdressed public input regarding two-way versus one-way. **Mr. Gibson** suggested a Work Session with the Council to review the issue with City Engineer Bob Pristash in order to create a unified vision on how to proceed. **Mayor Matherly** stated he would contact the City Clerk to schedule a Work Session after the first of the year. **Mr. Gibson** stated he appreciated everyone's input, although he is disappointed in the outcome of Ordinance No. 6144. He stated that he feels the Council has shut the public out of the conversation.

Ms. Kun reminded the Council that the public is able to weigh in on the ordinance through emails now and public comment later. She stated that part of the reason Ordinance No. 6144 is being held up is because it creates more paperwork/government, and she prefers less government. She stated she feels that the remaining three sections of the ordinance are sufficient; however, it was a great discussion on the issue. **Ms. Kun** stated that she would appreciate keeping up to date with FAST Planning and Fifth Avenue and asked that the public stay informed as well. **Ms. Kun** stated she did not have a committee report, and she would welcome a new or additional committee assignment. She reminded Council that Thanksgiving is not always a happy time for everyone. She shared that November is also Native American Heritage month. **Ms. Kun** asked the Council to keep the family of Willis Derendoff in their prayers. She stated he is the fourth Native Alaskan to recently go missing, and she hopes that something is found out about them.

Ms. Rogers stated she did not have any committee reports; however, she did share about her experiences with AML and the success they had holding such a large conference over Zoom. **Ms. Rogers** expressed her desire to continue the encouragement of mask wearing. She thanked the Mayor for being vocal about masking wearing and for the protocols he has put in place at City Hall.

Ms. Therrien stated she attended the FNSB Assembly meeting regarding the Appeal Board issue. **Ms. Therrien** felt that the Borough was not prepared to move forward and were very concerned about the loss of public input in the appeal discussions. She reported that the issue will be before the Borough Assembly again in January. **Ms. Therrien** announced that at her first attendance at the AML Board of Director's meeting she was elected to serve, and they passed approximately twenty-two resolutions, including eight from the previous year. She indicated that if the Council was interested in those resolutions, she could provide the titles to the City Clerk for distribution. **Ms. Therrien** asked that the NAACP letter is kept in the forefront of the decision to hire a new Police Chief. She wished everyone a happy and safe Thanksgiving.

Mr. Marney wished everyone a happy Thanksgiving and safe travels.

Mr. Clark wished everyone a happy Thanksgiving. He reiterated his frustration as a new Council member going through the budget process. He said it was tough and shocking at times, and his wish is for the Council to be wise with the taxpayers' money. **Mr. Clark** expressed hope that the departments can look at their budgets and think of it as the citizens' money.

Mayor Matherly asked Ms. Kun if she was still willing to sit on the Explore Fairbanks Board and Mr. Gibson if he was okay with his position on the FAST Planning Board. He indicated that Ms. Therrien would remain on the Permanent Fund Review Board and the Legislative Information Group. **Mayor Matherly** said he would like to add Mr. Marney to the Hotel/Motel Discretionary Fund Committee, which meets annually in November and December to decide how to distribute the \$270,000 in hotel/motel tax revenue. **Mr. Marney** said that he looked forward to serving on the committee. **Mayor Matherly** asked Mr. Clark to serve on the Legislative Information Group with Ms. Therrien and Ms. Rogers. **Mr. Clark** agreed. **Mayor Matherly** stated that Ms. Rogers would continue on the Hotel/Motel Discretionary Fund Committee for the remainder of 2020. **Mayor Matherly** clarified that any Council member may participate in the meetings, however, they need to be mindful of how many members attend to avoid a quorum. He indicated that members who have questions about that should contact the City Clerk or the City Attorney.

Ms. Rogers added that she has also been attending the Suicide Coalition meetings for the past six months.

City Clerk Snider stated that she will send a revised committee assignment listing to the Council.

Ms. Therrien asked the City Clerk for information on the Borough Assembly meeting schedule for 2021. City Clerk Snider replied that the Borough has not yet set their 2021 schedule, but she will let the Council know as soon as the schedule is set.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Reappointment to the Chena Riverfront Commission.

APPROVED on the CONSENT AGENDA.

- b) Recommendation for Reappointment to the FNSB Planning Commission.

APPROVED on the CONSENT AGENDA.

- c) Reappointments to the Building Code/Landscape Review & Appeals Commission.

APPROVED on the CONSENT AGENDA.

- d) Clay Street Cemetery Commission Meeting Minutes of October 7, 2020

ACCEPTED on the CONSENT AGENDA.

- e) Fairbanks Diversity Council Meeting Minutes of October 13, 2020

ACCEPTED on the CONSENT AGENDA.

Mr. Gibson, seconded by **Ms. Therrien**, moved to ENTER Executive Session for the purpose of discussing the potential litigation with FNSB – Tolling Agreement, PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy, and IBEW Labor Negotiation 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) Potential Litigation with FNSB – Tolling Agreement
- b) PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy
- c) IBEW Labor Negotiation Strategy

The City Council met in Executive Session to discuss Potential Litigation with FNSB as well as PSEA/FPCU and IBEW Labor Negotiation Strategies. Direction was given to legal counsel and the negotiating teams, and no action was taken.

ADJOURNMENT

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

Hearing no objection, **Mayor Matherly** declared the meeting adjourned at 10:34 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR