



**FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 08, 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 5:15 p.m. Work Session for the Fairbanks Economic Development Corporation (FEDC) annual presentation and report and a 5:50 p.m. Work Session for the Explore Fairbanks annual presentation and report, to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Jerry Cleworth, Seat A
 June Rogers, Seat B
 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)
 Angela Foster-Snow, HR Director (remotely)
 Ron Dupee, Police Chief
 Rick Sweet, Deputy Police Chief
 Robert Pristash, City Engineer
 Tod Chambers, Fire Chief
 Clem Clooten, Building Official (remotely)
 Jeff Jacobson, PW Director (remotely)

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

INVOCATION

The Invocation was given by City Clerk Snider.

FLAG SALUTATION

Mayor Matherly led the Flag Salutation.

CEREMONIAL MATTERS

Mr. Cleworth, seconded by Mr. Clark, moved to SUSPEND THE RULES to immediately consider Resolution No. 4995.

Mayor Matherly called for objection to the motion to SUSPEND THE RULES to immediately consider Resolution No. 4995, and, hearing none, so ORDERED.

Resolution No. 4995 – A Resolution in Recognition of the Lathrop Malemutes for Winning the ASAA Division II State Football Championship. Introduced by Council Member Cleworth.

Mr. Cleworth expressed appreciation to all those present to represent Lathrop High School. He stated that he was honored to work with Clem Clooten to draft the resolution, and he spoke to his and his family's connections to Lathrop High School and his involvement with athletic programs at the school over the years. **Mr. Cleworth** stated that he has always been impressed with Clem Clooten who has coached at least three different disciplines at Lathrop High School and spoke about the Clooten family's successes with athletics at the school. He shared that at least two kids out of Lathrop have gone on to play in the National Football League (NFL), but this year's team is the first to win a state championship in Alaska. He thanked all those from Lathrop High School for being present.

Mr. Gibson, seconded by **Mr. Clark**, moved to APPROVE Resolution No. 4995.

Mayor Matherly and all City Council Members agreed to add their names as sponsors to the resolution.

Mayor Matherly called for objection to the APPROVAL of Resolution No. 4995 and, hearing none, so ORDERED.

Mayor Matherly presented a framed copy of Resolution No. 4995 to the coach and team. He read into the record the entire resolution. Lathrop High School Football Coach Luke Balash introduced all the coaches and players present, and the coaches and team took a photo with the Mayor and City Council.

CITIZENS' COMMENTS

Lisa McEnulty, 1994 Badger Road, #1, North Pole – Ms. McEnulty shared about her involvement within the community and how it pertains to police brutality and discrimination. She asked for an update or comments regarding the letter she sent on July 27, 2021, and she asked whether she would be able to meet with Chief Dupee. She shared some recommendations and statistical information regarding hate crimes. She recommended that all Council members and FPD employees participate in a diversity and equality course designed by her and her sister.

Ms. Therrien asked how the Council could gain access to that course, and Ms. McEnulty stated that she would email more information.

Mr. Cleworth asked if Ms. McEnulty had previously attended City Council meetings; she confirmed that she had attended in the past after her husband was killed by the Alaska State Troopers. **Mr. Cleworth** asked if there was a pending lawsuit regarding that situation, and Ms. McEnulty stated that there was not one currently. She stated, however, that she was studying to attend law school and would be looking into that further.

Kelvin Lee, Fairbanks – Mr. Lee shared that he was the Board President of No Limits, part of the Homeless and Housing coalition. He went on to ask the Council to keep the homeless and housing issues a City priority, emphasizing the importance of housing and the impact rising rents have on the less fortunate members of the community.

Roscoe Britton, Fairbanks – Mr. Britton, adding to Mr. Lee’s comments, shared that the military bases are pushing soldiers and their families to obtain housing off base, which is allowing landlords to be more particular about who they rent to and the prices they charge. He shared that No Limits would be holding a landlord education forum in the near future.

Mr. Clark asked if they had reached out to local churches to make them aware of the situation. Mr. Britton stated that their organization worked closely with LOVE, Inc., but unfortunately, they have not had a lot of response from local churches in the past. Mr. Lee added that church involvement will be critical, especially with the loss of the Housing and Homeless Coordinator.

Hearing no more requests for in person comments, individuals on Zoom were heard next.

Nathan Belz, Fairbanks – Mr. Belz spoke against Ordinance No. 6186, which would allow all-purpose vehicles (APVs) on public roads, and he recommended prohibiting APVs entirely. He went on to share his education on and history with urban transportation, providing multiple examples to support his recommendation. He stated that in some areas, APVs are the only mobility options for rural residents, and their use on public roads makes sense. He stated, however, that is not the case in Fairbanks where there are many different types of transportation to choose from.

Ms. Therrien asked Mr. Belz to submit his recommendation and supporting statistics in writing.

Hearing no more requests for public comment either in person or on Zoom, City Clerk Snider proceeded to read the following written comment into the record:

Helenmarie Matesi, Fairbanks – Ms. Matesi spoke in support of Julie Smyth, who had planned to provide testimony regarding an interaction with the FPD that has left a negative effect on her community. Ms. Matesi went on to speak to the importance of good relationships between the community and local law enforcement. She criticized the current procedures in place for citizens to file complaints and recommended a citizen-based advisory board. She added that similar boards have been implemented in other communities and have been shown to increase trust and transparency between law enforcement and citizens. She concluded by expressing her gratitude and appreciation for the FPD officers and their hard work, asking that the Council please consider alternative methods of citizen reporting.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Matherly moved Ordinance No. 6186 to item (a) of New Business.

Ms. Therrien pulled Resolution No. 4996 and the Approval of the 2022 City Council Meeting Schedule from the Consent Agenda.

Ms. Rogers pulled Ordinance No. 6186 from the Consent Agenda.

Mr. Cleworth pulled Resolution No. 4994 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 MINUTES FROM PREVIOUS MEETINGS

a) Regular Meeting Minutes of September 27, 2021

APPROVED on the CONSENT AGENDA

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
18187	The Fairbanks Cut, LLC	Retail Marijuana Store	The Fairbanks Cut, LLC	188 Bentley Trust Road, Suite A
14467	Tanana Herb Company, LLC	Standard Marijuana Cultivation Facility	Tanana Herb Company, LLC	1200 Well Street
11051	Northlink, LLC	Standard Marijuana Cultivation Facility	Northlink, LLC	1550 Cushman Street, Suite B

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

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

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

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly shared that there has been some discussion regarding Finance Committee meetings, and he asked Chief of Staff Mike Meeks to distribute a memorandum outlining some possible changes; he asked Mr. Meeks also to provide a report.

Mr. Meeks provided an outline of proposed changes to the Finance Committee meeting format, adding that Chief Financial Officer (CFO) Margarita Bell had requested to include other members with financial experience in order to facilitate deeper discussion regarding the City's budget. He went on to state that it would likely change the name of the regular Tuesday meeting and allow the ability to incorporate work sessions, which may alleviate some of the work sessions before Council meetings. Mr. Meeks stated that the new Finance Committee would provide formal recommendations to the Council.

Mayor Matherly added that more information would be available at the Finance Committee meeting on November 16, 2021.

Ms. Therrien asked whether the change would eliminate the Council's opportunity to discuss financial items prior to Council meetings.

Mr. Meeks clarified that a new committee would meet to discuss only financial matters and to provide a recommendation to the Council. He stated, however, that the title of the standing Tuesday meeting may be changed to facilitate more opportunities to discuss non-financial items prior to regular City Council meetings.

Ms. Therrien asked whether the meetings would be recorded, and Mr. Meeks asked City Clerk Snider for her recommendation. City Clerk Snider stated that she would recommend that the meetings be public; she stated details could be determined upon deciding the makeup of the committee and in accordance with the Open Meetings Act (OMA). City Attorney Ewers confirmed that he believed the meetings would be recorded.

Ms. Rogers shared her desire to further explore the issue prior to making a decision.

Mayor Matherly reiterated that his intent was to provide information so that the Council would be prepared for further discussion at the next Finance Committee meeting. He went on to thank the FPD and first responders for the quick response they provided to the shooting incident at the Safeway store on Airport Way. **Mayor Matherly** shared that the Alaska Municipal League (AML) conference would be happening in Anchorage the following week and that he looked forward to attending in person. He concluded by thanking the FEDC and Explore Fairbanks for their updates during the Work Session and once again congratulated the Lathrop Malamutes for their historic victory.

COUNCIL MEMBERS' COMMENTS

Mr. Gibson stated he had no comments.

Mr. Marney stated he had no comments.

Mr. Clark stated he had no comments.

Ms. Therrien stated she had no comments.

Ms. Rogers thanked the Mayor and Mr. Cleworth for coordinating with the Lathrop High School football team.

Mr. Cleworth stated that he once heard there were beds available for any homeless person through the Housing and Homeless Coalition and asked if that was still true. **Mayor Matherly** stated that he believed there were enough beds, but not everyone who is without a bed wants to take advantage of that opportunity.

Mr. Cleworth spoke to the requests for police training, adding that not all officers who receive extra training are able to put it into practice. He added that the Administration has always acted quickly when issues have come up in the past, adding that the last thing the City wants are officers who shed a bad light on the Fairbanks Police Department (FPD). He went on to address the recommendation of having a citizen review board and pointed out that there is a City Fact Finding Commission available.

UNFINISHED BUSINESS

- a) Resolution No. 4981 – A Resolution Approving the Reading of a Land Acknowledgement at the Beginning of Regular City Council Meetings. Introduced by Council Members Kun, Therrien, and Rogers. POSTPONED from the Regular Meeting of September 27, 2021.

Ms. Rogers, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 4981.

Ms. Rogers shared that the Fairbanks Diversity Council (FDC) discussed the resolution at its last meeting and had decided to garner more assistance in revising the original resolution to be more regionally appropriate. She went on to state that the FDC would meet the following evening.

Ms. Rogers, seconded by **Ms. Therrien**, moved to REFER Resolution No. 4981 to the Fairbanks Diversity Council to consider and report back by the first regular City Council Meeting in January 2022.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO REFER RESOLUTION NO. 4981 TO THE FAIRBANKS DIVERSITY COUNCIL TO CONSIDER AND REPORT BACK BY THE FIRST REGULAR CITY COUNCIL MEETING IN JANUARY 2022 AS FOLLOWS:

YEAS: Rogers, Therrien, Gibson, Matherly

NAYS: Marney, Clark, Cleworth

Mayor Matherly declared the MOTION CARRIED.

NEW BUSINESS

Due to the changes addressed under "Approval of Agenda and Consent Agenda" the order of New Business items was rearranged.

- a) Ordinance No. 6186 – An Ordinance to Limit All-Purpose Vehicles to Public Roadways with a Maximum Speed Limit Not Greater than 30 Miles Per Hour. Introduced by Mayor Matherly and Council Member Gibson.

Mr. Gibson, seconded by **Mr. Clark**, moved to ADVANCE Ordinance No. 6186.

Ms. Rogers shared her concern based on the obvious concern of citizens, especially the testimony of Mr. Belz. She asked for input from the City's Police and Fire departments.

Police Chief Dupee shared that he had recently stopped an individual who was riding a four-wheeler on the Old Steese Highway in the dark and with no lights on. He explained that the individual believe he was within his legal right, which prompted him to do more research on the topic. Chief Dupee expressed that he had many concerns, such as no child restraints being required on those types of vehicles. He added that enforcing laws requiring driver's licenses and insurance would be problematic, especially given the staffing levels at the FPD.

Fire Chief Chambers spoke against the ordinance, stating that APVs are not intended to protect occupants in the same way passenger vehicles are designed to. He added that he has not seen any of these types of accidents on public roads, but they have not been legal until recently.

Mr. Gibson asked Chief Dupee how the enforcement of insurance and licensing laws is done currently for passenger vehicles. Chief Dupee stated that it is done during traffic stops. **Mr. Gibson** asked if that would be the same process for an APV, and Chief Dupee replied that it essentially would be. He stated, however, that people on APVs are more likely to run and are better able to avoid traffic stops.

Mr. Cleworth stated that he felt motorcycles, which are legal, are not much different than APVs. He asked how they would differ in matters of safety. Chief Dupee stated that motorcycles will always lose in an accident and spoke to the need for a law requiring the use of helmets.

Mr. Cleworth spoke to the current practice of allowing APVs to drive beside the road to gain access to off-road rivers and paths; he asked if that was allowed for in the City Code. City Attorney Ewers stated that it was not. **Mr. Cleworth** added that he has seen this practiced for many years, and while he was not in favor of APV use on public roads, he would like to see something in place to allow the current practice to continue.

Mr. Marney stated that he has been riding motorcycles for 15 years, and he spoke to the special licensing required to legally operate a motorcycle on public roads. He added that he also sold APVs for 16 years and that there are no requirements or training to operate them. He noted that people often want to purchase them for their children.

Mr. Clark felt that the Council was only considering the lowest denominator when discussing the ordinance and forgetting about the many law-abiding citizens who would use their APVs to legally travel from point A to point B.

Mr. Gibson stated that the law requires drivers to be licensed and insured. He went on to speak about the opportunities the law would provide to businesses who may want to incorporate the use of APVs. He noted that APVs are expensive and individuals who want to drive them are not looking to wreck or ruin them. He added that the City should provide some framework to allow law-abiding citizens to know when and where they can operate their APVs. **Mr. Gibson** shared his appreciation for Mr. Belz's comments but added that statistics can be deceiving. He stated that Mr. Belz's comments were very much directed at the negatives and failed to provide a fully formed view of the situation.

Ms. Therrien spoke against the ordinance, stating that she was not in favor of APVs being operated on City streets at any speed limit.

Ms. Therrien, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6186 Section 78-542(a) by striking the language, "where the maximum designated speed limit is greater than 30 miles per hour."

Chief Chambers recognized that there are many responsible citizens who would operate APVs legally and responsibly but spoke to the safety concerns if the responsible occupants were struck by a larger vehicle.

Mayor Matherly spoke to his concerns with allowing APVs in a large, urban area. He added his support for their use in smaller, rural areas, where such use makes sense and the risk is much smaller. He added that he was not in favor of adding more risk to the citizens of Fairbanks.

Ms. Rogers shared her fear that if an ordinance like this is passed, the Council is complicit when something terrible happens. She stated she was not comfortable with that.

Mr. Cleworth stated that he did not feel that banning APVs was necessary but that he was not in favor of the ordinance as it was written either. He shared his hope that the ordinance could be advanced to the next meeting for further discussion. He added that many residential areas are along the river, and the use of the vehicles, while not legal, has not been an issue.

Ms. Therrien stated that if the amendment passed there would need to be additional changes to the ordinance. She pointed out the very real concerns expressed by the both the Police and Fire Chiefs and asked the Council to seriously consider keeping APVs off City streets.

Mr. Gibson expressed concerns about the use of APVs being legal in the Fairbanks North Star Borough (FNSB) but illegal within the City limits and the extra work it will require for the FPD to monitor those offenses. He added that legal use of these vehicles will likely not increase the workload of the FPD as much as banning them will.

City Attorney Ewers noted that upon passage of the amendment, the title would need to be changed and some "Whereas" statements may need to be stricken.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6186 SECTION 78-542(a) BY STRIKING THE LANGUAGE, "WHERE THE MAXIMUM DESIGNATED SPEED LIMIT IS GREATER THAN 30 MILES PER HOUR" AS FOLLOWS:

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6186, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Cleworth, Marney, Rogers
NAYS: Gibson, Clark
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6186, as Amended, ADVANCED.

- b) Resolution No. 4994 – A Resolution Stating the City of Fairbanks Legislative and Capital Priorities for 2022. Introduced by Mayor Matherly.

Mr. Marney, seconded by **Mr. Cleworth**, moved to APPROVE Resolution No. 4994.

Mr. Meeks provided an update, asking the Council to pay special attention to Item 3 regarding off-road vehicle regulation. He stated that if the City were to allow APV use, the Council should put the cost for the signage that would be required into a Capital project and request that the State legislature provide funding. He asked the Council for input on the defined benefit plan in Item 4. Mr. Meeks then asked the Council to look at Item 6, the request to increase SART funding; he explained the bar graph he handed out, which showed how much the City has spent on the SART program versus what the State has reimbursed. He pointed out that the current year expenditures and reimbursements are not drastically out of balance and asked the Council to provide input on that legislative priority.

Mr. Cleworth, seconded by **Mr. Gibson**, moved to AMEND Resolution No. 4994 by substituting the language in Item 4 with the following language:

A "Tier 5" defined benefit plan is currently being discussed at the State level. The City of Fairbanks has serious concerns regarding unfunded liabilities and the exclusive nature regarding which employees will receive this benefit. The economic viability of this proposed plan relies on an assumed 7.38% annual rate of return on investments which is not sustainable. ARM Board long-term returns over the last 20 years have averaged only 6.23% on an annualized basis. Guaranteeing fixed monthly retirement benefits without a guaranteed funding source is the basic flaw that has created billions of dollars of debt in Alaska and other states with defined benefit plans. Currently, the City of Fairbanks' portion of the unfunded PERS debt is \$16.5 million and is reflected annually on our financial statements. Finally, the current plan under consideration will base benefits upon one's high five years of earning including overtime, which

perpetuates problems in the former defined benefit plan and makes predictions of retirement liability extremely difficult to predict.

Clerk's Note: Mayor Matherly had to leave the meeting abruptly at 7:57 p.m. and Mr. Cleworth, being the longest tenured Council Member, continued the meeting as Mayor pro tem.

Mayor pro tem Cleworth read two excerpts from the *Economist (State of Denial: America's public-sector pension schemes are trillions of dollars short 2019)* in explanation of his amendment. He went on to state that the current proposed 7.38% is not enough, adding that the City's own investments historically have not cleared more than 6%; he spoke to how the State Constitution mandates that the retirement is paid out regardless of the earnings, potentially requiring taxpayers to contribute multiple times. **Mayor pro tem Cleworth** pointed out that current employees in PERS Tier 4 are only realizing about 9 or 10 cents of the 22 cents per dollar that are contributed by the City, with the remainder going to the State of Alaska to fund Tiers 1-3. He restated the unfairness it creates for employees in Tier 4, the debt it has created for the State, and the liability that is pushed onto municipalities.

Clerk Snider asked for clarification as to whether the amendment would affect the summary list on page 1 of the resolution. **Mayor pro tem Cleworth** said it would not.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4994 BY SUBSTITUTING THE LANGUAGE IN ITEM 4 WITH THE ABOVE LANGUAGE AS FOLLOWS:

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

Mayor pro tem Cleworth declared the MOTION CARRIED.

Ms. Therrien asked for an explanation of the chart provided regarding SART funding for the year 2021. Mr. Meeks stated that from the Department of Public Safety (DPS) point of view, it will appear that more money has been reimbursed based on the difference in fiscal years. **Ms. Therrien** asked if the passing of the infrastructure bill by the U.S. Congress would guarantee the funding for the demolition of the Polaris Building. Mr. Meeks stated that it would not be certain until the President signed the bill, adding that it would take time for the funds to be disbursed.

Mr. Gibson stated that the funding was not in the infrastructure bill but in the Federal FY2022 funding for the State.

Ms. Therrien stated she would like to keep the increased SART funding a priority at this time.

Mr. Clark asked if the City had opted out of the Off-Road Vehicles with Ordinance No. 6186 and if it would change Item 3 of the legislative priorities.

Mayor pro tem Cleworth stated that it may have an effect, but as it stands, the ordinance has not been adopted – only advanced.

City Clerk Snider stated the Work Session with Legislators is scheduled for November 22, 2021. She clarified that if Resolution No. 4994 was not approved at this meeting, the Council would need to hold a Special Meeting in order to have a resolution to present at the Work Session.

Ms. Therrien suggested that the Council pass the resolution and be prepared to discuss any changes that may come up with Legislators when they meet.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4994, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Marney, Rogers, Therrien

NAYS: Clark, Gibson

Mayor pro tem Cleworth declared the MOTION CARRIED and Resolution No. 4994, as Amended, APPROVED.

- c) Resolution No. 4996 – A Resolution Terminating the Mayor's Declaration of a Disaster Emergency and the Temporary Provisions of Ordinance No. 6126 and Resolution No. 4928, as Amended, Regarding Telephonic Participation of Council Members and Conduct of Council Meetings. Introduced by Council Member Gibson.

Mr. Gibson, seconded by **Mr. Clark**, moved to ADOPT Resolution No. 4996.

Ms. Therrien spoke against the resolution, stating her concerns regarding the current COVID-19 situation. She added that there may still be times when not all members are able, or comfortable, to be physically present. She added that it is also important to allow remote public participation.

Mr. Gibson stated that the purpose in proposing the resolution was to facilitate a discussion prior to the expiration of the declaration. He agreed that remote options for public participation have been a benefit, but he would like to see this addressed in a more permanent manner, rather than simply extending the emergency declaration.

Ms. Rogers asked if **Mr. Gibson** had any proposed ideas on how to move forward or resolutions to replace the emergency declaration.

Mr. Gibson indicated that he had previously worked on a resolution with the City Attorney but did not have something to propose immediately. He clarified that he would like to see the conversation begin and for the Council to start working towards a more long-term solution.

Mr. Clark shared agreement in introducing an ordinance or a resolution to allow for remote participation for the Council and the public. He expressed interest in discontinuing the emergency declaration.

Ms. Therrien expressed interest in working with **Mr. Gibson** on drafting a new resolution.

Mr. Marney shared his frustration, noting that remote options will likely remain until the COVID-19 pandemic is under control. He asked Clerk Snider to explain the term “hybrid” as it pertains to Council meetings.

City Clerk Snider shared that some municipalities have moved to fully electronic meetings while many others have been using a hybrid system that combines in-person and remote participation. She added that the City is currently using a hybrid format, and the cost to do so is not substantial. She requested direction towards a well-defined ordinance that would provide guidance on what the Council intends for their meetings moving forward.

Mr. Gibson stated he felt that COVID would not be going away, adding that having something more permanent would help the City move forward outside of the emergency declaration.

Mr. Rogers asked if Mr. Gibson, Ms. Therrien, and Mr. Ewers would be able to work towards an alternative option to present to the Council, and they all confirmed.

Mr. Clark stressed the importance of the Council's in-person participation and asked that the proposed ordinance provide encouragement in that regard. **Mr. Marney** expressed agreement with Mr. Clark's statement.

Ms. Therrien, seconded by **Mr. Gibson**, moved to POSTPONE Resolution No. 4996 until the Regular Meeting of December 6, 2021.

Mayor pro tem Cleworth asked about the telephonic participation rules prior to the emergency declaration.

City Attorney Ewers stated that the only exception to the in-person attendance rule was if remote participation was required to produce a quorum.

Mayor pro tem Cleworth stated his position that the public has a right to see their Council Members in person. He stated that he felt strongly that public testimony should also be in person and would like to pass the resolution and end the emergency provisions.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4996 UNTIL THE REGULAR MEETING OF DECEMBER 6, 2021 AS FOLLOWS:

YEAS: Rogers, Therrien, Clark, Marney, Gibson

NAYS: Cleworth

Mayor pro tem Cleworth declared the MOTION CARRIED.

DISCUSSION ITEMS

a) Committee Reports

Ms. Therrien shared that the Permanent Fund Review Board would be meeting to review Requests for Proposals (RFPs) for Account Managers on November 10, 2021, at 1:30 p.m.

Ms. Rogers stated that she had met with the suicide prevention, opioid, housing and homeless, and reentry program groups. She added that all the groups had strong participation and were doing well. She spoke to the issues discussed by representatives of No Limits. She went on to

speak to the work Crisis Now does by working with many community organizations to tackle issues from different facets. **Ms. Rogers** added that she had been part of the interview process for new police recruits and spoke positively of the prospective additions.

Mr. Gibson shared that FAST Planning would be meeting the following day where they would likely be discussing the future vision of Lacey Street. He stated he would likely be bringing a resolution forward in that regard. **Ms. Rogers** thanked Mr. Gibson for letting the Council know in advance of proposing a resolution, stating that it was an important consideration.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Approval of the 2022 City Council Meeting Schedule

Ms. Therrien, seconded by **Mr. Gibson**, moved to APPROVE the 2022 City Council Meeting Schedule.

Ms. Therrien requested to change the January 2022 Regular City Council Meeting dates to January 17 and January 31, 2022. She stated the change would provide a longer holiday break and would avoid her absence at the currently scheduled January 10 meeting.

Mayor pro tem Cleworth called for objection and, hearing none, so ORDERED.

- b) Historic Preservation Commission Meeting Minutes of February 22, 2021

ACCEPTED on the CONSENT AGENDA

- c) Historic Preservation Commission Meeting Minutes of May 18, 2021

ACCEPTED on the CONSENT AGENDA

- d) Historic Preservation Commission Meeting Minutes of August 3, 2021

ACCEPTED on the CONSENT AGENDA

- e) Chena Riverfront Commission Meeting Minutes of September 22, 2021

ACCEPTED on the CONSENT AGENDA

- f) Reappointment to the Chena Riverfront Commission

ACCEPTED on the CONSENT AGENDA

COUNCIL MEMBERS' COMMENTS

Ms. Therrien shared that she would be attending the AML conference the following week as a board member. She shared her appreciation for the discussion and work that the Council has

been doing, adding that she is looking forward to working with Mr. Gibson on an alternative to the emergency declaration.

Ms. Rogers expressed thanks for the extra time and consideration taken for the conversation at the meeting. She added that she would prefer to have longer meetings that dig deeper into important topics rather than quick ones that brush the surface.

Mr. Clark congratulated the Lathrop Malamutes on their victory. He went on to say that he was in the vicinity of Safeway after the shooting occurred, and he stopped into thank the VIPs for the role they played. He expressed his disappointment in the direction the Council had gone in regard to off-road vehicles and felt that more trust needed to be placed in the citizens of Alaska.

Mr. Marney shared his appreciation for the FEDC and Explore Fairbanks presentations, adding that it was great to have two organizations working hard to support Fairbanks and Alaska.

Mr. Gibson stated his extreme disappointment in the direction of Ordinance No. 6186, adding that it was only one community member's comment that changed the entire intent of the ordinance. He went on to say that he looked forward to the opportunity to discuss it, and any future amendments, at the next meeting. He congratulated the Lathrop football team, adding the attributes it provided to the school and to the City.

Mayor pro tem Cleworth shared the sadness he felt when he heard about the shooting at Safeway, adding that he was thankful that the suspect turned himself in. He passed along his prayers and thoughts to the family. He apologized for his absence at the earlier Work Session and stated that he would pay closer attention to the details of the agenda in the future. He asked that the Council be given a presentation regarding both the 5th Avenue and the Lacey Street projects due to their controversial nature. He shared some of his oppositions to previously presented plans and stated that he would like to ensure there is strong stakeholder involvement.

CITY CLERK'S REPORT

City Clerk Snider spoke to the Fact Finding Commission that Mr. Cleworth mentioned earlier, adding that there are several vacancies on that Commission. She encouraged members of the public to contact the Clerk's Office if they were interested in serving. She went on to note that former Council Member Ms. Kun had been assigned to attend the December 9, 2021 FNSB Assembly meeting as a City representative and asked if another Council Member would be willing to attend. **Mayor pro tem Cleworth** stated that he would attend.

CITY ATTORNEY'S REPORT

City Attorney Ewers shared that he and the Clerk had sat in on a meeting of the Alcoholic Beverage Control (ABC) Board, where the Council's protest of the Lefty's liquor license transfer was discussed. He shared that the Board's recommendation was to have the owner seek a reconsideration of the City Council. He added that he was not sure of the progress made in that regard, but he wanted the Council to be aware of the status. He added that the Council had performed reconsiderations in the past prior to the decision by the ABC Board.

ADJOURNMENT

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

Mayor pro tem Cleworth called for objection and, hearing none, so ORDERED.

Mayor pro tem Cleworth declared the meeting adjourned at 8:46 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR