



FAIRBANKS CITY COUNCIL
SPECIAL MEETING MINUTES, MARCH 1, 2021
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 5:30 p.m. on the above date to conduct a Special Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding (remotely) and with the following Council Members in attendance:

Council Members Present: Shoshana Kun, Seat A
June Rogers, Seat B (remotely)
Valerie Therrien, Seat C
Aaron Gibson, Seat D
Lonny Marney, Seat E (remotely)
Jim Clark, Seat F

Absent: None

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Angela Foster-Snow, HR Director
Mike Meeks, Chief of Staff
Ron Dupee, Acting Police Chief
Jeff Jacobson, Public Works Director (remotely)
Kristi Merideth, FECC Manager (remotely)

Mayor Matherly stated that the purpose of the Special Meeting is to hold an Executive Session for the purpose of discussing complaints that would tend to prejudice the reputation and character of the Chief of Police appointee and how the complaints might affect his qualification for the position. He stated, however, that Lt. Dupee can request that the discussion be held in an open session. He shared that the administration had communicated with Lt. Dupee who indicated that he did not wish for the discussion to be held in open session.

Mr. Gibson, seconded by **Ms. Therrien**, moved to ENTER into Executive Session for the purpose of discussing complaints that would tend to prejudice the reputation and character of the Chief of Police appointee and how the complaints might affect his qualification for the position.

Mayor Matherly called for objection to the motion to ENTER into Executive Session, and **Ms. Therrien** objected.

Ms. Therrien stated that the motion that initiated the Executive Session was a motion to postpone the vote on the confirmation of the Police Chief appointment until the Council could discuss his qualifications. She stated that she believes the topic of the Executive Session should not be limited to the complaints. She asked City Attorney Ewers whether the motion that initiated the Executive Session included a discussion on the appointee's qualifications and whether the motion on the floor would limit the debate in Executive Session.

City Attorney Ewers replied that discussion on the appointee's qualifications does not qualify for an Executive Session topic. He referenced an Alaska Supreme Court case involving the City of Kenai where the court ruled that discussing the qualifications of an applicant would generally not harm their reputation or character. He stated that the motion on the floor would qualify as an Executive Session topic, and discussion would be limited to the complaints.

Ms. Therrien withdrew her objection to the motion to enter into Executive Session.

Mayor Matherly again called for objection to the motion to ENTER into Executive Session, and no members objected..

Mayor Matherly stated that Lt. Dupee has requested that he be allowed to attend the Executive Session, and the Council may allow that.

Ms. Therrien asked City Attorney Ewers whether it is normal to allow the person who is the subject of discussion to participate in the Executive Session.

City Attorney Ewers replied that the Council may allow individuals to attend Executive Sessions as they feel necessary. He indicated that these types of Executive Sessions occur rarely and that he is unsure whether an Executive Session for this specific purpose had ever occurred before at the City. He stated that in other similar instances, the Council has and can allow individuals from the public to attend.

Ms. Therrien asked whether by allowing Lt. Dupee to attend, that would mean that he will have the opportunity to address the Council. Attorney Ewers indicated that Lt. Dupee may address the Council if the Council permits it.

Ms. Kun stated that the Council has been given a confidential document from an outside source, and she asked about procedure. City Attorney Ewers stated that Lt. Dupee is the subject of the complaints, and the Council may ask questions of him during the Executive Session discussion.

Mayor Matherly asked the Council whether anyone objected to allowing Lt. Dupee to attend the Executive Session. No members objected.

Mayor Matherly called for a brief recess to transition into Executive Session. The Council reconvened in Executive Session.

EXECUTIVE SESSION

a) Qualification of Ron Dupee for Position of City of Fairbanks Chief of Police

The City Council met in Executive Session to discuss complaints that would tend to prejudice the reputation and character of the Chief of Police appointee and how the complaints might affect his qualification for the position. Those items were discussed, and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 6:12 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: DS