



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 22, 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 a City Legislative and Capital Priorities Discussion with the Interior Delegation, 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 ask Mr. Gibson to lead the Flag Salutation.

CITIZENS' COMMENTS

Victor Buberger, Fairbanks – Mr. Buberger remembered friends and family members who have passed, including some from COVID-19. He congratulated the City for getting the Wendell Street Bridge open, adding that it will be nice to have that route available; he mentioned that the

Minnie Street improvements are very nice. He recommended that the City pay careful attention to the roundabouts near Costco, stating they are very icy. He wished everyone a happy Thanksgiving and encouraged the City to keep up the good work.

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

Patrick Levy, Fairbanks – Mr. Levy spoke against Resolution No. 4998, stating that its approval would directly affect his downtown business. He stated that the resolution was an overreach of City government, adding that businesses have the right to require rules of patronage such as the commonly known rule, “no shirt, no shoes, no service.” He stated that it is also the business owner’s right to require, or not require, proof of a vaccination. Mr. Levy shared that he does not wish to turn people away and is actively fighting to stay open during the pandemic. He added that he will reopen to everyone once the local spread of the virus has decreased. He clarified that his decision to require a vaccination is not a political statement; he stated that it is about offering a tasting room where the odds of contracting COVID-19 are significantly decreased. He concluded by stating that the resolution had the potential to shut his business down again.

Mr. Clark thanked Mr. Levy for his testimony and asked if he knew of a better way for the City to discourage the discriminating in determining who is a hero and who is not based on vaccination status. Mr. Levy shared his belief that once the community is out of the red zone of spreading the virus, more businesses can lighten up and restrictions can be reduced.

Hearing no more requests for in-person or Zoom comments, City Clerk Snider read the following written comments into the record:

Julie Smyth, Fairbanks – Ms. Smyth shared that she was testifying as a tenant of Permanent Supportive Housing which is owned and operated by the Interior Alaska Center for Non-Violent Living (IACNVL). She asked that the Fairbanks Police Department (FPD) reach out to the IACNVL to learn more about the trauma-informed care that they provide and to facilitate a better relationship when responding to calls. Ms. Smyth indicated that there had been incidents that could have gone more smoothly if the IACNVL had been contacted prior to arrival. She added that the IACNVL can help residents deal with any trauma that may occur during police investigations. She recounted a situation where she had asked officers to wait for an IACNVL employee to arrive before responding to a call by a neighbor, and she felt traumatized when the officers told her to remain in her apartment or face arrest. She recounted another situation where officers had come to her door by mistake, leaving her with an anxiety attack after they left. She concluded by asking the Council to encourage a better relationship between the FPD and the IACNVL.

Helenmarie Matesi, Fairbanks – Ms. Matesi asked that the Council remember her testimony from the previous meeting, and she asked the Council to support Ms. Smyth and her request for more humane and sensitive treatment by police when they interact with her and her neighbors. She went on to give support of the ordinance that will provide a land acknowledgement at every regular City Council meeting. She provided website links for the Council to research appropriate land acknowledgments. She recommended that the Council enlist the help of elders in the Native community as well as those skilled in diversity concerns so that the land acknowledgment is a strong and honorable one to all ancestors.

Lori Neufeld, Fairbanks – Ms. Neufeld spoke to the status of the COVID-19 pandemic, specifically noting that Alaska recently had the highest case rates in the nation. She went on to share the advice from health officials to continue masking and obtain vaccinations. She asked why the City Council would go against such advice by discouraging businesses from requiring proof of vaccination. She added that choosing to get vaccinated is a personal choice and that business owners make choices in how they want to conduct business and who they want to do commerce with all the time, as do patrons when deciding where they want to spend their money. Ms. Neufeld stated that the proposed resolution was a political statement made more political by asking for public outcry. She emphasized the hard work of front-line workers and the trauma many of them have been through, and she asked that the resolution be withdrawn.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien pulled Resolution No. 4998 and Ordinance No. 6188 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 October 11, 2021

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
11053	True Dank	Retail Marijuana Store	True Dank, LLC	1550 Cushman Street, Suite A

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

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

Ms. Rogers asked Police Chief Ron Dupee to speak to the call regarding shots fired on October 14, 2021. Chief Dupee stated that the shots fired were not related to the business but individuals who were walking near the property.

Mr. Clark stated that it was a disservice to the business owner to address calls on public record that are unrelated to their business and business practices. He added that if Chief Dupee had concerns regarding the business, those concerns would have been included in his response. Chief Dupee stated that it is unfortunate that all calls must be associated with a physical address, regardless whether there was an interaction with the business. He added that if any calls pertain directly to the business, they would be clearly marked on the call report.

Ms. Rogers stated that it is the Council's obligation to ask about calls, such as shots fired, whether they are indicated for the specific business or not.

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

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

- b) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership and DBA Change:

Type/License: Beverage Dispensary/License #576

DBA: 2712 Drafthouse

Applicant: Area 51 Properties, LLC

Location: 2712 Jesse Street, Fairbanks

From Owner: Randall G Kelsch

From DBA: Crowbar

From Location: 2712 Jesse Street, Fairbanks

Mr. Marney, seconded by **Mr. Clark**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership and DBA Change.

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 LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP AND DBA CHANGE AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

- a) Special Reports

City Engineer Bob Pristash provided the Council with an update to the 5th Avenue reconstruction and the proposed Lacey Street projects. He clarified that the 5th Avenue project is

currently in the design phase, whereas the Lacey Street project has not yet been funded. **Mr. Cleworth** thanked Mr. Pristash for his report. He expressed a growing concern regarding the width of 5th Avenue and the ability to accommodate the Borough busses, adding that he was glad to hear it had been widened to 14.5” from the original proposed 11” width. He expressed his disappointment to see Lacey Street fall in priority of funded projects. **Mr. Cleworth** asked that the Council provide input on the Lacey Street project when it becomes funded.

Mayor Matherly thanked Mr. Pristash for spending his birthday with the Council and for providing the requested updates. He went on to mention the farewell reception being held for Jason Kempthorne, resigning Director of LOVE, Inc. **Mayor Matherly** shared about his experience at the AML conference in Anchorage, adding that he would be representing AML as its Board Chair for the next year. He shared that AML is made up of many small and large communities, all working together and making connections to help each other; he added that he finds a lot of value in the conversations and connections he makes while attending the annual conference. **Mayor Matherly** stated that the Interior is very fortunate compared to some of the very remote villages that struggle to even provide education for their residents. He thanked the Council for their ability to work together despite differences, adding that it helps build community trust. He mentioned that Thanksgiving was soon approaching and spoke about Allan Mitchell’s successful food drive, which the FPD participated in. He asked everyone to remember those in need and wished the best for everyone in the coming holidays. He concluded by thanking the Interior Delegation for their participation in the Work Session.

COUNCIL MEMBERS’ COMMENTS

Mr. Cleworth stated he had no comments.

Ms. Rogers thanked everyone who provided correspondence regarding current issues. She stated that she was grateful to have had the ability to attend the AML conference via Zoom. She added that there had been a discussion regarding the successes and failures of the COVID pandemic, stating that it was one of the few AML meetings where everyone had a voice. She passed along her thanks to the AML staff who organized and ran the event and congratulated the newly appointed members of the Association. She shared that Morgan Reed, a highly involved individual who had worked hard for the arts community in Fairbanks, had passed away.

Ms. Therrien stated she had no comments.

Mr. Clark stated he had no comments.

Mr. Marney wished Mr. Pristash a happy birthday.

Mr. Gibson stated he had no comments.

UNFINISHED BUSINESS

- a) Ordinance No. 6186, as Amended – An Ordinance to Prohibit All-Purpose Vehicles on Public Roadways Within the City of Fairbanks. Introduced by Mayor Matherly and Council Member Gibson. SECOND READING AND PUBLIC HEARING.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6186, as Amended.

Jim Richardson, Fairbanks – Mr. Richardson spoke in favor of the ordinance, speaking of his experience with all-purpose vehicles (APVs) while riding his bicycle. He noted that the vehicles are not being used as a primary source of transportation like they may be used in rural villages, but instead they are driving at high speeds in already dangerous areas.

Nathan Belz, Fairbanks – Mr. Belz spoke as a transportation professional in favor of the ordinance. He shared his hope that Council members had done their own research on these types of allowances in other states. He added that most states have laws that clearly define permissive use, such as restricting APVs to gravel roads, use only for agricultural purposes, or for use only in unincorporated/unorganized areas for recreation. He added that to do anything other than prohibit the use of the vehicles within Fairbanks disregards the safety warnings affixed to the vehicles and the recommendations of the City Police and Fire Chiefs. He added that the Downtown Association had unanimously voted against APVs in a recent poll. He stated that the data provides a clear indication that allowing these vehicles on the open road will result in more injuries and fatalities, and he asked the Council to consider the need in allowing the operation of APVs on City streets. He spoke to the potential issues with the proposed ordinance amendment, sharing his support of the recreational use of these vehicles, but added that opening the City streets to APVs is not the proper way to improve trail access. He concluded by asking the Council to prohibit the use of APVs on City streets.

Ms. Rogers thanked Mr. Belz for his work on the issue and asked if he had also provided his testimony to the State; Mr. Belz confirmed that he had. **Ms. Rogers** asked if there was a better term or definition for APV that may offer clarification. Mr. Belz stated that he believed the term to be a derivative of the State-defined regulations, adding that it is somewhat synonymous with Outdoor Recreational Vehicle (ORV) or Off Highway Vehicle (OHV).

Ms. Therrien asked if Mr. Belz had the opportunity to look at the proposed substitution and if he was in favor of that version. Mr. Belz stated he was not in favor of it because the terms “incidental use” and “short distance” could be misinterpreted. He added that requiring APVs to drive to the far side of the road could create unsafe situations where vehicles try to pass them.

Hearing no more requests for in-person or Zoom comments, City Clerk Snider read the following written comments into the record:

Donna Gardino, Fairbanks – Ms. Gardino spoke in favor of Ordinance 6186, as Amended, sharing her background in fulfilling transportation planning requirements for the urbanized areas of Fairbanks and North Pole. She stated that there were three long-range transportation plans developed in her time, which included a non-motorized transportation plan. Ms. Gardino stated that allowing ATVs and OHVs on roadways is not advisable at any speed, backing her opinion with that of The Consumer Products Commission, Consumer Federation of America, National Off-Highway Vehicle Conservation Council, and the Specialty Vehicle Institute of America. She went on to ask the Council to heed the advice of the City Fire and Police Chiefs and prohibit the use of APVs on City streets.

Gary Wilken, Fairbanks – Mr. Wilken shared his dismay at learning that APVs would be allowed on City streets, adding that it is the Council’s mission to lessen the risk of citizens of the City. He added that a major component of that risk is vehicular traffic, and by allowing APVs the risk is clearly increased. Mr. Wilken suggested that the Council heed the City Police, Fire, and EMT professionals’ advice, adding that they would know better than anyone. He concluded by stating that the use of APVs may be appropriate in small villages, but the use of APVs in the City of Fairbanks poses a danger.

Seth Jones, Fairbanks – Mr. Jones wrote in support of Ordinance No. 6186, as Amended. He stated that in matters of public safety, it is critical to listen to the experts and public safety leadership who have stated the dangers of allowing APVs on City streets.

Michael Salzman, Fairbanks – Mr. Salzman shared his relief to hear that Ordinance No. 6186 had been amended to prohibit the use of APVs on City streets. He shared that he has been wheelchair bound since a three-wheeler accident paralyzed him 38 years prior. He added that the vehicles had been determined safe at the time, but people soon realized their poor engineering design was extremely dangerous. He went on to state that he still rides off-road vehicles recreationally but fears for those he sees speeding up and down streets. Mr. Salzman added that there are some individuals that use APVs responsibly, including using them for snow removal.

Ed Dailey, Fairbanks – Mr. Dailey stated that the APV bill enacted by Governor Dunleavy was idiotic and shows the indifference by the Legislature for the value of life. He added that the vehicles come equipped with warnings stating they are not for highway use. He expressed his strong disapproval of the Act and asked that the Council prohibit the use of APVs on City streets. Mr. Dailey added that legal vehicles require registration, insurance, and a licensed driver, and he has seen teenagers driving APVs illegally and dangerously in his neighborhood. He added that the Council needs to remain firm and save lives.

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

Mr. Cleworth stated that he would not be initiating the proposed substitution and that he supports the ordinance as written. He added that there will always be individuals who technically break the law to access off-road areas, and no one pays them much attention when they are acting reasonably. He likened the situation to the “no smoking within 10-feet of an entrance” law, stating that it is not worth the FPD’s time to enforce. He concluded by stating that the Council can state it is illegal and essentially allow the current practices to continue unenforced, but it will remove the safety issues presented with APV use on major roads.

Ms. Therrien agreed with Mr. Cleworth and asked to have her name added as a sponsor to the amended version of the ordinance. She requested that the Council approve the amended version, adding that the testimony of Mr. Belz and other citizens was very compelling and should be considered heavily. She concluded by stating that any other proposed changes would likely require more enforcement and policy work from the already short-staffed FPD.

Ms. Rogers asked to hear from Police Chief Dupee and Fire Chief Chambers in regard to the amended version of the ordinance.

Chief Dupee stated that the amended ordinance is in line with his recommendation at the last meeting and that his opinion has not changed. Chief Chambers agreed with Chief Dupee stating that he is in support of the amended version.

Mayor Matherly shared that he has received a lot of negative feedback for his support of the original ordinance but explained that he was trying to reach a compromise. He clarified that he is in favor of prohibiting APV use on City streets, and he recognized the huge safety risk it presents to the citizens of the City.

Mr. Gibson stated that the current amendment will not change anything and that the FPD will still need to enforce APVs being used illegally. He added that if APVs are allowed, the FPD will only have to enforce those that are operating outside the law. He likened the discussion to the one held regarding the onsite consumption of marijuana where there was a lot of talk about safety, but the ordinance passed.

Mayor Matherly noted that there are many individuals who were not aware that APV use was illegal in the first place, adding that the ordinance may help provide clarification.

Mr. Marney asked if there had been a fine established for the use of APVs on City streets, and Chief Dupee confirmed that there had been.

Mr. Cleworth shared that one person he had spoken to was opposed to ATV use on major streets but thought it was legal to use them for the short jaunts to the river, adding that he hopes these people who are being responsible are not punished because of this ordinance.

Mr. Gibson recalled that the Police and Fire Chiefs had been opposed to the onsite consumption of marijuana, yet the Council still allowed that ordinance to pass.

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

YEAS: Cleworth, Gibson, Rogers, Therrien, Marney

NAYS: Clark

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6186, as Amended, ADOPTED.

NEW BUSINESS

- a) Resolution No. 4997 – A Resolution Authorizing the City’s Participation in the Alaska Medicaid Supplemental Emergency Medical Transportation (SEMT) Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4998 – A Resolution Discouraging Local Businesses from Requiring Proof of Vaccination. Introduced by Council Member Clark.

Mr. Clark, seconded by **Mr. Cleworth**, moved to APPROVE Resolution No. 4998.

Ms. Therrien, seconded by **Ms. Rogers**, moved to POSTPONE INDEFINITELY Resolution No. 4998.

Ms. Therrien stated that the resolution was very divisive and does not align with the Council's decisions to not enforce mask mandates or other provisions during the pandemic.

Mr. Clark likened the resolution to the Mayor's practice of encouraging masks, adding that it is the Council's obligation to take a stand to encourage people to not take sides on the issue. He stated he felt that it was unfair to consider those who have received a vaccine a hero when there are many individuals who are unable or hesitant to get vaccinated. He added that the Council should discourage divisive business practices.

Ms. Rogers asked what Mr. Clark was seeking for enforcing that discouragement.

Mr. Clark stated that his only intention was to approve the resolution to discourage businesses from requiring proof of vaccination.

Mr. Cleworth requested that the maker of the motion withdraw the motion to postpone indefinitely so that discussion could be held on the resolution itself.

Ms. Therrien, with the concurrence of the Second, WITHDREW the motion to POSTPONE INDEFINITELY Resolution No. 4998.

Ms. Rogers stated she felt that the resolution was unnecessary.

Mr. Clark stated that the resolution would take things a step further by discouraging businesses to prohibit individuals from making their own decisions; he added that it would not be enforced.

Mayor Matherly stated that by discouraging business owners from running their business the way they want to, it creates a very negative feeling and goes against his intentions with encouraging mask-wearing.

Mr. Marney stated that it should be the business owner's decision to do as they please, likening the proof of vaccination requirement to an owner's ability to close early or go on vacation.

Mr. Clark stated that the resolution is intended to show support for people who have chosen not to get vaccinated.

Mr. Cleworth stated that a business has the right to require or not require proof of vaccination as they do with masking. He added that customers have a right to not patronize businesses that do not align with their desire to mask or show proof of vaccination. He went on to state that with the current way the resolution is written, he would likely vote against it.

Ms. Therrien stated that businesses have the right to decide who will be allowed to enter their doors and, from a business owner's standpoint, she did not feel the resolution was appropriate.

Mr. Gibson shared that Resolution No. 4946 was passed, which had been amended to encourage masking and social distancing for everyone. He added that it would be appropriate to vote on the resolution presently, as the Council has taken a stance on many things regarding businesses in the past. He stated that he would also be in favor of allowing Mr. Clark to work on the wording of the resolution to make it more acceptable to other Council members.

Mr. Cleworth, seconded by **Mr. Gibson**, moved to POSTPONE Resolution No. 4998 to the next regular City Council Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4998 TO THE NEXT REGULAR CITY COUNCIL MEETING AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

- c) Ordinance No. 6187 – An Ordinance Adopting the 2022 Operating and Capital Budgets. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- d) Ordinance No. 6188 – An Ordinance Amending Fairbanks General Code Sections 2-87, 2-114, and 2-115 Regarding Council Member Absences and Remote Participation. Introduced by Council Members Therrien and Gibson.

Ms. Therrien, seconded by **Mr. Gibson**, moved to ADVANCE Ordinance No. 6188.

Ms. Therrien, seconded by **Mr. Gibson**, moved to AMEND Ordinance No. 6188 by substituting Ordinance No. 6188, as Amended.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6188 BY SUBSTITUTING ORDINANCE NO. 6188, AS AMENDED, AS FOLLOWS:

YEAS: Gibson, Clark, Marney, Rogers, Therrien

NAYS: Cleworth

Mayor Matherly declared the MOTION CARRIED.

Ms. Therrien thanked the Council for their support of the amendment, adding that the proposed substitute would allow for the public and Council members to participate remotely.

Mr. Cleworth shared his concern that the amendment removed the requirement of Council members to attend in person completely; he expressed his opposition. He stated that it was important for the public to be able to see their elected Council members in person. He also spoke against the provisions for written testimony, adding that citizens currently can send emails to the Council. He spoke to the issues that could arise from reading all comments into the record, especially when there is a particularly passionate topic being discussed.

Ms. Therrien spoke in favor of the Clerk reading comments into the record, adding that it helps the public to understand why the Council may have voted a certain way. She added that the ordinance allows for remote access outside of the special allowances made due to the pandemic.

Mr. Gibson stated that public comments are limited to 7:30 p.m. He stated that time is typically extended but it is not often necessary. He added that the Council can decide to not hear written comments that fall outside of that time frame. He expressed his agreement with Mr. Cleworth regarding the obligation of the Council to attend in person whenever possible and asked for ideas on how to balance that requirement with the current age of technology.

Mayor Matherly shared his appreciation for the ability to attend Council meetings by Zoom and expressed his belief that the Council will likely not abuse the allowance. He stated that members should be responsible enough to use the allowance judiciously.

Mr. Marney stated that there are City employees who are required to attend the meetings, and there is usually a public audience. He agreed that Council members should be present.

Mr. Clark asked if there was an intended limit to the number of meetings a Council member could attend remotely.

Ms. Therrien stated that there was not a limit in the amendment but noted that requirements of the office state that no Council member may miss two or more meetings within a 60-day period.

Mr. Clark stated that he felt there should be a limit to remote participation by Council members.

Ms. Rogers noted that there are different levels of participation, and even those on Zoom can be more or less active in meetings; she suggested having requirements for Council members' remote attendance. She added to the Mayor's perspective that the Council has not had issues with participation, remotely or otherwise. She spoke to the responsibility of the Council to hear every citizen's comment and stated that public comments should be extended as necessary.

Mr. Cleworth stated that there will always be an exception to every rule, adding that the Council can approve remote attendance for members who cannot physically attend; he stated, however, that it should not be a practice allowed in general. He spoke to the issues with limiting public comment and choosing who gets to speak or whose written comments are read aloud. He stated that many times comments are received from people outside of Alaska.

Mayor Matherly suggested that there be discussion regarding the two items that seem to be the biggest issues of concern and recommended that the Emergency Declaration be left in place until those items could be worked out.

Ms. Therrien stated that work could be done during the next week, prior to the second reading.

Mr. Clark asked if the ordinance was part of the Emergency Declaration or if it would take the place of the current procedures once the Emergency Declaration was expired. **Mayor Matherly** confirmed that the ordinance would go into effect once the emergency declaration was expired.

Mr. Gibson reminded everyone that this is the first reading of the ordinance and that there is time to come up with some answers to the questions posed if it were to advance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6188, AS AMENDED, AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

DISCUSSION ITEMS

- a) Committee Reports

Mayor Matherly combined Committee Reports with Council Members' Comments below.

- b) 2022 Committee Assignments

City Clerk Snider explained the annual process of Council committee assignments.

Mayor Matherly stated that Ms. Kun had served on the Explore Fairbanks Board of Directors and asked if Mr. Cleworth, or any other Council member, would like to serve in that position. **Mr. Cleworth** declined. **Mr. Marney** stated that he would be willing to serve on the Explore Fairbanks Board of Directors, and **Mayor Matherly** appointed him to that role.

Mayor Matherly opened the floor for Council Members to discuss changes to their current committee assignments; there were no other changes.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Reappointment to the Permanent Fund Review Board

APPROVED on the CONSENT AGENDA.

- b) Fairbanks Diversity Council Meeting Minutes of October 12, 2021

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS & COMMITTEE REPORTS

Mr. Gibson shared that he had met with the FAST Planning Policy Board where they discussed the Airport Way/Cushman Street intersection. He reported that the State had acquired some of the adjoining properties as rights-of-way so that improvements could be made. He stated that there had been discussion about adding benches along 5th Avenue, adding that it would be good for the Council to have further discussions on the matter. **Mr. Gibson** shared his happiness that the Wendell Street Bridge had opened with a temporary light and a permanent one to follow.

Mr. Marney shared that the Discretionary Fund Committee met on November 9, 2021. He added that there were 32 applicants for the grant funds and that, unfortunately, 11 of the applicants were eliminated due to paperwork or timeliness issues. He stated the eliminations resulted in many questions and phone calls. He stated that the presentation meeting will be held on December 15, 2021. **Mr. Marney** invited anyone who was interested to join him at the First Presbyterian Church the following Wednesday, where they would be giving out approximately 1,500 food boxes for families in need.

Mr. Clark stated he did not have any committee reports but shared his appreciation for the mild weather Fairbanks has had recently. He wished everyone a happy Thanksgiving with a reminder to be grateful.

Ms. Therrien shared that she had attended the AML conference and was reelected to the Board of Directors. She gave highlights to some of the sessions she attended, including topics such as retirement benefits, housing and homeless, ranked choice voting, and tribal governance. She added that the City could improve its communications with tribal governments in the area. She noted that that Senator Lisa Murkowski had spoken on the infrastructure bill. **Ms. Therrien** shared information on the resolutions discussed at the AML business meeting, adding that she would make sure copies were distributed to the Council. She shared that FNSB Mayor Ward had been awarded the Vic Fisher Award. **Ms. Therrien** added that City Lobbyist Yuri Morgan would like the Legislative Committee to meet on Wednesday afternoons at 4:00 p.m. beginning in January. She thanked everyone for their discussion and participation, adding that she was grateful for the Council's ability to work together. She added wishes for a happy Thanksgiving.

Ms. Rogers thanked the Fire and Police Chiefs for their involvement with Crisis Now. She shared that the Housing and Homeless Coalition was suffering without the direction of solid leadership, adding that it has turned into a team effort to keep the group going. She remarked on cold weather and on those who are endangered by cold temperatures. She added that she had recently attended meetings of the Opioid Work Group, the Suicide Prevention group, and the Fairbanks Diversity Council (FDC), and she added that the FDC had reached a quorum and had a successful meeting. **Ms. Rogers** noted that the planters placed around the downtown area provide a type of bench for people, and she hoped they would not be replaced or removed.

Mr. Cleworth stated that the downtown planters were a terrible idea, because they do not promote accessibility and they make snow removal problematic. He added that benches on 5th Avenue have likely been planned to interfere as little as possible with accessibility and snow removal but recommended that they be avoided, if possible. He went on to speak to the old boiler system at City Hall; he noted its historical significance and asked that it be preserved. **Mr. Cleworth** shared his sadness in the recent losses of former Council Member Romar Swarner and also the passing of Joe Penetac. He added that Joe Penetac had been wheelchair-bound and was a big part of the downtown community. He asked that the Transportation Improvement Plan (TIP) report from FAST Planning be distributed to all Council Members. He passed along his wishes for a happy Thanksgiving and thanked Mr. Marney for his work with the food box program.

CITY CLERK'S REPORT

- a) Memorandum Regarding 2022 City Council Meeting Schedule

Ms. Therrien, seconded by **Ms. Rogers**, moved to ACCEPT the corrections to the August meeting dates as presented by the City Clerk.

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

Ms. Therrien asked when the Council could expect to see the Borough Assembly 2022 calendar. Clerk Snider stated that she would share it as soon as she received it from the Borough.

Mr. Gibson, seconded by **Mr. Marney**, moved to ENTER Executive Session to discuss the Public Safety Employees Association (PSEA) 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) Public Safety Employees Association Labor Negotiation Strategy

Ms. Therrien shared that the City Council met in Executive Session to discuss the PSEA labor negotiation strategy; direction was given to the negotiating team, and no action was taken.

ADJOURNMENT

Mr. Cleworth requested to meet in Executive Session at the next regular meeting to discuss the PSEA labor negotiation strategy.

Mr. Marney, 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 10:09 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR