



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, FEBRUARY 22, 2021  
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 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 (remotely)  
   Jim Clark, Seat F

Absent:                                        None

Also Present:                                Margarita Bell, Chief Financial Officer (remotely)  
   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  
   Michael Sanders, Housing & Homeless Coordinator (remotely)  
   Teal Soden, Communications Director (remotely)  
   Tod Chambers, Fire Chief  
   Geoff Coon, Assistant Fire Chief  
   Ron Dupee, Acting Police Chief (remotely)  
   Richard Sweet, Acting Deputy Police Chief

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.

**CITIZENS' COMMENTS**

Curtis Rogers, Fairbanks – Mr. Rogers stated that he had been hesitant to speak because he did not want to be perceived as anti-police; however, he expressed concerns regarding the selection process for Chief of Police. He went on to read the memorandum produced by the Human Resources department in January. Mr. Rogers stated that based on the information in the memo,

neither the subject matter experts nor the hiring committee had the opportunity to review every application, while the two internal candidates were forwarded directly to the hiring committee without the consideration of the subject matter experts. He stated he could not understand how the process that advanced Greg Foster as a finalist in 2019 had now determined that he was unqualified. He stated that the same process deemed two internal candidates qualified while Mr. Foster, who has similar experience and qualifications, was not. He asked the Council to consider how the process may have produced different results had all applications been subject to the same level of scrutiny by the same people at the same time. Mr. Rogers ended by stating that he did not have any issues with the principles applied during the process, but with the process itself. He stated that if Lt. Dupee is confirmed as Police Chief, he would gladly congratulate him.

**Ms. Therrien** thanked Mr. Rogers for his testimony and asked whether he had a relationship with the FPD. Mr. Rogers stated that due to Fairbanks being a small town, it would be difficult to not have a relationship with individuals from the FPD. He added that he had been associated with Lt. Dupee when he was much younger and that he had been a hockey coach for many of the FPD officers and their children over the years. He stated that he has known Greg Foster for over twenty years. **Ms. Therrien** asked if Mr. Rogers had come before the City Council before. Mr. Rogers replied that he had not.

Greg Foster, Fairbanks – Mr. Foster stated that he continues to have concerns about the Police Chief hiring process and that he believes the concerns to be valid enough to require further review. He stated that the process had been promised to be transparent, open, fair and unbiased, yet the subject matter experts who reviewed the applications were not disclosed until after applicants were removed from the candidate pool. He added that the matrix, scoring, and standards used by the experts had also failed to be disclosed, leaving questions as to what had actually occurred in the process. He stated that it would not require the filing of a Freedom of Information Act (FOIA) request in order to find out what took place if the process had truly been open and transparent. Mr. Foster stated that in order to be fair and unbiased, the same standards should have been applied equally to all applicants; he commented that only some individuals were allowed credit for current and prior experience. He stated that given the number of unanswered questions, the City Council should act as the checks and balances and not vote for the applicant who had been pushed forward through a flawed process. Mr. Foster stated that he had retired after more than 20 years of service due to a toxic managerial environment and that he had reapplied at the City once that environment changed. He added that he was denied his employment request and, because of that, was not able to apply for the Chief position as an internal candidate. He added that the State of Alaska allows for employees who have left in good standing to reapply for employment within six months; however, the City did not have that policy nor had it been extended to him, thus forcing him to apply as an external candidate. He stated that as an external applicant, he had not been given consideration for the commitment, experience, and relationships he had built while working for the City. Mr. Foster stated that the process did not allow for him to appeal, leaving him no other avenue other than asking the City Council to not vote for the candidate that had been selected and giving the Mayor direction towards following the process correctly a second time.

**Mr. Gibson** asked for clarification as to when Mr. Foster had reapplied to the FPD after his retirement on August 24. Mr. Foster stated that he had not submitted an application but had spoken with the Mayor's Office in that regard.

**Mr. Clark** asked Mr. Foster if the Mayor has the right to select the Police Chief. Mr. Foster stated that he does through appointment or process – not both. He added that there had been obvious bias in the process, and it had not followed the way it was presented.

Christina Hommel, Fairbanks – Ms. Hommel thanked the City Council for their collaboration with the Borough since the last meeting and added that the neglect at Loving Companions is old news. She stated that this sentiment is felt throughout the veterinarian and rescue community. She added that Loving Companions advertises as a rescue for the Borough but functions more like a puppy mill. She stated that the rescue is bringing in animals from villages and elsewhere, and there is a lack of quarantine and safety procedures which is resulting in the spread of illness throughout the community. Ms. Hommel referenced an article in the News Miner and the comments left by readers. She added that since her last visit to the Council, there was interest from one Borough Assembly Member; she referenced also David Gibbs, with whom she had left multiple voicemails with no response. She stated that another Assembly Member indicated that the issue did not lie with the Assembly but had asked if any progress had been made. Ms. Hommel asked the Council what progress would look like in this situation. She asked if the issue does not lie with the City or the Borough, what other avenue she could pursue to get help. She continued to ask if it might be possible to get a ruling from the City Attorney based on the multiple complaints filed in regard to the lack of care given to the animals at Loving Companions. Ms. Hommel asked for direction from the City on how to further her cause, who she should contact, and how best to proceed.

**Ms. Kun** thanked Ms. Hommel for following up and asked if there had been any progress. She asked what had happened with the petition mentioned at a previous meeting. Ms. Hommel stated that the petition is still receiving signatures, and it had received roughly 2,000 Alaskan signatures so far. She added that she had not been able to get any involvement from the Borough or any other authority. She stated that the SPCA in Anchorage had received over thirty complaints since December of 2020, which had triggered their interest, but no action has been taken. **Ms. Kun** thanked Ms. Hommel for the update and encouraged her to keep working along the various avenues she had presented.

**Ms. Therrien** stated that during a recent Borough Assembly meeting, Jimmy Cash indicated that he would be working on the issue and suggested that Ms. Hommel follow up with him.

**Mayor Matherly** stated that he had been making phone calls in regard to the Loving Companions issue and that he understood Ms. Hommel's desire for this process to move quickly. He encouraged her to be patient as it is a process that will likely take some time.

**Mr. Marney** asked Ms. Hommel if she had met with the North Pole City Council. Ms. Hommel indicated that she had not but would be willing to. **Mr. Marney** indicated that he had spoken with Council Member McGhee and had shared her information packet with him. He advised her to either contact Mr. McGhee or to present to the North Pole Council, given that Loving Companions is located in North Pole.

Dan Simmons, Fairbanks – Mr. Simmons stated that he would be testifying in regard to the current nomination for City Police. He added that he had been a Fairbanks resident since 1976 and had received a Criminal Justice Degree from UAF. He stated that he has known many of the officers at the FPD and believes that the department has been run fairly smoothly. Mr. Simmons

noted that, throughout the nation, police are often portrayed as the enemy. He stated that the current hiring process has a risk of repeating an error that occurred in the last couple of choices for Police Chief. He indicated that the City seems to be pushing for a local candidate but added that pushing any application through the process without a thorough review of qualifications, empirical data, education, and criteria of background in policing is a mistake. He added that pushing a candidate through runs the risk of having to fill the position again in the near future, as has happened with the past few appointments. Mr. Simmons stated that he believes the right person for Police Chief is Mr. Foster and spoke to his attributes. He added that favoritism should not be a factor, and the City needs to be careful to avoid repeating mistakes of the past. He concluded by asking the Council to not confirm the selection of Police Chief and to start over.

Eric Jewkes, Fairbanks – Mr. Jewkes thanked the Council for the opportunity to speak and stated that he had retired not long ago from being the City Police Chief. He expressed his support for Lt. Ron Dupee as Chief of Police and clarified that he had no specific dog in this fight. He added that he considers both Ron Dupee and Greg Foster to be his friends, stating that he has no ill will towards either one of them. Mr. Jewkes went on to state that he is not special, but he does have a unique perspective, both as having been the Chief of Police and as having been a candidate who had not been selected for the position previously. He added that through both situations he had learned a tremendous amount, including the fact that the Mayor would not be able to accomplish the things required of his position on his own. Mr. Jewkes clarified that the Mayor required a good team that would work together, and he felt the Mayor had done well by including Lt. Dupee on that team along with Mr. Meeks, Ms. Foster-Snow, and the rest of his executive team. He added that one of the strengths that this team has is that they are able to work together. He went on to state that the Mayor does and should have a significant impact on the selection of the Police Chief because the position is an integral part of the same team. Mr. Jewkes spoke to issues where Lt. Dupee and Mayor Matherly stood on opposite sides and, even though they vehemently disagreed, they were able to remain professional and work together which is what is required in a strong team. He added that the Mayor has a unique perspective in the selection of the Police Chief due to the tremendous amount of trust required between the two roles. He stated that Lt. Dupee would also be a good solution to the recruitment and retention issue that the department has been facing. He added that money is only part of the solution, and while the City may not be able to compete on a monetary level, if the City has a leader and a Chief that cares, employees will see that and stay at the City.

Randy Griffin, Fairbanks – Mr. Griffin shared the letter he had sent to each of the Alaska Legislators and the Governor with the subject, “Suggestions to save the state \$500,000,000 without hurting poor people.” He stated the letter suggests that cutting the PFD amounts could have very big impacts on people already suffering financially. He stated that to help avoid that issue the State could start a Public Assistance Payment (PAP) program to temporarily replace the PFD program. Mr. Griffin stated that the intent of the program would be to help those who are more financially in need while others who are not suffering could forego or receive a much smaller dividend. He added that the PAP would be limited to \$100,000,000 instead of \$700,000,000, and each check would only be \$1,000 for 100,000 applicants. Mr. Griffin stated the application would strongly encourage only those who genuinely needed the funds to apply. He explained that if there were more applications than planned, the check amounts would have to be reduced at the fault of richer Alaskans taking advantage of the program.

**Mr. Clark** commended Mr. Griffin's idea but asked if it were realistic to assume the PFD would be returned to the people if it were taken, even for a short time. Mr. Griffin gave an example of a private company that had historically given dividend payments but was unable to one year. He added that the company reinstated the dividend payments the following year, showing that it is possible to suspend a program temporarily.

City Clerk Danyielle Snider stated that since there were no more comments to be heard in person it was time to hear testimony over Zoom.

Marna Sanford, Fairbanks – Ms. Sanford thanked the Council for the opportunity to speak. She stated that there are very few government jobs that garner as much attention as the Chief of Police. She added that the position leads the men and women who are responsible for protecting the community and that it is vitally important that the process is done right. She continued by stating that the process is just as important as the person selected and that transparency in the process should be a priority. She agreed with Mr. Jewkes and his emphasis on the importance of the relationship between the Mayor and the Chief of Police but questioned the point of the process if Lt. Dupee was the desired candidate from the beginning. Ms. Sanford stated that many aspects of the process have been kept from the public and added that some new information is still coming forth through testimonies. She went on to accuse the administration of attempting to gaslight the public. She asked about the internal matrix used to eliminate five of the top ten candidates and when and by whom it had been developed. She stated that the matrix had obviously been added since the hiring of the last Police Chief and had to have been developed recently. She stated that building and maintaining community trust is the cornerstone of successful policing; however, if the Council and administration fail to answer the questions before them, they risk alienating the constituents and impacting the credibility of the entire FPD.

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:

Scott C. Eickholt, Fairbanks – Mr. Eickholt stated his strong recommendation for the leadership role of Fairbanks Chief of Police. He went on to express his understanding of the stressful situation the Mayor and staff have encountered with making the decision. He added that he had known Mayor Matherly and his family for many years and shared his profound respect for the Mayor and the decisions he has made. Mr. Eickholt stated that he had known Lt. Dupee for many years, adding that his resume should be enough to demonstrate how qualified he is for the position. He said that Lt. Dupee is a strong leader who knows the community in only a way that someone born and raised in Fairbanks could and, with strong conviction and highest recommendations, he fully endorsed Lt. Dupee for Chief of Police.

Michael Annunziato, Fairbanks – Mr. Annunziato stated that he had known Ron Dupee for approximately ten years, starting when he had coached Lt. Dupee's son in T-ball. He shared that it was Lt. Dupee who stepped in, without being asked, when the assistant coach was unable to help. He added that Lt. Dupee has always been the first to volunteer and has been a perfect example of hard work and dedication. Mr. Annunziato stated that Lt. Dupee was a great coach, expressing to the kids how important hard work and dedication is to one's craft, on or off the field. He went on to say that Lt. Dupee is a natural born leader who believes strongly in community relations and in earning respect by giving respect. He expressed his belief that Lt. Dupee is the perfect candidate to fill the Chief of Police position. He added that during the

course of obtaining his B.A. in Criminal Justice, he spent a lot of time discussing the concept the right type of person for policing. He went on to say that the right person would have strong moral character, excellent public relation skills, natural leadership abilities, intelligence, and be a respected member of the community. Mr. Annunziato stated that Lt. Dupee is the right candidate for the job and is not only a friend but a compassionate individual who is always willing to help. He added that his time in the Army had provided him with a good understanding of how citizens think local police officers should be, and Lt. Dupee is someone they would respect and admire.

Aldean Kilbourn, Fairbanks – Ms. Kilbourn stated that she had been a resident of Fairbanks since 1972 and that she has seen a wide variety of individuals fill the role of Police Chief. She added that it was disturbing to realize that the position had been filled 7 times in the last 12 years and indicated that a department cannot flourish with that amount of turnover in leadership. She went on to say that continuity in leadership should be a priority and, historically, the best Police Chiefs have been those who rose through the ranks, serving and living in Alaska. Ms. Kilbourn urged the Council to confirm Lt. Dupee's appointment to Police Chief. She shared her experiences watching Lt. Dupee develop from a teenager into the sensible, hardworking family man who actively participates in the community. She added that his self-initiative is something to be admired and that Lt. Dupee is a true asset to Fairbanks. Ms. Kilbourn stated that Lt. Dupee has the ability to pull individuals from a variety of groups to work collectively as a team, which is a required quality in a Police Chief. She added that Lt. Dupee's promotions are an obvious sign of good leadership and that his life-long Fairbanks experiences have given him the opportunity to connect with a wide variety of people throughout the community. She stated that Fairbanks needs a Chief who knows the area as a great place to live and raise a family and who can successfully navigate the local political scene, the FPD, and the community.

Dr. Warren Moore, Fairbanks – Dr. Moore expressed his excitement at Lt. Ron Dupee's application for Fairbanks Police Chief. He went on to say that he had known Lt. Dupee for over 12 years as friends and through hockey. He added that it is important to have local candidates who are deeply involved in the community considered for the role of Police Chief. He shared about a time when Lt. Dupee worked hard to help a disabled person try to find a stolen tricycle. He explained that when Lt. Dupee was unable to locate the stolen bike, he collected donations to replace the tricycle for the young adult who was in desperate need. Dr. Moore added that it is those acts of kindness that spread positivity in the community. He shared his excitement for having a local who understands the Fairbanks people and environment move into such a critical role and indicated that the City will see some longevity with the appointment. He concluded by stating that Lt. Dupee will make a great Chief and thanked the Council for their consideration

Captain Ronald Wall, Alaska State Troopers – Captain Wall stated that he had been extremely impressed by the performances of both internal candidates for Police Chief. He added that both had excelled throughout the process and had earned their places as finalists for the position. He went on to state that the selection committee had performed in a very thoughtful, diligent, and thorough manner throughout the process. Captain Wall concluded by stating he looked forward to working with Lt. Dupee in his role as Chief and shared his belief that Lt. Dupee will be the catalyst to move the FPD into the future.

Krislyn J. DeLeon, Fairbanks – Ms. DeLeon gave her official recommendation for Lt. Ron Dupee as Fairbanks Police Chief. She stated that she had known Lt. Dupee for approximately 15 years, both personally and professionally. She added that he has proven to be an honest,

hardworking individual who is invested in serving Fairbanks. Ms. DeLeon stated that Lt. Dupee is committed to the Fairbanks community beyond his role as a police officer and that his community involvement has allowed her the opportunity to work with him. She added that it is Lt. Dupee's appreciation and support of her business and her involvement that continues to inspire her to work with the FPD time after time. Ms. DeLeon stated that her veterinary practice, Mt. McKinley Animal Hospital, has been a supporter of the FPD canine program for many years, and throughout those years she has witnessed many changes in the FPD administration. She added that her best experiences working with the FPD have been with locally appointed Police Chiefs that have had strong ties to the community. She stated that only someone from Fairbanks could fully understand and navigate its unique challenges, and she believes Lt. Dupee to be the best person for the position.

Chief Steve Dutra, North Pole Police Department – Chief Dutra expressed his unequivocal approval and support of Lt. Ron Dupee's appointment to Fairbanks Police Chief. He stated that he had worked with Lt. Dupee for over 20 years and felt that he was a good choice to lead the FPD. Chief Dutra added that Lt. Dupee's dedication and commitment to the citizens of Fairbanks is undisputed. He stated that Lt. Dupee has been a career police officer and a family man with high moral standards. He stated that the North Pole Police Department is honored to support Lt. Dupee and the FPD in any way that it can. Chief Dutra thanked the administration for the open and transparent process used to select Lt. Dupee. He added that the rigorous process, observed by all, showed that the City of Fairbanks truly cares who holds the position. Chief Dutra concluded by encouraging the City Council to support Mayor Matherly in his selection for Police Chief and vote to confirm the Lt. Dupee as the next Police Chief for the City of Fairbanks.

Samantha Tolbert, Fairbanks – Ms. Tolbert stated that she was a co-owner and head coach at CrossFit Fairbanks and that she highly recommends Lt. Ron Dupee, a long-time friend and member of the gym, for Police Chief. She added that she had known Lt. Dupee and his family for over seven years and had worked closely with them regarding fitness and nutrition. Ms. Tolbert stated that Lt. Dupee worked incredibly hard to change his lifestyle and to take charge of his health. She added that he has led his family to a healthier lifestyle and that his honest and positive attitude makes him a great influence on all athletes within the fitness community. She stated that his hard work, diligence, and dedication shows in his career as well as in his personal life. She stated that Lt. Dupee, having been born and raised in Fairbanks, has the knowledge, skills, and experience to be an excellent Chief. She concluded by stating that Lt. Dupee is a passionate, caring person who would prove to be an indispensable asset as Police Chief.

Leah Smith, Fairbanks – Ms. Smith gave her support to Lt. Dupee in his pursuit of the Chief of Police position. She went on about her own background, stating that she had been raised in Fairbanks and had graduated from Lighthouse Christian Academy in 1993. She stated that she is the daughter of Daniel Meyer, aka Mocha Dan, and while she had moved to Minnesota for a brief time, she relocated her family back to Fairbanks in 2007 where she is raising four kids. Ms. Smith went on to state that she had known Lt. Dupee and his wife, Dawniel, for approximately 7 years and believed them to be friendly, outgoing, intelligent, witty, generous, and caring people. She added that their interest in the welfare of those around them and their willingness to help is genuine and obvious. She mentioned that Lt. Dupee and his wife had led a Financial Peace University course at her church, and she was impressed with the discipline they had to eradicate their personal debt in a very short period of time. She added that she would describe the Dupees as hard working, focused, efficient, and diligent people. Ms. Smith expressed hope that Lt.

Dupee would be given the opportunity to serve the community as Police Chief. She concluded by saying that Lt. Dupee would prove to be an invaluable asset to the City, and he would use his position to improve many aspects of the community, making it a better place to live.

Jason Lindsey, Fairbanks – Mr. Lindsey spoke in support of appointing Lt. Dupee as Chief of Police. He stated that he has known Lt. Dupee for over 5 years through involvement in Fairbanks youth hockey. He stated that his own son has played alongside Lt. Dupee's son on competitive hockey teams, and he has known Lt. Dupee not only as a fellow parent, but also as a steadfast volunteer. Mr. Lindsey went on to state that Lt. Dupee cares about Fairbanks and the role youth sports and character development play in the overall health of the community. He added that Lt. Dupee prioritized practices and spent many hours collecting and reviewing video footage of the team's games. He stated that Lt. Dupee would then present the footage to the players and highlight what was done well; he stated he would help them identify areas of improvement, then end with a montage of their highlights and goals. Mr. Lindsey shared that Lt. Dupee often included team members in volunteering with the "Shop-with-a-Cop" program and emphasized the importance of investing in the community. He added that Lt. Dupee's goal was not only to help kids become better athletes, but kind and compassionate citizens as well. Mr. Lindsey concluded by stating that Lt. Dupee is home grown and he knows the community and cares very deeply about its success. He stated that Lt. Dupee he would make an exceptional Chief of Police who would continue to invest his time and talent into the community.

Sam Halbert, Fairbanks – Mr. Halbert stated that he has known Lt. Dupee for approximately 30 years as a friend and teammate of his son, Edward Halbert. He added that his son is currently an Alaskan State Trooper and that Lt. Dupee spent a great amount of time in their home as a young man. Mr. Halbert mentioned that both his son and Lt. Dupee had spent time working for him in his construction company where he put them in charge of the painting division. He stated that Lt. Dupee has always been a quick learner and a dedicated, hard-working individual. He added that he has been fishing and hunting with Lt. Dupee and his sons many times over the years. He expressed pride in seeing Lt. Dupee mature into a strong man of principles and faith and a great father and example to his sons and the community. He added that Lt. Dupee has always had a big heart for the FPD and has expressed his desire to do what he can to make it a better place to work while serving the people of Fairbanks. Mr. Halbert stated that he has seen many challenges face the FPD over the years, and he believes that Lt. Dupee to be the leadership that the department needs. He concluded by inviting the Mayor to contact him if he had any questions.

**Ms. Rogers**, seconded by **Ms. Kun**, moved to SUSPEND the cut-off time for public comment.

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

Brett Lane, Fairbanks – Ms. Lane stated that she had many concerns regarding the process for selecting a Police Chief and the Mayor's behavior throughout. She stated it was unacceptable for the position to be vacant for five months prior to opening it to external applicants, especially given how severely understaffed the FPD has been. She stated that failure to fill the position sooner is a direct result of the Mayor failing his obligation to prioritize public safety. Ms. Lane stated that through conversations with Mayor Matherly, she was told the lengthy process was primarily due to the assembling of the 9-member community panel. She questioned how the subject matter experts could have been chosen in a few days if the panel required so much time to put together. She added that the Mayor told her that he could have appointed a new Chief



without the process but had wanted to have more options. She stated that the process itself was less than desirable. She added that while the committee was diverse, they were not given the opportunity to interview all applicants, nor were they allowed to decide which applicants would be interviewed. Ms. Lane stated that she could not find any public comment from the committee members regarding the selected candidate and that the committee was not required to speak with current employees of the department. She added that the subject matter experts were announced very late in the application process, and the process by which they were selected has not been made clear. Ms. Lane went on to state that it is publicly known that two well-qualified applicants did not make it to the interview process while the two internal applicants, who were not as qualified, did. She stated that she would like clarification about the preferred qualifications, as Lt. Dupee did not meet the qualifications listed on the job posting. She added that after reading Lt. Dupee's bio, it was clear that he did not have either the supervisory or the educational experience required. She continued by stating that she understood that Lt. Dupee was currently at budget training provided by the City, which is another minimum requirement of the position. Ms. Lane stated that it is good practice to promote from within the department; however, since the departure of Chief Jewkes, there have not been any qualified officers within the department to promote. She added that the community was fortunate to have well-qualified individuals apply for the position but, unfortunately, they had been overlooked for reasons unknown to the community. Ms. Lane addressed the many employees who left the FPD due to the unethical actions of the previous Police Chief and added that the Mayor had failed to protect the employees and did nothing in response to those actions. She clarified that her comment was directly related to one applicant for Police Chief who left the FPD one month prior to the departure of the former Police Chief, yet that applicant was still considered an external applicant. Ms. Lane stated that if internal applicants were not required to meet the minimum qualifications, the committee should have at least considered feedback from current FPD staff. She stated that, to her knowledge, that was not done either. Ms. Lane concluded by stating that Mayor Matherly announced that he had a lot of respect for Lt. Dupee and his family, but she stated that should not be considered a qualification for the job. She asked the Council to look further at the hiring process and not vote to confirm the selected candidate until a fair hiring process could be done.

Deborah Hicks, Fairbanks – Ms. Hicks stated that since the previous meeting, more inequities have been made public in the Police Chief hiring process. She stated that she has spoken with a Council Member, listened to testimony from an applicant that did not advance to the hiring committee, heard the written testimony read into the record, and listened to the Police Chief Forum held on February 9. She added that the conversations held throughout the community express overwhelming concern regarding the lack of clarity provided by the Mayor in explaining how candidates advanced, or did not advance, to the hiring committee. Ms. Hicks stated that the success of local law enforcement and first responders and the safety of the City of Fairbanks is largely influenced by the City Chief of Police. She added that the local organizations and citizens of Fairbanks should be able to trust the process by which critical City infrastructure is selected; she stated she did not believe that the Police Chief hiring process was trustworthy. Ms. Hicks stated that the Mayor and City Council are voted into their respective positions to represent the citizens of Fairbanks. She added that confirming the selected candidate for Police Chief without a clear and transparent process is dishonest and calls into question the integrity of local leadership. She urged the Council to not approve the current appointee for Chief of Police until all 18 original candidates had been presented to the hiring committee.

Jolee Giuchici, Fairbanks – Ms. Giuchici requested that the City Council not approve the Mayor’s selection for Police Chief. She stated that she does not doubt that Lt. Dupee is a competent community member and police officer; however, she questioned the integrity of the process used to select him. She expressed her belief that it is the Council’s responsibility to ensure the process is as fair and transparent as it was promised to be. She went on to say that the initial description of the process did not include the subject matter experts used to screen applications prior to review of the community panel and that out of 18 applications, the panel only saw 10. Ms. Giuchici added that it was not made clear how the final 10 had been selected; she stated there was a memo stating that it was the Mayor who had advanced the 10 applicants, and there was another communication stating it was the subject matter experts who had made that decision. She stated that it was also unclear as to why the internal applicants were not reviewed by the subject matter experts. Ms. Giuchici commented that the interview committee should have had the opportunity to review all the applications and decide who to interview. She added that two local candidates with more qualifications than the current nomination were not allowed to interview with the committee. She reminded the Council that at the November 23, Council Meeting, Mayor Matherly indicated that the same process used in hiring the previous Police Chief would be used again; however, subject matter experts had not been a part of the hiring process used previously. She added that in the previous hiring process, staff of the FPD had been asked to complete a survey and provide input, but that had not happened this time. Ms. Giuchici stated that while City Code does allow for the Mayor to create a process, the process must be made known, and it was not. She concluded by stating that Mayor Matherly had developed a flawed process that was disingenuous and possibly fraudulent, and she asked that the Council not approve the nomination.

Charlie Leonelli, Fairbanks – Mr. Leonelli expressed his delight at the Mayor’s selection of Lt. Dupee for Police Chief. He added that he had been Lt. Dupee’s neighbor and friend and doubted and stated the Mayor would be hard-pressed to find a better human being, leader, or police officer. He went on to share that Lt. Dupee is a caring individual who puts his own needs last and truly loves serving the Fairbanks community. Mr. Leonelli stated that his experience has shown him that Lt. Dupee values doing things the right way the first time, is not arrogant or naïve, and is humble enough to see the value in others. He expressed his admiration for Lt. Dupee’s ability to see the value in working as a team versus working alone, adding that Lt. Dupee sees people for who they are and measures them by the size of their hearts. Mr. Leonelli stated that he has seen Lt. Dupee at his best as well as during times of growth. He added that Lt. Dupee’s mindset does not allow for failure but welcomes the opportunity to learn and grow. He stated that Lt. Dupee has the perseverance to withstand the challenges and difficult decisions that a Police Chief must face. Mr. Leonelli concluded by thanking the Council for hearing his written testimony and expressed his excitement for the future with a team that includes Lt. Dupee.

Mary Hewitt, Fairbanks – Ms. Hewitt expressed concern for the hiring process for the new Police Chief. She stated that as a lifelong Fairbanks citizen, she was disappointed in the blatant inequities and lack of transparency during the hiring process. She expressed concern that multiple, qualified candidates had been discarded prior to an interview with no explanation. She stated that discussions within the community are deafening, and the fact that the issue has not been transparently resolved by the Council and the Mayor is an embarrassment. Ms. Hewitt stated that law enforcement is successful when it holds true to the values of equity, integrity, transparency, compassion, and community. She added that the biased and arbitrary methods used in the process discredit and devalue the position. She stated that Council and Mayor are elected

to act in the best interest of citizens, and it would be a shameful disregard of their duties to continue to support this biased and arbitrary process. Ms. Hewitt concluded by asking that the Council postpone confirmation until all 18 applicants can be presented to the hiring committee.

Brenda Riley, Fairbanks – Ms. Riley stated that she agrees with the many statements, emails, and letters regarding the good character of Lt. Dupee; she stated, however, that the Council should vote no on the confirmation. She added that the fact that Lt. Dupee’s reputation as a good community member and police officer does not justify how the selection was made. She stated that the Mayor had promised a fair and transparent hiring process, but the events of the last two months have raised many questions. Ms. Riley spoke to the content experts who were not announced to the Council, the public, or the hiring committee prior to their review of the applications. She added that there were also conflicting statements regarding which applicants were subject to the experts’ review and who narrowed down the applicant pool before candidates were presented to the hiring panel. Ms. Riley stated that the two internal candidates who interviewed with the hiring committee were not as qualified as two of the candidates who were not given an interview. She added that one of the five finalists had been under investigation for financial mishandlings and should not have advanced to an interview at all. She concluded by stating that she wanted to see a new leader in the FPD but felt that the flawed process was a disservice to all city residents. She asked the Council to vote no on Lt. Dupee’s confirmation so that a truly fair and transparent process could take place.

Heidi Haas, Fairbanks – Ms. Haas stated clarified that her statements are in regard to the desire for a transparent and consistent process, not in disrespect of the candidate selected for Police Chief. She stated that Lt. Dupee is a good police officer and a dedicated member of the community and that she has deep respect for him and his family. She stated that her concern with the process is the lack of transparency, that it was different than the last one, and that the changes had not been disclosed to the public or to the Council. She added that the subject matter experts had not been disclosed when the process was announced, and they did not review the internal applicants; she stated it was not clear who removed the eight applicants from moving forward. Ms. Haas added that the previous process included feedback from the FPD staff while this one did not. She indicated that the interview panel was not aware of the applicants that had been screened out by the subject matter experts, even though some of them may have been qualified. She added that one candidate who was interviewed had been under investigation and should not have been interviewed. Ms. Haas emphasized the importance of the community being able to trust the City leadership and added that the lack of transparency and mixed information were good enough reasons to vote against the confirmation. Ms. Haas requested that the Council enlist a third party to administer the hiring process for the Chief of Police to ensure transparency and to allow for more Council involvement.

Brenda Stanfill, Fairbanks – Ms. Stanfill thanked the Mayor for assembling a diverse group of community members to interview the candidates for Police Chief and for considering their recommendations. She added that her 25 years of experience working with crime victims and having held the position of Executive Director of the Interior Alaska Center for Non-Violent Living gave her the opportunity to be included on the hiring committee. She stated that the Police Chief position directly impacts the safety of the community, and that is why it was critical to hear the voices of the many stakeholders. Ms. Stanfill added that the committee spent a lot of time discussing what they believed the City needed in a new Chief to ensure the community would be well-represented. She stated that the candidates passed onto the hiring committee were

from various backgrounds and locations and all met a minimum set of requirements that would qualify them for the position. She stated that the hiring committee asked questions they felt were relevant and required the candidates to submit an essay to answer additional questions the group felt were important. She stated the committee spent two days conducting interviews and multiple hours reading and scoring essays, as well as participating in the Fairbanks Diversity Council (FDC) forum. Ms. Stanfill stated that while all candidates possessed certain strengths, some of them truly stood out; she added that the individual selected by the Mayor was recommended by the committee. She expressed that Lt. Dupee would be an asset to the community as Police Chief, and she encouraged the Council to accept Mayor Matherly's recommendation.

Rick Sweet, Fairbanks – Lt. Sweet stated that he had been a finalist for the position of Police Chief, and he expressed his support of the selected candidate, Lt. Dupee. He went on to give some history of his experience in the U.S. Army, stating that he had served in roles that go beyond the requirements of Police Chief. He added that during his career with the Army he had taken part in 10 promotion processes and 15 special assignment selection processes, which were conducted in a very similar manner as the current Police Chief hiring process. Lt. Sweet stated that while serving at the FPD, he had also taken part in three additional promotion processes and sat as a member on more than 15 officer and field training officer selection boards. He stated that the hiring process he went through for the Fairbanks Chief of Police position was extremely challenging, competitive, and placed a high amount of stress on the applicants, in part to see who is able to withstand the pressures of the position. He added that the City demands its Police Chief be of strong moral and ethical character, and he stated that the process was more challenging than any of the processes he experienced in the U.S. Army. He added that it is ultimately the Mayor's sole decision to decide who will be the Police Chief. He stated that as with any process, there will be some who do not agree with the final outcome, but it is important to remember the process and move forward. Lt. Sweet stated that the FPD deserves a leader and the ability to get back to the things that are important: serving the community and developing a department that will better meet the needs of the City. He concluded by stating that Lt. Dupee is well-qualified to fill that role beyond years served or what is written on a resume; he added that he fully supports Mayor Matherly's decision and asked the Council to affirm Lt. Dupee as the next Police Chief.

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

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Mr. Marney**, 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 January 25, 2021.

APPROVED on the CONSENT AGENDA.

## SPECIAL ORDERS

- a) The Fairbanks City Council heard interested citizens concerned with the following application for a New Marijuana Retail Store License:

Type: Marijuana Retail Store, #26251  
DBA: GoodSinse, LLC  
Applicant: GoodSinse, LLC  
Address: 29 College Road, Suite 8C, Fairbanks, Alaska

**Ms. Kun**, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the application for a New Marijuana Retail Store License.

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

**Mayor Matherly** stated that the FNSB informed the City earlier that day that the owner had not yet obtained the required zoning permit. He asked the Council to postpone the motion until the March 8 meeting so that the owner may obtain the proper zoning permit prior to Council review.

**Ms. Therrien**, seconded by **Mr. Clark**, moved to POSTPONE the motion to waive protest on the application for a New Marijuana Retail Store License until March 8.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE MOTION TO WAIVE PROTEST ON THE APPLICATION FOR A NEW MARIJUANA RETAIL STORE LICENSE UNTIL MARCH 8 AS FOLLOWS:

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

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Rogers** pointed out that the written name on the application and the signature do not match, and that may need to be addressed.

Upon a request by **Ms. Therrien**, **Mayor Matherly** called for a brief recess. The Council resumed with Special Orders Item (b) following the brief recess.

- b) The Fairbanks City Council determined the costs and method of recovery of costs for the abatement at 33 Timberland Drive (Lot 6, Block 1, Timberland Subdivision), Fairbanks, Alaska.

Note: The purpose of the hearing is to:

- 1) Hear and pass upon the demolition report of expenses;
- 2) Consider written objections or protests to the proposed report;
- 3) Make such revision, correction, or modification to the report or the charges as the City Council may deem just; and

- 4) Determine whether to assign a personal obligation of the property owner and/or create a lien against the property.

**Ms. Kun**, seconded by **Ms. Rogers**, moved to ACCEPT the demolition costs as presented in the amount of \$36,168.00.

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

**Ms. Therrien** asked Building Official Clem Clooten to explain why some of the expenses had been reduced since the Council last saw the report. Mr. Clooten replied that, initially, some of the expenses from prior years had been included but should not have been. **Ms. Therrien** asked for clarification as to why those costs were not considered as part of the abatement. Mr. Clooten explained that it was his understanding that any labor costs the City incurred during the securing and cleaning of the facility should have been presented to the Council at the time they were performed, not added to the abatement costs.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ACCEPT THE DEMOLITION COSTS AS PRESENTED IN THE AMOUNT OF \$36,168.00 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Mr. Gibson** asked the City Attorney for clarification on the abatement process. Mr. Ewers responded that assigning a personal obligation of the property owner or creating a lien against the property are the only options provided for in the Abatement Code. He advised creating a lien against the property, stating that would be the best option for cost recovery.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to CREATE A LIEN against the property in the amount of \$36,168.00.

**Mr. Gibson** asked whether there was information available as to the value of the property. Mr. Clooten stated that he did not have that information readily available.

**Ms. Therrien** stated that her motion to authorize the lien is due to the difficulty in trying to collect from the owner who lives in Ireland and who has indicated that she has no funds to pay.

**Mr. Clark** asked for clarification regarding a situation when the property sells for less than the lien amount. **Mayor Matherly** indicated that the City would receive the sale amount up to the amount of the lien, but possibly not the full amount.

**Mr. Gibson** stated that he had read the owner's letter, and he was unsure that it was necessary to create a lien against the property for an elderly citizen who has lost a lot already. He suggested that perhaps the City could afford to forgive the debt. **Ms. Therrien** stated that doing so could set a precedent.

**Ms. Kun** stated that Ms. O'Driscoll had the opportunity to appear before the Council remotely; she stated she had been able to do so. **Ms. Kun** agreed with Mr. Gibson's sentiment but also that it could set a precedent for future abatements.

Mr. Clouten stated that Mr. Meeks found the assessed property value, which is \$32,826.

**Mayor Matherly** encouraged the Council to authorize the lien and possibly readdress the issue if and when the property sells. He agreed that setting a precedent in these procedures is dangerous. He indicated that the property has been an issue for several years, and the City has spent a lot of time and money taking care of this property.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CREATE A LIEN AGAINST THE PROPERTY IN THE AMOUNT OF \$36,168.00 AS FOLLOWS:

YEAS: Clark, Therrien, Marney, Matherly

NAYS: Kun, Gibson, Rogers

**Mayor Matherly** declared the MOTION CARRIED.

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

**Mayor Matherly** stated that there has been a lot of testimony and emails regarding the Chief of Police appointment, but many of them had been misinformed. He added that people have given him too much credit as being the puppet master behind the process. He stated that he had not been the only person involved in the process, and he referenced the detailed timeline of the entire hiring process. He added that the comments regarding lack of transparency are completely incorrect and are a slap in the face of the HR Director who had been working very hard on the process since August of 2020. **Mayor Matherly** reminded the Council that press releases are distributed to all City employees, Council members, and the media. He added that the information has been available via radio, newspapers, City press releases, and social media. He went on to state that some of the testimony appeared to be misguided as to the role of the hiring committee, the Mayor's Office, and the City Council. **Mayor Matherly** affirmed the accusations that some very specific details were not relayed throughout the process; however, he stated that he and his staff have worked very hard to provide answers to all of the Council's questions and provide updates of all relevant information. He continued by stating that the accusations of gaslighting and committing fraudulent acts have no basis, especially considering that the process is not required by City Code. **Mayor Matherly** clarified that the content area experts had been mentioned at the FDC meeting on January 12, 2021 and in two different press releases to the Council. He stated that HR Director Foster-Snow had also mentioned the application review process back in September, stating that all applications for all City positions are initially screened for minimum qualifications. He added that these procedures are similar to the FNSB hiring procedures and clarified that this is not a new practice implemented only for the current Chief of Police position. He stated that in the previous Police Chief hiring process, retiring Chief Jewkes participated in the screening process; he stated that it would have been a conflict of interest for AC Sweet to participate in the same way since he was an applicant. **Mayor Matherly** stated that the two subject matter experts, who both have extensive law enforcement experience, made recommendations that he approved. He noted that internal applicants are always given the opportunity to interview as part of union preference practices, as agreed to in the union contracts. He added that the panel consisted of nine volunteers who took their positions very seriously and

worked very hard to make their recommendation, stating that it would have been ridiculous to ask the group to interview every single applicant regardless of qualifications. **Mayor Matherly** emphasized that they had followed the practice of most employers by reviewing the applications and advancing those with the most preferred qualifications and experience. He added that there were two well-qualified, internal applicants, and he knew they would be tough competition for the external candidates. He stated that those two internal candidates have been running the department very well since the August departure of Chief Reeder. **Mayor Matherly** spoke to Lt. Sweet's letter of support for the selection of Lt. Dupee and stated that it is a testament to the department's professionalism and ability to work together as a team. He went on to state that he could have stopped the process after receiving the two internal applications. He clarified that it is the Council's job to vote to approve or not approve the Mayor's choice – not to perform the hiring process themselves. He added that his choice to ask for external candidates was to give the internal applicants the opportunity to compete nationwide, showing their competence to the community in an effort to build confidence in the FPD with the public. **Mayor Matherly** stated that the hiring committee recommended Lt. Dupee. In regard to the earlier comments about FPD staff input, he clarified that it was not done in the previous hiring process but the one before that when there had been two internal candidates. He stated that he did not consider anyone not currently working at FPD as an internal candidate. **Mayor Matherly** addressed the comment regarding his hesitancy to fill the position immediately upon Chief Reeder's resignation. He stated that he had chosen two competent employees to serve in the interim as the City went about a busy season of budgets and the election, and the process began in November to form the committee; he stated that the Council and the public were kept informed on the process. He emphasized his desire to make the process of hiring a Chief thoughtful, diligent, and purposeful. **Mayor Matherly** thanked all those who spent time making sure the process was fair and transparent, including the nine-member panel, the two content experts, the Human Resources Director, the City Attorney, the Chief of Staff, the City Clerk, the Public Information Officer, and the City Council. He asked the Council to please consider that the negative comments came from a very small group, and the positive remarks came from members of local law enforcement, the hiring committee, the content experts, and others whose professional opinions matter. **Mayor Matherly** mentioned the editorial in the Fairbanks Daily News-Miner that supported Lt. Dupee's nomination for Police Chief and stated that there is need for closure in the process so that the FPD can move forward. He emphasized the hard work of the Human Resources department, who built a complex and fantastic process that has effectively been stripped to the ground. **Mayor Matherly** thanked the FDC for choosing the questions, City Attorney Paul Ewers for moderating the forum, and the fantastic group of applicants. He made clear that there had been three times more the applicants than in the former hiring process, and the selection of the finalists had nothing to do with his personal biases for or against any specific applicant. **Mayor Matherly** extended his thanks to the Public Works department for working hard to keep the roads clear amid the recent cold temperatures. He commended the Fairbanks Fire Department (FFD) for their efforts in fighting the Aurora Energy fire with the added disadvantages of the extreme cold weather. He added that COVID-19 cases have been dropping and thanked the public for continuing to practice social distancing and mask-wearing; he reminded everyone to continue to these practices until there has been sufficient time for the immunizations to work.

### **COUNCIL MEMBERS' COMMENTS**

**Ms. Rogers** stated that she had been receiving a lot of communications from community members throughout the week, and it has been interesting to see the different perspectives on



how the process worked. She expressed hope that the Council would learn how to communicate in such a way to avoid future misunderstandings. She emphasized the positive aspects of the extreme amount of community involvement and stated that it is something to be appreciated, as so many members of the community are committed to seeing the City succeed. **Ms. Rogers** thanked the Mayor for the very detailed timeline that was provided and for his strong comments in support of Ms. Foster-Snow and her role as the HR Director; she added that she has seen the meticulous detail Ms. Foster-Snow adheres to when following HR policies. She stated that despite the misunderstandings, she believes the Council could still move forward together. **Ms. Rogers** acknowledged the difficult situation the City has come upon and thought it wise to slow down. She added that the many and varying comments have given her a lot to think about in regard to finding a balance; she stated she believes this to be a pivotal point with the community.

**Mr. Marney** thanked the Mayor for being so detailed in his report, adding that it helped straighten him out on the timeline. He gave his appreciation to the hiring committee and to all the time the spent interviewing to bring a recommendation forward. He admired that the committee had chosen both internal candidates for the final two recommendations, and he commented on the friendship between Lt. Sweet and Lt. Dupee even though they are competing for the same position. **Mr. Marney** stated that it has been a learning experience for him and that he hopes the final candidate will stay with the City for a long time.

**Ms. Kun** thanked Ms. Hommel for her update on the Loving Companions issue and added that she would like the Council to consider drafting a resolution in support of what Ms. Hommel is trying to achieve. She thanked the citizens for providing verbal and written testimony, stating that it has provided the Council with a lot to think about. **Ms. Kun** thanked the Mayor for the detailed timeline; she stated, however, that she is left with many questions regarding the hiring process. She added her thanks to HR for fielding all the questions so far and those yet to come.

**Ms. Therrien** stated that her main concern is that one of the applicants who was presented to the hiring committee had financial difficulties in his own community. She expressed her surprise that the candidate was not vetted on that issue. She thanked citizens for the letters and testimony, stating that while she appreciates the whole hiring process, she still had some concerns.

**Mr. Clark** stated that it seems no good deed goes unpunished and that the timeline provided by the Mayor is good and sufficient. He recommended that, if there is a next time, the Mayor simply appoint someone, as it seems there will be negative feedback regardless of his efforts. **Mr. Clark** added his support for Ms. Kun's suggestion of a resolution in support of Ms. Hommel's cause and thanked Ms. Hommel for her update.

**Mr. Gibson** stated that the amount of involvement from the community, forcing the public comment to extend past 7:30 p.m. for the first time in a long time, is something to be appreciated. He added that citizens have spoken about more than one issue, and it is important to acknowledge the time they have invested in being heard. He stated that this is how government processes are supposed to work, and he was happy to have people participating.

### **UNFINISHED BUSINESS**

- a) 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. SECOND READING AND PUBLIC HEARING.

**Mr. Gibson**, seconded by **Mr. Clark**, moved to ADOPT Ordinance No. 6144.

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

**Mr. Gibson** stated that the ordinance had been delayed to allow further review by the Council. He added that the ordinance codifies the practices in place and provides more transparency to the public in how the City accepts and uses grants.

**Ms. Rogers** requested to co-sponsor the ordinance. **Mayor Matherly** asked if any of the other Council members would like to be added to the ordinance as co-sponsors, and all Council members indicated that they would.

**Ms. Kun** thanked Mr. Gibson for spearheading the ordinance and for all the work he did.

**Ms. Rogers** stated that the original draft ordinance was not something she was sure she could support, but with the work put forth by Mr. Gibson and the Council, she is in full support.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6144 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6144 ADOPTED.

- b) Ordinance No. 6148 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Ms. Kun**, moved to ADOPT Ordinance No. 6148.

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

**Ms. Kun** asked to be added as a co-sponsor.

**Mr. Gibson** stated that the contract has had a few issues along the way, but he believed that the current document better addresses some of the issues that the IBEW and the City are facing regarding employee recruitment and retention.

**Ms. Therrien** asked to be added as a co-sponsor and stated that she believes the new terms have met the concerns of the Council. She added that she hopes the new contract would provide stability to the employees and convey the Council's appreciation for their hard work.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6148 AS FOLLOWS:

YEAS: Gibson, Marney, Kun, Therrien, Clark

NAYS: None

ABSTAIN: Rogers

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6148 ADOPTED.

### **DISCUSSION ITEMS**

a) Committee Reports

**Mr. Gibson** stated he attended the FAST Planning meeting with Mayor Matherly the previous week where they discussed the Chena River Walk situation involving the Alaska Railroad, among other things.

**Mr. Clark** stated that he and other Council members met with City Lobbyist Yuri Morgan but noted that there would be more reports ahead, as the House had only recently organized. He indicated that Ms. Therrien may provide a more detailed report.

**Ms. Therrien** stated that the Legislative Committee met on February 16 where they discussed the public health declaration and the fact that it would likely not be approved. She added that the House had elected a speaker; however, the committees had not yet been assigned. She shared that Interior legislators had been placed on the Finance Committee. She added that there was discussion regarding contacting the federal delegation in Washington D.C. to ensure payment for the Medicaid reimbursements. **Ms. Therrien** stated that Click Bishop's bill regarding missing and Indigenous people was at committee and gaining sponsors. She added that the committee discussed a G.O. bond package that would bring approximately \$55,000,000 to Fairbanks, including funds for the trail from Seward to Fairbanks. She noted that there is a list of bond issue projects available for anyone that is interested. **Ms. Therrien** spoke about the Governor's proposed bill package that included increased PFDs, election integrity, and constitutional amendments; she stated, however, that City Lobbyist Yuri Morgan did not predict that it would pass this year. She added that the next meeting would be Tuesday, March 2. **Ms. Therrien** stated that she had also attended a committee meeting with the Alaska Municipal League (AML) where they discussed an issue that might affect the amount of funding local governments receive. She went on to share that the bill concerning absentee ballots was canceled, and there is a bill that would impose a fine of \$1,000 for violating the Open Meetings Act (OMA). She concluded by sharing that the committee had met with Sen. Lisa Murkowski and that Mayor Matherly had spoken on behalf of the City.

**Ms. Kun** noted that Explore Fairbanks will be meeting the following week.

**Ms. Rogers** stated that she had also attended the Legislative Committee meeting. She added that she had been in contact with Mike Sanders in regard to the Housing and Homeless Committee and that she would make herself available to support him in his new role. She stated that she has begun working with the Fairbanks Native Association (FNA) Behavioral Health Services

subcommittee called the Inter-Agency Transitional Council (ITC), which has met every other month for the past six months. She stated that she will be joining a subcommittee of the ITC that will be focused on updating their general leadership approach. **Ms. Rogers** asked that the subcommittee be added to her list of City-assigned committees.

### **NEW BUSINESS**

- a) Resolution No. 4955 – A Resolution to Apply for and Accept Funds from the Alaska Mental Health Trust Authority for the Crisis Now Community Coordinator. Introduced by Mayor Matherly and All City Council Members.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4956 – A Resolution Honoring Elizabeth Peratrovich and Recognizing Elizabeth Peratrovich Day. Introduced by Council Member Kun.

PASSED and APPROVED on the CONSENT AGENDA.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Appointment of Chief of Police

**Mr. Marney**, seconded by **Mr. Gibson**, moved to CONFIRM the appointment of Chief of Police.

**Ms. Rogers** asked Ms. Foster-Snow to explain the hiring process from her perspective.

Ms. Foster-Snow stated that the Council had before them a detailed outline of the process and every step that had been taken. She noted that one of the items that had drawn concerns from the public was the content area experts. She added that on January 12, 2021, prior to the position closing to external applicants, the two content area experts were asked to participate. She stated that there were many contributing factors as to why the experts were sought out, including the high number of applications and the varying types of law enforcement backgrounds and experiences of the applicants. Ms. Foster-Snow clarified that when the content area experts were asked to be part of the process there had been only 10 applications received. She went on to state that their role was to support the process, like former Chief Jewkes had supported the previous process. She stated that this time it was important to not have experts from within the FPD in order to avoid conflicts of interest and to allow for the most unbiased expertise possible. Ms. Foster-Snow went on to share that Juneau Police Chief Ed Mercer has over 25 years of law enforcement experience, with a great deal of it specific to municipal policing. She added that municipal policing was a priority in the preferred requirements. She stated that Greg Russell has a long-standing relationship with the City and serves as the City's law enforcement liaison with the AML. Ms. Foster-Snow added that when she has issues or concerns regarding police, Mr. Russell is one of the people she takes guidance from. She stated that he also provides the City with high level background reviews which can take up to 6 weeks to obtain. She emphasized that the reason these two individuals were chosen was based on their expertise and the fact they were not involved in any current FPD operations. She went on to note the issue with one of the candidates who had something come up in his background and stated that the issue did not

become known until after the applicant pool had been reduced. Ms. Foster-Snow stated that the City's process requires that an individual to be given a conditional offer prior to any kind of background check, and she noted that the high-level background checks cost the City \$1,500 each. She clarified that if the individual had moved forward and any substantial concerns arose during the extensive background review, the candidate would have been removed from consideration. She restated her belief that the process had been thorough and transparent.

**Ms. Rogers** asked for clarification on the level of scrutiny that is used once an offer is made and whether Lt. Dupee would be undergoing a new background review. Ms. Foster-Snow stated that it is not the City's policy to conduct additional background checks on internal applicants.

**Mr. Gibson** asked for clarification on the practice of automatically forwarding all internal applicants regardless of their current position or qualifications. Ms. Foster-Snow stated that it is part of the City's professional development to move internal applicants forward to an interview. She gave an example of when the Chief of Police position had been open two years prior and there had been internal candidates that ranged from very new sergeant-level officers up to officers who had been lieutenants for several years; she stated they all were allowed to interview. She added that one of the previous candidates had been Ron Dupee and, while he did not make it to the final selection, he was able to grow and gain an understanding of what the Police Chief position required. Ms. Foster-Snow clarified that there may be a situation where a data clerk is fully qualified for the Chief position but took a lower-level position to get their foot in the door.

**Mr. Clark** congratulated Lt. Dupee on his selection for the position. He went on to ask Lt. Dupee's perspective on why the department had lost so many veteran officers over the past few years. Lt. Dupee stated that there have been some leadership issues within the department and though they tried to address it, some officers chose to work elsewhere. **Mr. Clark** asked if Lt. Dupee was confident that the open positions within the FPD could be filled; Lt. Dupee replied affirmatively. **Mr. Clark** then asked Lt. Dupee if he would prefer being at full staffing or having a smaller staff with higher wages. Lt. Dupee stated that he would prefer both. **Mr. Clark** clarified that the Council and the FPD were working on creating a lieutenant's union, and the wages were based off the rate including overtime due to having less staff and the idea that the vacant positions may never be filled. Lt. Dupee stated that overtime will never be eliminated from the FPD due to the nature of the job. **Mr. Clark** asked Lt. Dupee for his opinion on implicit bias training and the need for more of it. Lt. Dupee stated that the training was well-received, and he felt that the staff learned a lot from it; he added that it would be beneficial to repeat the training on an annual or bi-annual basis with some of the other training that is planned annually. Lt. Dupee explained that he would like to create an annual training schedule so that the Council, Administration, and public could be aware of training happening on a month-to-month basis.

**Ms. Therrien** asked Ms. Foster-Snow if the Chief of Police position requirements included a degree. Ms. Foster-Snow confirmed that it did. **Ms. Therrien** asked whether Lt. Dupee had a degree, and Ms. Foster-Snow replied that he did not.

**Ms. Kun** stated that the timeline provided indicates that the content area experts were disclosed to the FDC on January 12; she asked why the City Council had not been informed prior to that. Ms. Foster-Snow stated that there is a Council member present at FDC meetings, and the meeting is open to the public. She assured Ms. Kun that there was no attempt to hide the information from the Council. Ms. Foster-Snow added that the decision to enlist the help of the

content area experts had also been included in a press release. **Ms. Kun** clarified that the Council had not been told directly until January 29, at which point applicants had already been reviewed. She added that the timeline states that it was the Mayor who approved which applicants moved forward in the process.

**Mayor Matherly** interjected, and **Ms. Therrien** raised a Point of Order. **Mayor Matherly** recognized the Point of Order and allowed Ms. Kun to continue.

**Ms. Kun** asked Ms. Foster-Snow to affirm that it was only 8 external applicants who moved forward and why the internal applicants did not follow the same process. Ms. Foster-Snow stated that Mayor Matherly is the head of personnel, and it is within his authority to make personnel decisions. She added that her understanding of the City Charter and Code is that the Council is not part of the hiring process, and its role is vastly different than that of the Mayor when it comes to HR matters. Ms. Foster-Snow stated that in her six years with the City, the City has always given union preference to internal candidates, which means that internal applicants always move through to the interview process. She added that it is a good tool for employee professional development, and employees who advance from within tend to stay with the City longer and are more vested in their department/position than external hires.

**Mayor Matherly** apologized for interrupting and clarified that HR needs to remain separate from the Council. He stated that he was under no obligation to provide any information to the Council throughout the process, but he did so because he wanted to make sure it was as fair and transparent as possible. He added that the content area experts reviewed the applications on their own and made recommendations on who should move forward, and he, as the head of personnel, approved their recommendations. **Mayor Matherly** restated the point that internal candidates always move forward to an interview in all positions and at all levels of employment.

**Mr. Marney** asked Lt. Dupee if his relationship with Lt. Sweet had changed during the process. Lt. Dupee stated that the relationship has remained intact and that Lt. Sweet was with him presently. **Mr. Marney** asked whether rank and file had been disturbed and whether morale had been affected based on the Mayor's choice. Lt. Dupee stated he does not believe rank and file nor morale has been affected. **Mr. Marney** asked Lt. Dupee where Lt. Sweet would fit in if the Council voted in favor of confirmation. Lt. Dupee stated that Lt. Sweet would be Deputy Chief.

**Mr. Gibson** asked Lt. Dupee to clarify that his supervisory experience of approximately 5 years was in fact more than double that of the next senior lieutenant at the FPD; Lt. Dupee confirmed. **Mr. Gibson** asked about Lt. Dupee's plan for filling the gap in experience. Lt. Dupee stated that the task is not easy, but there were several lateral transfers in the background process and two laterals had just been hired. He added that the Council just approved the Captain position, which helped to put more senior officers on the road to work with and train newer recruits. **Mr. Gibson** asked if Lt. Dupee had a plan for the following year if the Captain position was not in the budget. Lt. Dupee stated that hopefully within that time more promotions from within would occur. **Mr. Gibson** asked if the 2-weeks-on, 2-weeks-off schedule was working; Lt. Dupee stated that there is only one officer currently using that option, and that officer seems to be fine. **Mr. Gibson** asked Lt. Dupee whether he believes the schedule is beneficial to the City. Lt. Dupee stated the program sounds good on the surface; however, when the department went to 12-hour shifts it resulted in burnout and a lot of overtime. He added that the 2-weeks-on, 2-weeks-off schedule requires more officers, and it is hard to accommodate when the department is short-staffed. **Mr.**

**Gibson** asked Lt. Dupee if he thought it was a good schedule for the community; Lt. Dupee stated that he did not, as it creates a situation of less officers on the road and an increase in officer burnout. **Mr. Gibson** asked Lt. Dupee if he had attended the implicit bias training at the City or elsewhere. Lt. Dupee stated that the two-and-a-half-hour online training had been provided to the FPD prior to the local class being scheduled, but he did attend portions of the in-person training also. **Mr. Gibson** asked about the online training, and Lt. Dupee responded that it was a two-and-a-half-hour course followed by a test. **Mr. Gibson** asked Lt. Dupee about the training he was currently attending, and Lt. Dupee responded that he and Lt. Sweet were at law enforcement administrative training for small agencies.

**Ms. Rogers** asked Ms. Foster-Snow how the lack of a degree was to be addressed. Ms. Foster-Snow stated that Lt. Dupee had attended the FBI Academy and received a great deal of training through that program. Ms. Foster-Snow added that during the hiring process he was very clear about his experience, and the hiring panel was impressed with his thoughts and ideas about how to work through the current issues and how to improve the FPD. **Ms. Rogers** asked for clarification that the City had used a more generous approach to the degree requirement by considering other types of experience and expertise. Ms. Foster-Snow stated that was true and that the FPD does have a tuition reimbursement program; she stated all officers are encouraged to further their education, including Lt. Dupee. **Ms. Rogers** asked if there was a City policy to the effect that only a person with a degree may fill a position with a degree requirement. Ms. Foster-Snow responded that internal candidates could move forward in the process without having fulfilled every qualification listed on the job description, and she noted that internal candidates have made it to the finalist position in the past without the educational qualifications being met. **Ms. Rogers** asked how Lt. Dupee proposed to mend the situation that has been created in regard to the hiring process. Lt. Dupee stated that the only option he had is to do the best job that he could do and prove that he was the right man for the job. He added that he would do his best to live up to the expectations of the position, the Mayor, and the Council; he added that it has been a very humbling experience to hear all of testimony. Lt. Dupee stated that mending this issue within the community is not a lot unlike the mending the FPD has had to do with the Indigenous community. He stated he will work to continue to move forward. Lt. Dupee addressed the Council and stated that they had heard quite a bit about him through the spoken and written testimony. He added that he is humbled and honored to be the candidate selected by the Mayor for the Chief of Police position and that it had been an extremely rigorous process. Lt. Dupee expressed his excitement to get to work and continue the processes that were put in place last August. He expressed his excitement to see where the FPD could go from here and expressed his appreciation for the Council's time in hearing all the testimony.

**Ms. Therrien**, seconded by **Mr. Gibson**, moved to POSTPONE the vote on confirmation until the Council could hold an Executive Session to discuss Lt. Dupee's qualifications within one week, with the vote to take place in two weeks.

**Ms. Therrien** stated she does not believe the Council should discuss Lt. Dupee's qualifications without holding an Executive Session.

**Mayor Matherly** asked the City Attorney to provide an opinion on the motion. Attorney Ewers stated that Lt. Dupee's qualifications are public information and are known to everyone present. He advised that an Executive Session would not be appropriate given the Council's role and

because the subject matter to be discussed is already public record. He added that there appears to be no information that would tend to tarnish Lt. Dupee's reputation.

**Ms. Therrien** asked for clarification about the rules that allow an Executive Session to discuss personnel matters; she stated that it seems this is a personnel matter that would qualify. Mr. Ewers stated that the City Charter outlines how the process is to move forward – by a yes or no vote of the Council – and he does not view it as a personnel matter that would be appropriate for an Executive Session according to the OMA. **Ms. Therrien** requested to overrule the City Attorney's opinion and asked whether there needed to be a vote to do so. Attorney Ewers stated that his opinion is on the appropriateness of an Executive Session, and the motion on the floor is to postpone the vote in order to hold an Executive Session. He clarified that his opinion would not interfere with the motion to postpone; however, if the Executive Session were scheduled, Lt. Dupee could request that the discussion be held in open session.

**Mayor Matherly** reminded that the Council that their obligation is to vote. He clarified that the requests of those calling for a new process is not something he is willing to consider at this point, stating that there has been an extreme amount of time and work put into the process. He stated that what the City needs right now is to have a Chief of Police appointed. He restated that the hiring committee chose Lt. Dupee for the position, and he has agreed with their recommendation. He asked that the Council take a vote straightaway and not get any further involved in the hiring process as that is not the role of the City Council.

**Mr. Clark** asked for discussion on what is to be gained by postponing the vote.

**Ms. Therrien** stated that she would prefer to hold an Executive Session to discuss Lt. Dupee's qualifications and the process, matters that are important for the Council to discuss.

**Mr. Gibson** stated he understood Ms. Therrien's request. He agreed that it is not necessarily the Council's role to be involved in the selection process for the Police Chief, but it is the Council's role to tell the Mayor who will not be the Chief of Police. He continued by stating that he believes Ms. Therrien's intent is to extend the professional courtesy of an Executive Session, but Lt. Dupee's qualifications should be discussed either way.

Attorney Ewers stated that a discussion of the hiring process is clearly not an appropriate topic for an Executive Session.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE VOTE ON CONFIRMATION UNTIL THE COUNCIL COULD HOLD AN EXECUTIVE SESSION TO DISCUSS LT. DUPEE'S QUALIFICATIONS WITHIN ONE WEEK, WITH THE VOTE TO TAKE PLACE IN TWO WEEKS AS FOLLOWS:

YEAS: Kun, Gibson, Therrien, Clark, Rogers

NAYS: Marney

**Mayor Matherly** declared the MOTION CARRIED.

\*b) Building Code & Landscape Review & Appeals Commission Meeting Minutes of January 5, 2021



ACCEPTED on the CONSENT AGENDA

- \*c) Building Code & Landscape Review & Appeals Commission Meeting Minutes of January 12, 2021

ACCEPTED on the CONSENT AGENDA

- \*d) Building Code & Landscape Review & Appeals Commission Meeting Minutes of January 19, 2021

ACCEPTED on the CONSENT AGENDA

- \*e) Building Code & Landscape Review & Appeals Commission Meeting Minutes of January 26, 2021

ACCEPTED on the CONSENT AGENDA

- \*f) Building Code & Landscape Review & Appeals Commission Meeting Minutes of February 2, 2021

ACCEPTED on the CONSENT AGENDA

**COUNCIL MEMBERS' COMMENTS**

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

**Ms. Rogers** stated she had no comments.

**Ms. Kun** thanked the City Clerk for reading all of the written testimony into the record and thanked Dispatch and City Attorney Ewers. She gave a land acknowledgment. **Ms. Kun** continued by giving the careline number for anyone hurting, 877-266-4357. She added that it has been a very long meeting and thanked the Council for all the discussion. She also thanked HR for being available and thanked all those who took time to provide testimony.

**Ms. Therrien** stated she had no comments.

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

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

**Mr. Marney**, seconded by **Ms. Rogers**, moved to ENTER Executive Session to discuss the Fairbanks Firefighters Union (FFU) 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) Fairbanks Firefighter Union Labor Negotiation Strategy

The City Council met in Executive Session to discuss the FFU Labor Negotiation Strategy. Direction was given to the negotiating team, and no action was taken.

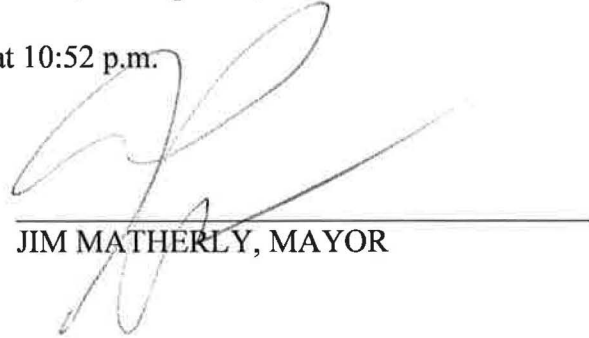
The Council scheduled a Special Meeting for Monday, March 1, 2021, starting at 5:30 p.m. to hold an Executive Session to discuss the qualifications of Lt. Dupee for the position of Police Chief.

**ADJOURNMENT**

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

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

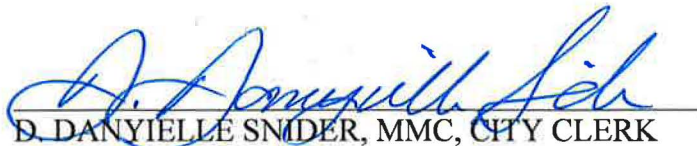
**Mayor Matherly** declared the meeting adjourned at 10:52 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR