



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, FEBRUARY 14, 2022
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding (remotely) and with the following Council Members in attendance:

Council Members Present: 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
 D. Danyielle Snider, City Clerk
 Paul Ewers, City Attorney
 Michael Sanders, Chief of Staff
 Kristi Merideth, FECC Manager (remotely)
 Angela Foster-Snow, HR Director (remotely)
 Ron Dupee, Police Chief
 Rick Sweet, Deputy Police Chief
 Clem Clouten, Building Official (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 lead the Flag Salutation.

CITIZENS' COMMENTS

Victor Buberger, Fairbanks – V. Buberger stated that the roads were looking better and asked for details regarding the potential sale of the downtown parking garage. He wished everyone a happy Valentine's Day.

Gene Salzman, Fairbanks – G. Salzman shared that he had been a Fairbanks resident for nearly 47 years and that there has been an ongoing issue with the streetlights in the Taku Subdivision over the past four years. He gave a report on the multiple fixes and subsequent failures. He added that

after speaking with Public Works Director, Jeff Jacobson, a contractor showed up on Wednesday, nearly a week after he reported the problem. He asked that the Council investigate this reoccurring matter and provide a permanent fix, adding that the lights were working earlier in the evening.

Mr. Marney asked G. Salzman which street he lives on; Mr. Salzman replied that he lives on Riverview Drive. He added that usually all the lights in the subdivision fail at the same time; however, the last time there was an outage only about half of the lights went out.

Nick Clark, Fairbanks – N. Clark spoke to Resolution No. 5005 and asked the Council to postpone the vote until a work session could be held. He added that it would be valuable to hear all the facts and from both sides of the issue.

Ms. Therrien asked who would attend the work session. N. Clark suggested that Battalion Chief Lozano with the Fairbanks Fire Department (FFD), who has been heavily involved with HB 55, would be willing to attend. He indicated that there were others who may be interested in attending.

Brent Nichols, Fairbanks – B. Nichols expressed his agreement with N. Clark, asking that the Council delay its formal opposition to HB 55. He added that he did not think the City should oppose the bill as it has a tremendous effect on the people who keep the City operating. He spoke to the cost savings, stating that he believed it could be more expensive for the City to oppose the bill. He asked the Council to allow for a work session to be held to gain a better understanding of all the bill's components.

Mr. Cleworth asked B. Nichols if he would prefer to be in the Social Security system. B. Nichols responded that he is not a public employee and that he pays in the to the Social Security system.

Mr. Gibson asked if B. Nichols was aware of the amount of money the City currently spends on retirement benefits; B. Nichols stated that he was not. **Mr. Gibson** asked B. Nichols if he was aware of the unfunded liability associated with PERS. B. Nichols stated that he was not a legal expert, but he had heard from union employees who felt these types of programs were in their best interest. He encouraged the Council to reach out to those affected by the bill.

Mr. Clark asked B. Nichols if he knew the cost of the current Fairbanks Firefighters Union (FFU) contract. B. Nichols stated that he worked with the Fairbanks Central Labor Council, of which the FFU is a member, but he did not have the detailed information in front of him. B. Nichols clarified that his intent was to ask the Council to postpone the resolution so that they could hear from the employees who would benefit from HB 55 before opposing the bill.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien asked to pull item 12(a) under New Business and item 14(a) under Written Communications to the City Council.

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 December 13, 2021

APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of January 17, 2022

APPROVED on the CONSENT AGENDA.

- c) Special Meeting Minutes of January 27, 2022

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
4819	The Antler Room	Beverage Dispensary	The Antler Room, Inc.	1003 Pioneer Road, #A

Mr. Marney, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Liquor License Application 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 LIQUOR LICENSE APPLICATION FOR RENEWAL AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

- a) Special Reports

Amy Geiger, Explore Fairbanks – A. Geiger provided the 2022 Visitors Guide to the Council and read the first two paragraphs of the welcoming statement from the publication. She shared the production numbers and distribution methods for the Guide, adding that they expected to see an increased interest in the coming year.

Mr. Clark asked about the cost to produce the Guide; A. Geiger explained that it varies each year based on the amount of paid advertising. She stated that the cost this year was about \$0.90 each, adding that the mailing costs are significantly higher than the production. **Mr. Clark** asked about the distribution. A. Geiger explained that some are sent to Europe, a few are distributed in Alaska, and the vast majority are sent to locations in the Lower 48.

Mr. Marney asked about methods for businesses to advertise in the Guide. A. Geiger explained that members may have a listing for free and noted the different price breaks for retail or non-profit organizations. She spoke to the different types of advertising, including promotion on the Explore Fairbanks website.

Mr. Clark asked about the number of members served by Explore Fairbanks. A. Geiger stated she thought the current membership totaled around 400. **Mr. Marney** shared that he had recently learned during his orientation with the board that they had between 300 and 330 partners.

Mayor Matherly spoke to G. Salzman's testimony and stated that City Engineer Bob Pristash was working on the streetlight issue in the Taku Subdivision. He thanked V. Buberger for noticing the work done on the City streets. He passed his appreciation on to Public Works and the Alaska DOT for their long hours and hard work to get the roads into passable shape. He spoke to the positive articles in the newspaper regarding youth sports, adding there had been a lot of great games recently. He acknowledged the tough decisions being made by the Fairbanks North Star Borough (FNSB) School Board and encouraged folks who have questions or frustrations to reach out to school board members or attend their meetings. **Mayor Matherly** spoke positively about ongoing labor negotiations, adding that Mike Sanders had stepped into his role handily and was doing a lot of great work. He added that Mike Meeks is still missed tremendously but he was thankful for having Mike Sanders available to step into that role. He added that Fire Chief Chambers had emailed the Council and encouraged them to reach out to him.

COUNCIL MEMBERS' COMMENTS

Mr. Gibson congratulated the five youth hockey teams that competed in Anchorage, adding that his son was on one of the teams. He stated it was a great showing with Fairbanks representing more teams than anyone else, adding that there was a lot of good competition.

Mr. Marney stated he had no comments.

Mr. Clark stated he had no comments.

Ms. Therrien stated she had no comments.

Ms. Rogers thanked everyone for taking the time to testify, adding that without knowing the issues, the City cannot find appropriate solutions. She asked if there were other neighborhoods experiencing the same streetlight issues or if it was an isolated area. **Ms. Rogers** acknowledged the letter received from Chinook Charter School and their request for a tax exemption. She thanked A. Geiger for the Explore Fairbanks report and for providing the 2022 Guide to the Council.

Mayor Matherly responded that the only known neighborhoods with streetlight issues were Taku and Westgate.

Mr. Cleworth stated that he agreed with the Mayor on those two neighborhoods, adding that it had been a reoccurring issue for the past twelve years. He expressed hope that the City Engineer could get involved and find a long-term solution.

UNFINISHED BUSINESS

- a) Ordinance No. 6195 – An Ordinance Amending Fairbanks General Code Sections 2-260 and 2-261 By Adding High Yield Corporate Bonds in the City Permanent Fund Investment Policy. Introduced by Council Member Therrien. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Mr. Clark**, moved to ADOPT Ordinance No. 6195.

Victor Buberger – V. Buberger expressed his concern for allowing riskier investments, stating that he believed that high yield corporate bonds have been referred to as high-risk junk bonds. He questioned the wisdom in risking the citizens' money in that type of investment.

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

Mr. Clark thanked Ms. Therrien for the ordinance, adding that it was very timely. He stated that these options allow the City to fight against inflation and asked to be added as a sponsor.

Mr. Cleworth shared the history of the City Permanent Fund, adding that it began extremely conservatively. He noted that in its inception, savings accounts were still earning high interest, which is not the case today. He went on to state that some of the investments have become riskier, noting the major loss that occurred in 2008. He spoke in favor of looking at other investment options but advised the Council to remain cautious.

Ms. Therrien spoke in favor of the ordinance, adding that a work session had been held on the topic. She gave some information on the financial source for the new investments and spoke in favor of the program provided by Alaska Permanent Capital Management (APCM). She added that the Permanent Fund Review Board has worked very hard on the ordinance and that while there is some risk, she felt it was minimal and an important step in protecting the Fund from inflation.

Ms. Rogers spoke in favor of the ordinance, adding that the work session was very informative. She stated she was confident in the answers provided from the experts and thanked Ms. Therrien for her work in drafting the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6195 AS FOLLOWS:

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

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6195 ADOPTED.

- b) Ordinance No. 6196 – An Ordinance Amending Fairbanks General Code Chapter 66 Article II Accounts for Residential and Commercial Solid Waste Collection. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Marney, seconded by **Mr. Cleworth**, moved to ADOPT Ordinance No. 6196.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6196, AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6196 ADOPTED.

- c) Ordinance No. 6197 – An Ordinance Amending Fairbanks General Code Sections 2-422 and 2-430, Chena Riverfront Commission, by Reducing the Number of Members and Quorum Requirements. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Gibson, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6197.

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

Mayor Matherly, seconded by **Mr. Clark**, moved to POSTPONE Ordinance No. 6197 until the Regular City Council meeting of March 28, 2022, to allow time for the FNSB Assembly to consider its companion ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6197 UNTIL THE REGULAR CITY COUNCIL MEETING OF MARCH 28, 2022, TO ALLOW TIME FOR THE FNSB ASSEMBLY TO CONSIDER ITS COMPANION ORDINANCE AS FOLLOWS:

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

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

NEW BUSINESS

- a) Resolution No. 5005 – A Resolution Opposing HB 55 Reestablishing a Defined Benefit Program. Introduced by Council Members Cleworth and Clark.

Mr. Cleworth, seconded by **Mr. Clark**, moved to APPROVE Resolution No. 5005.

Ms. Therrien, seconded by **Ms. Rogers**, moved to POSTPONE Resolution No. 5005 until the Regular City Council meeting of March 28, 2022, so that a work session could be held with the firefighters.

Ms. Therrien shared that she would be attending the Alaska Municipal League (AML) Winter Legislative Conference the following week where they would be discussing HB 55 and making recommendations. She added that the actuarial account of costs has not been completed and advised the Council to postpone its vote until those numbers could be provided.

Mr. Clark expressed concern that the State Legislature is receiving feedback only from the firefighters and not municipalities, adding that the issue may snowball if the Council postpones.

Mr. Gibson shared his support of postponement but stated that March 28 would be too late. He added that public comment has been received, and he would support having a work session.

Mr. Cleworth shared some history on defined benefits and stated he felt it was important to provide a formal opinion to the State Legislature as soon as possible, adding that it would be beneficial to send the approved resolution to other municipalities to gain more support. He stated he was not in favor of another work session or postponement.

Ms. Therrien recognized the concerns with postponement and asked for suggested dates other than March 28.

Mr. Gibson shared his support of the resolution as written but recognized the value in hearing both sides of the issue. He stated he would like to see it addressed at the next meeting in February.

Mr. Marney questioned why the Fairbanks Police Department (FPD) would not be included in the conversation and shared his concerns regarding the complexity of the bill.

Ms. Therrien, with concurrence of the second, WITHDREW her motion to postpone Resolution No. 5005.

Ms. Therrien, seconded by **Ms. Rogers**, moved to POSTPONE Resolution No. 5005 until the Regular City Council meeting of February 28, 2022, with a Work Session to be held before that date.

Mr. Cleworth asked what would happen if the Senate moved on HB 55 sooner. **Ms. Therrien** indicated that a special session could be held to address the resolution if that were to happen; however, she did not foresee it as likely.

Mr. Cleworth felt strongly that it was too much of a risk and spoke against postponement.

Mr. Clark shared his agreement with Mr. Cleworth and spoke against postponement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 5005 UNTIL THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 28, 2022, WITH A WORK SESSION TO BE HELD BEFORE THAT DATE AS FOLLOWS:

YEAS: Therrien, Rogers, Gibson, Matherly

NAYS: Cleworth, Marney, Clark

Mayor Matherly declared the MOTION CARRIED and Resolution No. 5005 POSTPONED.

Mayor Matherly stated that he would call a special meeting if the bill appeared to be moving quicker than expected.

WRITTEN COMMUNICATIONS TO COUNCIL

a) Memorandum Regarding Police Department Temporary Detectives

Mr. Gibson, seconded by **Mr. Marney**, moved to ACCEPT the Memorandum Regarding Police Department Temporary Detectives.

Ms. Therrien asked Police Chief Dupee to explain the temporary positions. Chief Dupee explained that there were currently nine open positions and that the current CBA allows the department to fill one permanent position with two temporary positions. He indicated that this would allow for a couple of currently retired officers to come back and help with investigations and the current case load so that patrol levels would not suffer.

Ms. Therrien asked about the time restrictions for temporary positions. Chief Dupee stated they can only be employed for 1,040 hours per year.

Ms. Rogers asked for clarification on why the item was brought before the Council. HR Director Angela Foster-Snow stated that because it is a change in the positions of the Department it is brought to the Council so that members are made aware.

Mayor Matherly called for objection to ACCEPTING the Memorandum and, hearing none, so ORDERED.

COUNCIL MEMBERS' COMMENTS & COMMITTEE REPORTS

a) Committee Reports

Mr. Clark expressed his disappointment with the postponement of Resolution No. 5005, adding that HB 55 could make a lot of progress before the Council is able to vote on the resolution. He went on to state that it could effectively stop the Council from passing a formal opinion on to other municipalities in time to make a difference.

Mr. Marney shared he was now a board member for Explore Fairbanks and had attended an orientation earlier that day.

Mr. Gibson stated that the defined benefit program is a concern as an unfunded liability, adding that while it states it will be paid off by 2039, there is no guarantee. He added to his earlier comments by noting that Chief Dupee had been the coach for one of the youth hockey teams that participated in Anchorage.

Mr. Cleworth shared that he had attended the most recent FNSB Assembly meeting where they had passed a tax exemption in regard to military personnel and explained that the intent was to provide contractors building residential units a tax exemption or a 10-year deferral. He stated he was asked when the City would follow suit and explained that, historically, the City has not provided tax exemptions of that nature. **Mr. Cleworth** noted that there have been comments regarding the FAST Planning Technical and Policy Committee meetings, adding that they are held only virtually at this time. He asked that the Mayor and Mr. Gibson bring up the possibility of returning to in-person meetings. He complimented the City Clerk's Office on bringing Council meeting minutes up to date. **Mr. Cleworth** asked whether the practice of reading the City's mission statement at the beginning of each Council meeting was memorialized in the Fairbanks General Code (FGC). City Clerk Snider explained that it was not codified and shared her understanding of how it came about, starting in 2017. **Mr. Cleworth** asked if it would be possible to remove the reading of the mission statement to move meetings along more quickly.

Mayor Matherly stated that he had no objections to removing the reading of the mission statement from meetings. He shared that there had been discussion at the last FAST Planning meeting regarding moving back to in-person meetings starting in March.

Ms. Rogers shared that she had attended meetings for the Reentry Coalition, Crisis Now, the Homeless and Housing Coalition, and Stars of Gold Readers and that each group was moving forward quite well. She noted that Mike Sanders had been aiding the Housing and Homeless Coalition and that it was much appreciated. She recognized the upcoming Elizabeth Peratrovich Day, which had been established in her honor for her work as an advocate for non-discrimination.

Ms. Therrien shared updates from the Legislative Committee meeting, adding that there had been a lot of discussion regarding HB 55. She provided updates that had been made to the Governor's budget and information on the various bills currently being circulated. She shared that Senator Lisa Murkowski had attended a work session with the Committee, along with six of her staff members. She shared that there would be a grant symposium at the Dena'ina Center in Anchorage and hoped that someone from the City Finance Department could attend. **Ms. Therrien** added that Senator Murkowski has indicated that the infrastructure bill would be focused on rural communities, quelling the concerns that those communities may have a hard time getting access to those funds. **Ms. Therrien** shared that the AML Legislative Committee had also met and discussed many of the same topics as well as school debt reimbursement and deferred major maintenance.

Ms. Rogers asked CFO Bell to pass along thanks for the sweet treats from the Finance Department.

Mr. Clark, seconded by **Mr. Cleworth**, 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 (PSEA) Labor Negotiation Strategy

The City Council met in Executive Session to discuss Public Safety Employees Association (PSEA) Labor Negotiation Strategy. Direction was given to the negotiating team, and no action was taken.

Mayor Matherly raised the issue of scheduling a work session on Resolution No. 5005 and suggested possibly holding the meeting in conjunction with the next Finance Committee meeting.

Chief of Staff Sanders stated that CFO Bell had indicated that the Finance Committee meeting agenda was very full, but they were going to discuss holding the work session on that Wednesday.

Mr. Cleworth stated he would like to ensure that all sides could be heard at the work session and asked that if it is held during the Finance Committee meeting, a time limit be put in place to hinder repetitive discussion.

Ms. Therrien requested that the work session be held on the Thursday following the Finance Committee meeting so that it did not interfere with the Finance Committee agenda.

Mayor Matherly called for objection to holding the work session at 7:00 a.m. on Thursday, February 24, 2022, and hearing none, so ORDERED.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 8:30 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR