



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MAY 24, 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 5:30 p.m. Work Session to discuss Remote Participation at Council Meetings and Electronic Devices, 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 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 (remotely)
 Paul Ewers, City Attorney
 D. Danyielle Snider, City Clerk
 Mike Meeks, Chief of Staff
 Kristi Merideth, FECC Manager (remotely)
 Geoff Coon, Assistant Fire Chief
 Ron Dupee, Police Chief (remotely)

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly lead the Flag Salutation.

CITIZENS' COMMENTS

Victor Buberger, Fairbanks – Mr. Buberger thanked the City for repairing Cowles Street. He went on to state that changes to the public records act should be carefully considered. He spoke against the City's online meeting platform stating that it was difficult to navigate and changes often. He questioned the lack of Native ethnicity on the Fairbanks police force and criticized the high wages being paid to some City employees.

Jerry Cleworth, Fairbanks – Mr. Cleworth spoke to his concerns regarding Ordinance No. 6169. He shared his frustration with the creation of a new bargaining unit that only included six people,

adding that the time spent in processing and reviewing each contract is a hinderance to multiple departments. He stated that he had further concerns with the way the contract memorializes overtime, creating a situation that would be difficult to change in the future. He asked the Council to look at the contract carefully and take time to understand the logistical situations within it, for example, the effect of discontinuing the temporary Captain position.

Mr. Clark asked if Mr. Cleworth had any ideas to deal with disciplinary actions within the department. Mr. Cleworth stated that there will always be issues when you have a staff of 45-47 officers. He added that it is the Chief's responsibility to be proactive in those situations. **Mr. Clark** asked why Mr. Cleworth believed the bargaining unit would be a permanent situation. Mr. Cleworth clarified that it may be possible to undo the bargaining unit, but it would be very difficult to do so.

Mr. Gibson asked Mr. Cleworth if he was familiar with the "rule of 60." Mr. Cleworth stated that he was. **Mr. Gibson** asked Mr. Cleworth how he predicted the situation to unfold if the Council did not authorize the Captain position for the following year. Mr. Cleworth stated that the current contract does not address that very well, nor does it address the situation when an officer is promoted from one bargaining unit to another.

Ms. Rogers asked Mr. Cleworth for his recommendation. Mr. Cleworth stated that he opposes the ordinance and gave a brief history on the Captain position as well as the Public Safety Assistant positions.

Brian Beal, Fairbanks – Mr. Beal thanked the Council and added that he had been at the Clay Street Cemetery cleanup day. He stated that there was large turnout and everyone had a very good time. He invited the Council and the public to the Memorial Day ceremony and noted that Frank Turney's Celebration of Life will be held at the Cemetery on Wednesday, June 2 at 5 p.m.

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

Justice Soule, Fairbanks – Ms. Soule spoke to a parking situation she has had with an employee of the Northward building. She added that the employee has been parking in front of her home for the entire day instead of the company-owned parking lot, and her requests to the individual have been ignored. She added that other nearby areas are limited to 2-hour parking. She asked that people be considerate when parking in front of residences, especially during the summer when there are families that would like to have access to their homes.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Rogers pulled Ordinance No. 6169 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 April 12, 2021

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
3336	Soapy Smith's Pioneer Restaurant	Restaurant/ Eating Place	Nicholas V Stepovich	543 2nd Avenue
3050	Kanpai	Restaurant/ Eating Place	Three Star, LLC	1448 S. Cushman Street
3467	Lin's Asian Bistro	Restaurant/ Eating Place	Lin's Panda Garden, Inc.	1900 Airport Way
77	300 Club	Beverage Dispensary	Karen A Meadows-Sours	940 Cowles Street
1966	Loyal Order of Moose #1392	Club	Fairbanks Lodge #1392	98 10th Avenue
2124	Fenders	Beverage Dispensary	636, LLC	636 28th Avenue (upstairs)
4763	Bobby's Downtown	Beverage Dispensary	Delta Epsilon, Inc.	609 2nd Avenue

Ms. Therrien, 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.

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

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

- b) The Fairbanks City Council heard interested citizens concerned with the following New Liquor License Application and Restaurant Designation Permit:

Type: Restaurant/Eating Place, License #5950

DBA: House of Fire Pizza
Applicant: TJMN, LLC
Location: 300 Old Steese Highway, Unit 1, Fairbanks

Mr. Gibson, seconded by **Mr. Marney**, moved to WAIVE PROTEST on the New Liquor License Application and Restaurant Designation Permit.

Mayor Matherly called for Public Testimony.

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

Greg Johnson, Fairbanks – Mr. Johnson stated that he is a part owner in a neighboring business of the original House of Fire location and that he is in full support of the issuance of a liquor license for the new location.

Mayor Matherly invited the House of Fire owner to come forward.

Tom Bartels, Fairbanks – Mr. Bartels stated that he is the owner of House of Fire Pizza and has been in operation since 2018, and their second location falls within City limits. He stated that beer and wine sales account for approximately 10% of the total business at the first location. He added that his business offers a full dining experience, intended to deliver nice, casual dining fit for families. He stated that the hours of operation are 11 a.m. to 9 p.m.

Mr. Clark asked if Mr. Bartels had a good handle on alcohol service at his first location. Mr. Bartels stated that they have a very limited selection of beer and wine and that they check everyone for identification. He emphasized that the business focuses on the dining experience.

Ms. Rogers thanked Mr. Bartels for coming to the meeting, sharing her appreciation for owners who play an active role in the Council's decision-making process.

Ms. Therrien asked if Mr. Bartels had lobbied the Alcohol and Marijuana Control Office (AMCO) to increase the number of allowable licenses within the City. Mr. Bartels stated that he checked with the City Clerk regarding the number of licenses allowed.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE NEW LIQUOR LICENSE APPLICATION AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Marney, Kun, Clark, Gibson, Rogers, Therrien
NAYS: None
Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly shared his condolences for the recent loss of Urban Rahoi. He went on to share some of the events that would be happening at the various cemeteries around town for Memorial Day. He asked everyone to cooperate with businesses that are asking patrons to wear masks. He gave an update about the "Sleeves Up for Summer" campaign, adding that there are various pop-up events shared on Facebook, sometimes on short notice. He shared his intention to hold a vaccine event at the Fire Department with an open house for kids. **Mayor Matherly** thanked Ms. Therrien for her work on the Alaska Municipal League (AML) Legislative Committee and for her representation of the City. He added that AML does a lot of great work, especially for smaller, rural communities. **Mayor Matherly** gave an update on his meeting with the local military, adding that the Air Force was planning an airshow for the end of July. He reminded everyone of the upcoming AML conference taking place locally the first week of August. He went on to note a country and rap concert that would be happening at Fort Wainwright on June 5 and asked everyone to thank and support the local military. **Mayor Matherly** concluded by thanking the Council for working together and communicating so well.

COUNCIL MEMBERS' COMMENTS

Mr. Gibson stated he had no comments.

Mr. Marney thanked Mr. Buberger for his input, adding that he appreciates the public comment portion of the meeting. He also thanked Mr. Cleworth and Mr. Bartels for their participation.

Mr. Clark stated he had no comments.

Ms. Therrien stated that she felt it is important to advance Ordinance No. 6169 so the public could have the opportunity to voice their opinion.

Ms. Rogers agreed with Mr. Marney's appreciation for public comments and thanked Mr. Buberger for his comments. She recognized Mr. Cleworth for his insightful observations on the new union contract and echoed Ms. Therrien's desire to advance the ordinance so that the public would have the opportunity to speak.

Ms. Kun thanked Mr. Buberger for mentioning Ordinance No. 6170 regarding public records. She thanked Mr. Beal for mentioning the Memorial Day celebrations and Mr. Cleworth for the information he provided regarding the Public Safety Employees Association (PSEA) contract.

UNFINISHED BUSINESS

- a) Ordinance No. 6168 – An Ordinance to Amend FGC Sec. 74-151 to Include E-Cigarettes and Vaping Devices in the Definition of Tobacco Products Subject to Taxation Under Article V of Chapter 74. Introduced by Council Members Gibson, Therrien, and Rogers.
SECOND READING AND PUBLIC HEARING.

Mr. Gibson, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6168.

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

Mr. Gibson stated that the ordinance represents a lot of hard work and that approving it would be a good way to move forward.

Ms. Kun shared her hope that the increased cost may deter some youth from vaping, regardless of the original intent.

Ms. Therrien spoke in support of the ordinance.

Mayor Matherly noted that when a similar ordinance came before the Council previously, he had received multiple phone calls about it. He stated, however, that he had not received any calls about the current ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6168 AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6168 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4970 – A Resolution Authorizing the City of Fairbanks to Apply for and Accept Funds from the United States Department of Justice for the FFY2021 Bulletproof Vest Partnership Grant. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA

- b) Resolution No. 4971 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the United States Department of the Treasury for Coronavirus Local Fiscal Recovery Funds. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA

- c) Ordinance No. 6169 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the Public Safety Employees Association Fairbanks Police Command Unit. Introduced by Mayor Matherly.

Ms. Kun, seconded by **Ms. Therrien**, moved to ADVANCE Ordinance No. 6169.

Ms. Rogers stated that she had already shared her reservations about the contract, and her only motive to advance the ordinance would be to allow the public to comment.

Mr. Gibson referred to Mr. Cleworth's testimony, pointing out that public comment was an option at this meeting and that advancing the ordinance would slow the progress. He added that he would prefer to see the issues discussed further before advancing it to a second reading.

Mayor Matherly called on Chief of Staff Mike Meeks to speak. Mr. Meeks stated that he would be providing a staff report at the next meeting, adding that the issues seem to be changing. He requested that Council members express their concerns to him in advance so that he can prepare. He asked the Council to advance the ordinance so that both sides could be heard before the vote.

Ms. Kun asked if it would be appropriate to hear from Chief Dupee.

Mayor Matherly asked the Council for their consent to allow Police Chief Ron Dupee to speak, and the Council allowed it.

Chief Dupee shared his uncertainty about the Council's specific concerns with the contract. He added that his department is still understaffed, and the numbers provided by Mr. Cleworth did not align with the information he had.

Mr. Gibson asked for information regarding Section 20.7 relating to the qualifications of applicants for Chief, Captain, or Lieutenant.

Mr. Meeks gave clarification on the different chapters of the same union and answered many questions regarding the promotion and hiring process of the positions mentioned.

Mr. Clark asked if the City Attorney had been a part of the process. Mr. Meeks confirmed that the contract had been reviewed by the HR Director, Chief Financial Officer, and the City Attorney. **Mr. Clark** asked questions regarding potential issues with employees acting up or down. He asked also about any conflicts of interest that may have occurred due to the Police Chief's involvement in drafting the contract. He expressed concern that the City will be spending more time negotiating if another contract is added.

Mr. Meeks stated that acting up and acting down is done often currently, and there are no issues; Ms. Bell confirmed. Chief Dupee confirmed that he had worked on this contract but stated that he felt he had a good perception of what his obligations were to the City since he has worked on both sides of the bargaining table. Mr. Meeks stated that he had negotiated the contract on behalf of the Council and would like further opportunity for the contract to be heard and discussed.

Mr. Marney shared his concerns about the high wages and about how that will be addressed in the future. Chief Dupee stated that there may be other benefits to negotiate in the future besides wage increases.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6169 AS FOLLOWS:

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

- d) Ordinance No. 6170 – An Ordinance to Repeal and Reenact Fairbanks General Code Chapter 2, Article VI. Public Records. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- e) Ordinance No. 6171 – An Ordinance Authorizing Conveyance of an Easement Requested by GVEA for Location of Electrical Facilities in Golden Heart Plaza. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS AND COUNCIL MEMBERS' COMMENTS

Ms. Kun shared that Explore Fairbanks met on May 19 and discussed the positive outlook for the upcoming tourism season, stating that cruise ships will be allowed to travel to Alaska. She gave a land acknowledgment and mentioned the training she received for survivors and families of suicide, sharing that there are many resources available. **Ms. Kun** provided the Careline number for those who might need someone to talk to: 877-266-4357. She noted that in previous meetings she has given the 9-8-8 number; however, it would not be active until June 2022. She shared her excitement that the Crisis Now team is getting started in the community.

Mr. Clark shared his conflicted support of the Governor's proposed use of ATVs on public roadways after hearing someone driving a four-wheeler around the block late at night near his home. He added that the Legislative Committee had received an update from City Lobbyist Yuri Morgan; he reported that the House passed the budget, and it is currently waiting in the Senate.

Ms. Rogers mentioned the written complaint regarding parking and appreciated the courteous and descriptive way the issue was presented. She added that the complaint should be taken seriously as it is an apparent problem for families in that situation. She thanked Mr. Clark for his summary of the legislative meetings.

Ms. Therrien asked the Council if they would like to have a wrap-up with Yuri Morgan at the end of the legislative season and asked the City Clerk if she had scheduled something with him. Clerk Snider noted that the meeting was scheduled for the beginning of June. **Ms. Therrien** expressed her admiration for Mr. Morgan's work this legislative season. She went on to share some highlights from the AML board meeting she attended earlier that day, including the AML's strategic plan, the services provided to municipalities, and the possibility of a partnership with the Native Corporation to share funding.

Mr. Marney thanked the Council for its ability to have difficult conversations and debates while remaining civil. He also thanked Mr. Meeks, Ms. Bell, and Chief Dupee for their hard work.

Mr. Gibson passed his congratulations on to Mayor-elect Bronson of Anchorage. He shared updates from the FAST Planning meeting, including information from the ratings provided by the railroad regarding the safety of the crossings within the City and the Borough. **Mr. Gibson** stated that the presentation would be coming to the Council in the future, and he added that the upgrades would total nearly \$800 million.

Mayor Matherly stated that the Fairbanks Diversity Council (FDC) met, and members were tasked with updating the Diversity Action Plan.

Ms. Therrien stated she learned that the legislature had the ability to remove the City's tax cap. She shared that she had also attended the celebration for Deb Hickok from Explore Fairbanks and wished Ms. Hickok the best.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Reappointment to the Board of Plumber Examiners

APPROVED on the CONSENT AGENDA

Ms. Kun, seconded by **Mr. Clark**, moved to ENTER Executive Session to discuss 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 Firefighters Union Labor Negotiation Strategy

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

ADJOURNMENT

Ms. Kun, 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 8:58 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR