



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JANUARY 25, 2021
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a 5:45 p.m. Work Session for the City Permanent Fund Annual Report, 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
 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
 Jeff Jacobson, Public Works Director (remotely)
 Mike Meeks, Chief of Staff
 Kristi Merideth, FECC Manager (remotely)
 Angela Foster-Snow, HR Director
 Bob Pristash, City Engineer
 Tod Chambers, Fire Chief (remotely)
 Geoff Coon, Assistant Fire Chief (remotely)
 Richard Sweet, Acting Police Chief
 Ron Dupee, Acting Deputy Police Chief
 Anthony Laska, FPD
 Gerrit Butler, FPD
 Brett Welborn, FPD
 Caleb Condon, FPD

City Clerk Danyielle Snider read aloud 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.

CEREMONIAL MATTERS

Mayor Matherly introduced new police officer, Caleb Condon. He stated that Caleb had been born in Fairbanks to Dan and Kathy Condon. He added that Caleb's father had served with the Fairbanks Fire Department for 22 years and that Caleb had begun his law enforcement career in 2018 with the Fairbanks International Airport Police Department. **Mayor Matherly** shared that Caleb enjoyed spending time outdoors with family and friends, as well as participating in athletic activities. He added that it was nice to add another fine local to the FPD and asked Acting Chief Rick Sweet to perform the swearing in duties.

AC Sweet swore in Officer Caleb Condon and pinned his badge on him.

Mayor Matherly ended the ceremony by welcoming Police Officer Caleb Condon.

CITIZENS' COMMENTS

Christina Hommel, 998 Meadow Road, North Pole – Ms. Hommel ask the Council to please consider the quote by Milton Friedman, “One of the greatest mistakes is to judge policies and programs by their intentions rather than their result.” She stated that she wanted the Council to be aware of a local non-profit organization, Loving Companions Animal Rescue, where ongoing concerns regarding the neglect of animals have been reported for over a decade. She shared a personal experience where she had attempted to reunite a pet owner with a cat that was found at Loving Companions after the rescue denied having the animal. Ms. Hommel stated that it was at this point she had contacted Animal Control where it was explained that laws did not exist that fit the parameters of her complaints. She stated that animals are considered property in the State of Alaska, and Animal Control can only “investigate under very specific written evidence that is provided by someone willing to give their name and actually go to court.” Ms. Hommel stated that she had requested public records from Animal Control on complaints received regarding the rescue. She reported that she received copies of multiple complaints that spanned over a decade regarding adopting-out boarded animals, failing to keep sanitary conditions, animal neglect, healthy animals entering the rescue but leaving dead, sick or injured due to fighting, and animals being adopted-out ill without proper paperwork. Ms. Hommel stated that the volunteers who have tried to help by reporting the situation to other people, or by adopting the pets themselves, have been banned from helping at the shelter which often leaves a time period where there are not enough volunteers and the animals suffer. She stated that the rescue is not monitored and has only shown signs of improvement, though fleeting, after social media outcries have forced them to clean up; however, these periods do not last as the history of complaints illustrates. Ms. Hommel stated that she has spoken with members of the Senator's office, City Commerce, the SPCA, Alaska State Troopers, and other legislators, but ultimately no one will take responsibility due to the lack of laws and jurisdiction. She continued by stating that the solution of social media tirades or more volunteers is not working, as evidenced within the veterinary and rescue community, Animal Control, Public Record, and through the banned volunteers. Ms. Hommel proposed that Title 22 [of the FBNSB Code] apply outside of the Borough Animal Shelter to other rescues so that adequate care is no longer subjective. She clarified that the intent is not to invade citizen homes or hurt the dog mushing community, nor change the freedoms that Alaska affords. Ms. Hommel ended by asking the Council to consider the shelter's defense with regard to the quote by Thomas Edison, “Good intention, with a bad approach, often leads to a poor

result.” She shared her hope that the City Council would not turn a blind eye and, instead, assist her group in improving the community and protecting its animals.

Ms. Therrien asked Ms. Hommel if she had presented this information to the Borough. Ms. Hommel stated that she was under the impression the Borough required a petition, which she had started that day; she stated she had already received over 500 signatures. **Ms. Therrien** added that it is the Borough that has jurisdiction over Animal Control.

Ms. Rogers clarified that a petition is not required to speak to any governmental body in order to voice a concern on an issue. She asked if Ms. Therrien would be willing to mention Ms. Hommel’s testimony at the next Assembly meeting and to share the Council’s concern on the subject. Ms. Hommel added that she had started with Animal Control but was told there did not exist any statutes that allowed them to act on the complaints based on subjectivity of care. **Ms. Rogers** suggested that Ms. Hommel visit the Borough Assembly - not Animal Control - and clarified that the Borough Assembly is the governing body that is responsible for Animal Control.

Mr. Clark asked Ms. Hommel how she was collecting the names for the petition. Ms. Hommel stated that she is collecting them online.

Victor Buberger, Fairbanks – Mr. Buberger thanked the City for getting the streets cleaned up even though it took 8-12 weeks for them to do so. He noted that some of the sidewalks could still use some work. He shared that he had been told that the military was going to be involved in demolishing the Polaris Building. Mr. Buberger then asked the City Council to clarify if the rumor he heard regarding the million-dollar rent, per year, for Explore Fairbanks was true. He continued by stating that the director of Explore Fairbanks, a non-profit, has been getting paid over \$160,000 per year, which is twice the salary of the Mayor and directly effects taxpayers. He added that the organization would like to see the Hotel/Motel tax increased so that they can pay for the Polaris demolition project. Mr. Buberger concluded by asking the Council to make sure they get a decent Police Chief and accused the Mayor of laughing at him during his testimony.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Rogers requested to have her name added as a sponsor for Resolutions No. 4949 and 4951.

Mr. Gibson pulled Resolution No. 4951 from the Consent Agenda.

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

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

APPROVAL OF PREVIOUS MINUTES

- a) Regular Meeting Minutes of December 14, 2020.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
4507	Miguel's Restaurant	Beverage Dispensary	Miguel's, LLC	1235 Airport Way, Suite 1
4880	Friar Tuck's Hoagie House	Restaurant/ Eating Place	Joshua Roach and Stafford Roach	427 Merhar Avenue, Unit 2
5816	Ajimi Japanese Restaurant	Restaurant/ Eating Place	Ajimi, Inc.	69 College Road

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

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

Mayor Matherly asked AC Sweet for input or concerns. AC Sweet stated that he had no concerns regarding the renewals.

Ms. Therrien noted that it was nice to see very few incidents on the call report for the establishments requesting renewal.

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

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

- a) Special Reports

Amy Geiger, Explore Fairbanks - Ms. Geiger stated that she was attending the meeting to distribute the 2021 Visitor's Guide and discuss the changes within. She noted that the changes were due to budgetary constraints caused by Covid-19 and included removing 12 pages, the paring down of several sections, and the combining or removal of some. She added that advertising rates had also been reduced due to the reduction in the size of the guide and to allow visitor businesses to participate as economically as possible. Ms. Geiger noted that due to the

ever-changing landscape of events because of Covid-19, the events calendar had been removed while the guide would still provide information about the historical and iconic happenings in Fairbanks. She added that the guide would also provide travel tips and information on how to explore the area responsibly during the Covid-19 pandemic. She went on to explain how the 150,000 (a reduction from 190,000) copies were distributed, including direct mailings to qualified potential visitors, neighboring communities, and to the organization's European contractor. Ms. Geiger shared some of the highlights of this year's edition and stated that the guide would be available online at the Explore Fairbanks website, which receives more than half a million visitors per year. Ms. Geiger thanked the Council for their reinvestment of the Hotel/Motel tax revenue.

Mayor Matherly acknowledged the difficulties that Covid-19 has brought on organizations like Explore Fairbanks and thanked Ms. Geiger for her report.

Mr. Marney noted that the guide contains local churches but only four were listed. He asked Ms. Geiger how churches might be added to that list. Ms. Geiger stated that any non-profit, including churches, can be added to the guide for the \$50 non-profit rate.

Mr. Clark asked how the organization defined a "qualified potential visitor." Ms. Geiger responded that Explore Fairbanks purchases leads from the Alaska Travel Industry Association. **Mr. Clark** followed up by asking how many guides are sent to qualified potential visitors. Ms. Geiger responded that 56,000 were mailed out with the first batch, and more are sent out throughout the year. **Mr. Clark** asked if it would be possible to get a more specific number for the total number of direct mailings. Ms. Geiger responded that she would obtain that information for him.

Ms. Rogers mentioned that during the pandemic and the slowing down of tourism, there had been a concerted effort by Explore Fairbanks to promote "explore local" and asked Ms. Geiger if the organization was planning on continuing that effort. Ms. Geiger shared that the Explore Local program is ongoing and currently focusing on winter activities, including making videos of dog mushing and of the North Pole area. She continued by stating that the videos are posted to the website and are to be used in the production of mini advertisements about the area that are sent out through social media, television, radio, and other mediums. Ms. Geiger added that Explore Local has been a very excellent program, generating activity locally and is being used in the Explore Local Statewide version. Ms. Geiger stated that anecdotally the program appears to be successful, even though there are not a lot of hard facts to back that up currently.

Ms. Kun thanked Ms. Geiger for her update, shared her excitement at news that numbers were steadily increasing and asked if there were any projections for the summer. Ms. Geiger stated that everything is still very uncertain for this summer, but there is a lot of excitement around 2022.

Mayor Matherly responded to Ms. Hommel's testimony in regard to the Loving Companions Rescue facility and stated that he has received multiple complaints about their operations in the past. He stated he just recently found himself in the middle of the public pressure campaign. He shared that he had been in communication with Mike Prax in Juneau, who had also heard of the rescue and planned to look into some of the State laws. **Mayor Matherly** added that he has spoken with Animal Control and the Borough and has made calls to Borough Assembly

members to ask them to please look into the issue. He added that he had read the petition and encouraged Ms. Hommel to send it to the Interior Delegation, Borough Assembly, City Council Members, as well as Mayor Welch in North Pole. **Mayor Matherly** stated that social media can help mobilize people for her cause; he encouraged her to obtain as many signatures as she can and to take her petition to the Borough. **Mayor Matherly** shared that he attended the vigil for the missing persons held at the Peter John Tribal Building with AC Sweet and Acting Deputy Chief Dupee over the weekend. He stated that there were approximately 50-100 people representing the families of the missing individuals, Clergy, and other concerned citizens in attendance. He noted that there were many speeches given, including one by him, and there were many songs and drums performed as well. **Mayor Matherly** noted that his message to the public recognized frustration that occurs when the public cannot see all the work being done in the background, and he asked for citizens' assistance with bringing forward any and all information they have to help in the investigations. He added that there has been a lot of attention given to the Missing and Murdered Indigenous Women's movement throughout the Nation, and Alaska departments are working with federal agents to help in both local and national cases. **Mayor Matherly** thanked Jodi Potts for her work in organizing the vigil and stated that it was a well-attended event. He continued by reminding everyone to check on their friends and family members who might be struggling during this time and thanked Ms. Kun for always providing the suicide hotline contact numbers. **Mayor Matherly** recognized Human Resources Director, Angela Foster-Snow on the well-written memo outlining the Police Chief hiring process and progress. He added that there has been a lot of hard work put into the process. He stated that the hiring committee met for the first time earlier that day via Zoom and discussed moving forward through the many applications that had been received. He added that there will be more meetings in February, including the public forum on February 7. **Mayor Matherly** clarified that he had not been laughing at Mr. Buberger during his testimony but rather something occurred in his home that caused him to laugh; he indicated that he would call Mr. Buberger the following day. He shared that there were many people wearing masks while he was out and about over the weekend, and he encouraged everyone to keep doing so. He added that while Alaska is ahead of the game with vaccines, it is still very important to wear masks and practice social distancing. **Mayor Matherly** ended by thanking the public for their continued support of local businesses.

City Clerk Snider clarified that the Police Chief Public Forum would be on Tuesday, February 9, not February 7. **Mayor Matherly** thanked Clerk Snider for catching the incorrect date and added that the forum will be in place of the regularly scheduled Fairbanks Diversity Council meeting.

COUNCIL MEMBERS' COMMENTS

Ms. Kun thanked Ms. Hommel for the work she had put into bringing the animal rescue issue to light, added that she had also signed the petition, and wished her good luck.

Ms. Rogers thanked Ms. Hommel for bringing her concerns to the City and assured her that the Council's referral to the Borough is not a brush-off. She stated it is recognition of a larger community problem, and it is important for all of the governing bodies to be made aware of situations like these. She thanked Mayor Matherly for his encouragement to wear masks but also mentioned a complaint filed about police officers who were not wearing masks while performing their duties at the Bread Line. She continued by offering her apologies to the Bread Line staff and stated that this should not be happening. **Ms. Rogers** asked the Mayor to follow up on the situation and report back to the Council on how it will be addressed and remedied. **Mayor**

Matherly stated that he had only received this complaint after business hours that day and had not had a chance to look into it further. **Ms. Rogers** confirmed that she had also received the complaint very late. She added that she had received another communication from a community member who was very disturbed about the lack of transparency in the hiring process and asked that the City work hard to ensure that everything is being handled in the most transparent manner as to avoid hiring problems in the future. **Mayor Matherly** stated that he had not received that same communication and asked that Ms. Rogers forward it to him. He added that the current Police Chief hiring process has been extremely transparent and by the book. **Ms. Rogers** thanked the Mayor for his comments and congratulated new Police Officer Caleb Condon. She remarked on how special it is to have a ceremony to bring someone on board with the City, especially those who have history in the community. She added that it is imperative to hire locals who have long-term interests in the community in order to make strides to increase relations between law enforcement and the citizens.

Mr. Gibson stated his appreciation for the memo regarding updates to the police chief hiring process and expressed his curiosity on the process for hiring a police Captain. He thanked Ms. Hommel for her testimony and the written information regarding Loving Companions and stated that he would be passing the information to members of the Borough Assembly. He stated he is committed to supporting her cause.

Mr. Marney agreed with Ms. Rogers' comments regarding local hires, especially in the FPD. He stated that he believes the City will receive better officers by hiring from within the community.

Mr. Clark thanked Ms. Hommel for her testimony and for the information provided to the Council members. He added that it was well done, and he believes she will be successful in her endeavor. **Mr. Clark** addressed the Mayor's comments regarding Fairbanks businesses doing well and reminded him that there are many still struggling. He added that it will be a difficult decision to go to an "all-clear" status and that the Council needs to not only be aware of that decision but also be prepared to make a strong point when that decision is made.

Ms. Therrien stated that she would be at the Borough Assembly meeting on Thursday and would share the information provided by Ms. Hommel. She expressed her appreciation for the Mayor taking time to attend the vigil for the missing persons and related her wishes that some results will happen because of it.

NEW BUSINESS

- a) Resolution No. 4949 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Department of Health and Social Services for the Restore Hope in Linkage to Care Collaboration Grant. Introduced by Mayor Matherly and Council Member Rogers.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4950 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security and Emergency Management for the FFY2021 State Homeland Security Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4951 – A Resolution Supporting the One-Way Traffic Concept Proposal for the 5th Avenue Reconstruction Project. Introduced by Council Members Gibson, Rogers, Kun, Therrien, Clark, Marney and Mayor Matherly.

Mr. Clark, seconded by **Mr. Marney**, moved to APPROVE Resolution No. 4951.

Mr. Gibson thanked the City staff and Council for the time spent on preparing this resolution for approval and asked if all Council members would be willing to be added as sponsors.

Ms. Kun, Ms. Therrien, Mr. Clark, and Mr. Marney all indicated that they would.

Clerk Snider asked for clarification regarding Mayor Matherly being added as a sponsor. **Mayor Matherly** affirmed that he would.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4951 AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4951 APPROVED.

- d) Resolution No. 4952 – A Resolution Authorizing Matching Funds for the Fairbanks Systemic Signal Upgrades Project. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

DISCUSSION ITEMS AND COUNCIL MEMBERS' COMMENTS

Ms. Therrien stated that the Legislative committee had its first meeting of 2021 and met with City Lobbyist, Yuri Morgan, who gave a presentation as to legislative organization and bills that would be of interest to the City. She added that the committee had decided to focus the next meeting on bills pertaining to police-related issues and had asked members of the FPD to attend as well. **Ms. Therrien** continued by stating that in the following meeting the committee would be addressing issues that pertain to elections and how those legislative measures can or will impact the City. She added that she had met with the AML Legislative Committee, and Nils Andreassen had presented legislation to the group that they will be working on weekly.

Ms. Kun stated that she had been unable to attend the Explore Fairbanks meeting; however, she did report that the board of directors had recently gone through elections, and she expected to see new board members present. She gave a land acknowledgment and thanked the Council for working together to ensure the communication of a unified desire for Fifth Avenue to remain one-way. **Ms. Kun** provided the care line phone number for anyone suffering from thoughts of suicide, 877-266-HELP.

Mr. Clark shared that he had attended the Legislative Committee meeting and found it interesting to participate. He expressed excitement to continue being a part of the process.

Mr. Marney shared that he attended his first Hotel/Motel Discretionary Fund Committee meeting as Chair on January 15, where the committee looked at the policies and procedures around the application process and had a lot of good discussion. He added that the committee will not be meeting again until November 5, 2021. He mentioned a communication he received from Jay McFetteridge from NAPA and his interest in saving the City money by taking over the parts department of Public Works. **Mr. Marney** explained that through his discussion with Chief of Staff Mike Meeks, he learned that the previous Council had not been interested in this option. He asked that the current Council reconsider the opportunity, especially if it can ultimately save the City money.

Mr. Gibson shared that he had attended the FAST Planning meeting the previous week and there had been a lot of discussion. He added that the most interesting topic was around abandoned roads in the Borough that have proved to be a big problem.

Ms. Rogers stated that she had attended the Fairbanks Diversity Council Meeting as well as the Sister City meeting where there was information regarding a film competition happening in a community in Japan that will be tying Japan and Fairbanks together in a special way. She added that this project was being handled by Festival Fairbanks, and they could be reached at 907-456-1984. **Ms. Rogers** thanked the Mayor for his earlier comments and involvement in the vigil for missing persons. She added that this is outside the City's technical footprint and expressed appreciation for the Mayor's efforts in staying involved in the greater community. She highlighted the report provided by the City Clerk and thanked Clerk Snider for her work in preparing it. She asked the Council to be sure to read through the document and pay attention to the suggestions within it regarding the Finance Committee, the Code, and cellphone use during Council meetings. She suggested that some work sessions may be in order for the Council to work through some of the listed recommendations. **Ms. Rogers** asked if there was a Council member designated to the Parking Authority. City Clerk Snider explained that the City appoints a member to that committee, which is the City Engineer or his designee. She stated that former Council Member Cleworth serves as a member of that board. **Ms. Rogers** asked if would be possible to obtain reports from Mr. Cleworth from time to time, and the Mayor indicated he would look into it.

Ms. Therrien gave thanks to those who worked on the vaccination event held at the Carlson Center. She added that it was a very seamless process that took only 20 minutes. She shared that she had already been provided a time and date for the second round of immunizations for February 13 at the same location.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Clay Street Cemetery Commission Meeting Minutes of November 4, 2020

ACCEPTED on the CONSENT AGENDA

- b) Clay Street Cemetery Commission Meeting Minutes of December 2, 2020

ACCEPTED on the CONSENT AGENDA

- c) Fairbanks Diversity Council Meeting Minutes of December 8, 2020

ACCEPTED on the CONSENT AGENDA

- d) Hotel/Motel Discretionary Fund Committee Meeting Minutes of December 15, 2020

ACCEPTED on the CONSENT AGENDA

Mr. Gibson, seconded by **Mr. Marney**, moved to ENTER Executive Session for the purpose of discussing the AMLJIA Appeal of Coverage Decision – Roberts v. City of Fairbanks and the 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

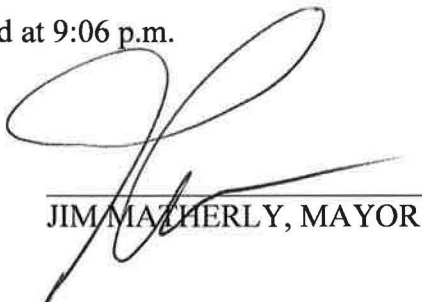
The City Council met in Executive Session to discuss the AMLJIA Appeal of Coverage Decision – Roberts v. City of Fairbanks and the IBEW Labor Negotiation Strategy. Direction was given to legal staff and to the negotiating team, and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 9:06 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANVIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR