



FAIRBANKS CITY COUNCIL
AGENDA NO. 2022-08
REGULAR MEETING – APRIL 11, 2022
MEETING WILL BE HELD VIA [ZOOM WEBINAR](#) AND AT
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION
5:30 p.m. – Fairbanks Downtown Plan

REGULAR MEETING
6:30 p.m.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
5. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to three minutes, and the comment period will end no later than 7:30 p.m. Any person wishing to speak needs to complete the register located in the hallway. Respectful standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, please silence all cell phones and electronic devices.

NOTE: The Mayor, Council Members, and the public may participate remotely at City Council meetings. Citizens may provide testimony via Zoom webinar if registered to do so in advance of the meeting (the three-minute time limit applies to all forms of public testimony); however, in-person testimony will be given preference. To help achieve social distancing, the seating in Council Chambers is spread out and limited. No more than 30 individuals will be allowed in the Chambers at the same time. Citizens arriving after the maximum number has been reached may be directed to wait in another area until it is their turn to speak to the Council. Meeting attendees are encouraged to wear a mask or face covering (masks are available to those who do not have one). We thank you for your understanding and cooperation.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

*a) Regular Meeting Minutes of March 28, 2022

8. SPECIAL ORDERS

a) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Applications for Renewal. Public Testimony will be taken and limited to three minutes.

| Lic. # | DBA | License Type | Licensee | Address |
|--------|-----------------------------|---------------------|--------------------------|------------------|
| 104 | Red Lantern Steak & Spirits | Beverage Dispensary | Westmark Hotels, Inc. | 813 Noble Street |
| 542 | Geraldo's Restaurant | Beverage Dispensary | Garlic Lovers, LLC | 701 College Road |
| 4247 | Brewsters | Beverage Dispensary | Restaurant Concepts, LLC | 3578 Airport Way |

b) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Transfer of Ownership and Location. Public testimony will be taken and limited to three minutes:

Type/License: Package Store, License #3282
 DBA: No DBA
 Applicant: Holiday Alaska, LLC
 Location: No Premises
 From Owner: Sam's West, Inc.
 From DBA: Sam's Club #6603
 From Location: 48 College Road, Fairbanks

c) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Transfer of Controlling Interest and Restaurant Designation Permit. Public testimony will be taken and limited to three minutes:

Type/License: Beverage Dispensary, License #4395
 DBA: The Banks Alehouse
 Applicant: Goethe, LLC
 Location: 1243 Old Steese Highway, Fairbanks
 From Owner: Goethe, LLC (controlling interest only)

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6202 – An Ordinance Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Transportation for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

12. NEW BUSINESS

- *a) Resolution No. 5009 – A Resolution Expressing Gratitude to Senator Lisa Murkowski for Helping Secure Funding for the Demolition of the Polaris Building. Introduced by Council Member Therrien.
- *b) Ordinance No. 6203 – An Ordinance Authorizing the Lease of Golden Heart Plaza to Festival Fairbanks. Introduced by Mayor Matherly.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- *a) Chena Riverfront Commission Meeting Minutes of February 23, 2022

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

19. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MARCH 28, 2022
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a 5:30 p.m. Work Session to discuss City of Fairbanks Downtown Priorities, 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: June Rogers, Seat B
Valerie Therrien, Seat C
Aaron Gibson, Seat D
Lonny Marney, Seat E
Jim Clark, Seat F

Absent: Jerry Cleworth, Seat A (excused)

Also Present: Margarita Bell, Chief Financial Officer (remotely)
D. Danyielle Snider, City Clerk
Paul Ewers, City Attorney
Michael Sanders, Chief of Staff
Kristi Merideth, FECC Manager (remotely)
Angela Foster-Snow, HR Director
Ron Dupee, Police Chief
Rick Sweet, Deputy Police Chief
Scott Raygor, Interim Fire Chief
Clem Clooten, Building Official (remotely)

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

At the request of **Mayor Matherly**, Ms. Therrien lead the Flag Salutation.

CEREMONIAL MATTERS

Mayor Matherly acknowledged the passing of U.S. Congressman Don Young, noting that flags were currently at half-staff and would remain so until memorial services could be held.

CITIZENS' COMMENTS

Wade Kalloch, Fairbanks – W. Kalloch expressed his frustration at receiving multiple “parking over 24 hours” parking tickets while his vehicle was parked on the 300 block of Third Avenue. He stated that there was no signage indicating that he should not park there. He noted that there had

been a motorhome parked on Second Avenue all winter as well as other trailers parked on Fourth Avenue, requiring snow plows to work around them. He questioned why those vehicles had not been ticketed or towed.

Mayor Matherly asked W. Kalloch to provide his contact information to the Chief of Staff so that he could discuss the issue further with him.

Ms. Rogers asked W. Kalloch if he had contacted the Parking Authority. W. Kalloch replied that he had; he stated that one employee was unsure what to do and another made no effort to listen to or help him.

Jomo Stewart, Fairbanks Economic Development Corporation (FEDC) – J. Stewart shared that his organization had been working to keep people informed on important issues in the community, including elections. He went on to share information regarding upcoming changes to the voting process with the state, adding that it would be important to educate citizens on the new Ranked-Choice Voting (RCV) system that would be effective in the 2022 State election. He noted that there had been presentations done by Alaskans for Better Elections and other groups to help educate voters on the new voting method. He shared that the FEDC would be at the Midnight Sun Festival with more information.

Ms. Therrien noted that she was a member of the League of Women Voters of Tanana Valley (LWVTV) and that they had also been providing education about RCV.

Mr. Clark asked why RCV training was necessary. J. Stewart stated that it would be a new and completely different process, adding that the more comfortable people were with it, the more successful it would be. He went on to describe the mock voting exercise he had participated in.

Victor Buberger, Fairbanks – V. Buberger spoke to the lack of public restrooms in the downtown area. He stated that the bus station was requiring Alaska Natives to produce two types of identification to use their restrooms, while not requiring others to do the same. He went on to note that local businesses refuse to allow use of their restrooms for fear that drunk and homeless people will abuse them. V. Buberger stated that the City needed to catch up with the times and provide public restrooms like Anchorage has done. He recommended using the “golden heart” theme and establish golden toilets, or in the very least provide pee buckets. He added that he has urinated in every parking lot in the City because of the lack of public restrooms.

Corinne Howell, Fairbanks – C. Howell spoke to the current inaccessibility to all bus stops, adding that none of them had been cleared of snow and ice. She noted that snow is a guaranteed occurrence in the area, and the City, Borough, and State should be prepared, no matter how much each year brings. C. Howell went on to share that the City of Juneau, through federal and state grant funding, had been able to purchase equipment specifically for clearing bus stops. She added that she had spoken to the Fairbanks North Star Borough (FNSB) as well, noting that this has been an issue since at least 2013. She added that she has a family member who has had to deal with the problem every year. C. Howell recommended that the City, DOT, and FNSB either modify their current job descriptions to include bus stop clearing or hire a position specifically for that task. She also recommended research into a grant to supply the equipment and possible funding for the position.

Mayor Matherly indicated that he had done some research on the topic and would contact C. Bowell soon.

Ms. Rogers asked C. Bowell if she had spoken to other entities besides the City of Juneau and the FNSB. C. Bowell stated that she had spoken to the FNSB and the DOT and that both had responded to the best of their ability; she stated, however, she felt that the issue was a result of a lack of equipment and appropriate job descriptions.

Brian Beal, Fairbanks – B. Beal thanked the Mayor and Council for bringing Fairbanks through the pandemic. He spoke in memory of former Chief of Staff Mike Meeks and read a summary of his obituary. He stated that we are only as good as the people we surround ourselves with and asked the Council to sign a card for Mr. Meeks' wife. He thanked the Mayor and the Council for all their efforts.

Randy Bowell, Fairbanks – R. Bowell shared that he is a mechanical engineer and has been an advocate with Access Alaska for the past twenty years fighting to improve accessibility in transportation. He shared some of the accomplishments of his group, Wallbusters, in creating more accessible facilities around the Fairbanks area. He went on to speak to the issues around accessibility to bus stops in the wintertime, adding that if you are in a wheelchair and do not have access to Van Tran, you may not have any public transportation options. He stated that since the pandemic, front entry to buses has been prohibited. R. Bowell noted that not having adequate wheelchair accessibility to public bus shelters and bus stops is against federal regulations.

Ms. Therrien asked R. Bowell if he had brought his concerns to the attention of the FNSB. R. Bowell indicated that he has spoken to them but has not made any official complaints.

Mr. Gibson asked to the length of time busses have had restricted access due to COVID-19 protocols; R. Bowell indicated that it had started in March of 2021.

Mr. Marney asked R. Bowell if he had met him at the FNSB assembly meeting. R. Bowell said he and his mother had spoken there about the same issues.

Ms. Rogers asked R. Bowell if his father was Richard Bowell. R. Bowell confirmed that he was and spoke to his family's history in the Fairbanks area.

Mayor Matherly asked R. Bowell to give his contact information to Chief of Staff Sanders.

Tim Staton, Fairbanks – T. Staton shared that he owned a jewelry store downtown and spoke to the problems with current setup of vendor booths during the Midnight Sun Festival. He noted that the same concerns had been brought to the Council the prior year where it had been indicated that the issues could be addressed during the permitting process. He stated that businesses are not well patronized during the events and that revenue has dropped significantly since the vendor booths had been moved to the sidewalks instead of in the center of the street.

Ms. Therrien asked T. Staton if he had spoken to David van den Berg with the Downtown Association (DTA). T. Staton stated that he had not spoken with him yet this year but has every previous year. He added that the DTA does not meet or communicate with downtown businesses.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Matherly called for objection to the APPROVAL of the Agenda and, hearing none, so ORDERED.

City Clerk Snider read the Consent Agenda into the record.

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS

a) Regular Meeting Minutes of March 14, 2022

APPROVED on the CONSENT AGENDA

SPECIAL ORDERS

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

| Lic. # | DBA | License Type | Licensee | Address |
|--------|------------------------------|-------------------------|-----------------|-----------------------------------|
| 5266 | Fushimi | Restaurant/Eating Place | Fushimi, LLC | 607 Old Steese Highway, Suite 105 |
| 1475 | Pizza Hut of Fairbanks | Restaurant/Eating Place | MP2 Alaska, LLC | 89 College Road |
| 4395 | The Banks Alehouse | Beverage Dispensary | Goethe, LLC | 1243 Old Steese Highway |
| 5353 | Fairbanks Distilling Company | Distillery | Patrick W Levy | 410 Cushman Street |

Mr. Clark, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Liquor 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 LIQUOR LICENSE APPLICATIONS FOR RENEWAL AS FOLLOWS:

YEAS: Therrien, Rogers, Gibson, Marney, Clark

NAYS: None

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED.

c) The Fairbanks City Council heard interested citizens concerned with the following Liquor License Application for Transfer of Ownership and Restaurant Designation Permit:

Type/License: Restaurant/Eating Place, License #3050

DBA: All Star

Applicant: All Star, LLC
Location: 1448 S. Cushman Street, Fairbanks
From Owner: Three Star, LLC
From DBA: Kanpai
From Location: 1448 S. Cushman Street, Fairbanks

Mr. Marney, seconded by **Ms. Therrien**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership and Restaurant Designation Permit.

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 RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

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

MAYOR'S COMMENTS AND REPORT

Mayor Matherly shared Public Works' new night snow removal schedule, acknowledging that it would not be convenient for everyone. He stated that the work is necessary with the extreme amount of ice and snow in order to prevent flooding. He went on to speak about the passing of U.S. Congressman Don Young and expressed his condolences. **Mayor Matherly** congratulated all the Interior high school basketball teams that competed in the recent State tournament, adding that his son played for Hutchinson High School and he enjoyed watching the game virtually as he celebrated the birth of his first grandchild. He went on to address downtown parking issues, noting that not everyone will always receive a ticket but that he would investigate the three tickets received by W. Kalloch and the alleged lack of signage. He spoke to the accessibility issue with bus stops, noting the unprecedented amount of snow; he admitted that he had not heard much about that issue before, nor had he given it much thought. He added that there are some stops in the City, and he recently began discussing the issue with FNSB Mayor Ward to see what could be done.

COUNCIL MEMBERS' COMMENTS

Mr. Gibson stated that he would investigate the COVID-19 protocols that are limiting access to busses, noting that they are failing the people who need the access most.

Mr. Marney stated he had no comments.

Mr. Clark noted that there were large amounts of standing water on the roadways and asked drivers to please be courteous and not splash pedestrians when driving by them.

Ms. Therrien applauded the LWVTV in their efforts to educate voters on RVC and clarified that it would only be used for the State general election.

Ms. Rogers shared her appreciation for Chief of Staff Sanders and spoke to some of the comments made during the Work Session. She stated that the discussions were both in-depth and refreshing, adding that issues of concern and consequence to people in the community should not be rushed.

Mayor Matherly provided a follow-up regarding the 24-hour parking violations discussed earlier. He stated that “parking over 24-hours” is a City-wide enforcement that may not be specifically posted on each street.

UNFINISHED BUSINESS

- a) 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. POSTPONED from the Regular Meeting of February 14, 2022; a public hearing was held at that time.

The motion to APPROVE Ordinance No. 6197 was made by Mr. Gibson and seconded by Ms. Therrien at the February 14, 2022 Regular Meeting and remained on the floor.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6197 AS FOLLOWS:

YEAS: Rogers, Therrien, Clark, Marney, Gibson

NAYS: None

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6197 ADOPTED.

- b) Ordinance No. 6201 – An Ordinance to Amend FGC Sec. 2-86 Setting Council Member Compensation. Introduced by Council Member Therrien. SECOND READING AND PUBLIC HEARING.

Mr. Clark, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6201.

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

Ms. Therrien explained that the ordinance simply codified what has been approved by budget ordinances since 2007, noting that it would not create an actual increase.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6201 AS FOLLOWS:

YEAS: Gibson, Marney, Clark, Therrien, Rogers

NAYS: None

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6201 ADOPTED.

NEW BUSINESS

- a) Ordinance No. 6202 – An Ordinance Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Transportation for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Appointment of Fire Chief

Mr. Gibson, seconded by **Mr. Marney**, moved to APPROVE the Appointment of the Fire Chief.

Ms. Therrien spoke in favor of the appointment, adding that Mr. Scott Raygor's application and 27 years' experience at the City indicated that he was well-qualified for the position.

Mr. Marney thanked Mr. Raygor for his willingness to serve.

Ms. Rogers noted Mr. Raygor's 27 years of service and his willingness to serve as Fire Chief.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT OF THE FIRE CHIEF AS FOLLOWS:

YEAS: Marney, Clark, Therrien, Rogers, Gibson

NAYS: None

ABSENT: Cleworth

Mayor Matherly declared the MOTION CARRIED.

- b) Fairbanks Diversity Council Meeting Minutes of January 11, 2022

ACCEPTED on the CONSENT AGENDA.

- b) Fairbanks Diversity Council Meeting Minutes of February 8, 2022

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS & COMMITTEE REPORTS

With no objection from the Council, Members' Comments and Committee Reports were combined.

Mr. Clark stated that he had missed the Legislative Committee meeting and that he did not have any further comments.

Mr. Marney shared that he had attended a presentation by Safe Alaskan Highways which spoke against the transportation of ore on the Richardson Highway. He added that the DOT would also

be providing a presentation and that the gold mine, Kinross, had already given a presentation. He indicated that Explore Fairbanks, the facilitators of the conversation, would likely present a statement after all the presentations had been completed.

Mr. Gibson stated he had no comments.

Ms. Rogers shared that she had attended meetings for the Housing & Homeless Coalition, the Opioid Taskforce, and the Polaris Work Group. She thanked COS Sanders for recommending her to serve on the State organizational board for Housing and Homeless and asked that he share some of the information presented at the legislative meeting as she did not have her notes.

COS Sanders shared that he did not have his notes with him either but briefly summarized some of the topics discussed, noting that most would not impact Fairbanks directly. He added that there would be a presentation on the State budget at the next Finance Committee meeting by City Lobbyist Yuri Morgan.

Ms. Therrien provided a land acknowledgment and shared that she had not attended any committee meetings since the last Regular City Council meeting.

CITY CLERK'S REPORT

City Clerk Snider clarified that the elections methods for the City and FNSB had not changed and that the local governments would not be using the RCV system. She added that the City election would take place on October 4, 2022.

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 7:41 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: RR



800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6702
Fax (907)459-6710

MEMORANDUM

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, City Clerk 

SUBJECT: Liquor License Renewals

DATE: April 6, 2022

Notice has been received from the State Alcohol & Marijuana Control Office (AMCO) for the following liquor license renewals:

| Lic. # | DBA | License Type | Licensee | Address |
|--------|-----------------------------|---------------------|--------------------------|------------------|
| 104 | Red Lantern Steak & Spirits | Beverage Dispensary | Westmark Hotels, Inc. | 813 Noble Street |
| 542 | Geeraldo's Restaurant | Beverage Dispensary | Garlic Lovers, LLC | 701 College Road |
| 4247 | Brewsters | Beverage Dispensary | Restaurant Concepts, LLC | 3578 Airport Way |

Pursuant to FGC Sec. 14-178 the Council must determine whether to protest liquor license renewal applications after holding a public hearing.

The Police Department has included a call report for the above-listed locations, but **there are no department-recommended protests** for these liquor license renewals.

CITY OF FAIRBANKS PUBLIC SAFETY

Red Lantern Steak & Spirits

03/14/2021 - 03/13/2022

| Report # | Call Time | Nature | Location | Prime Unit | Disp. | Close Time |
|----------|------------------|--------------------|--------------|------------|-------|---------------------|
| | 03/12/2022 18:57 | SEND PROTOCOL | 813 NOBLE ST | O20 | NRP | 03/12/2022 19:39:17 |
| 22000853 | 03/03/2022 16:25 | TRESPASS/UNWANTE | 813 NOBLE ST | O55 | RPT | 03/03/2022 18:13:06 |
| 22000836 | 03/02/2022 08:17 | TRESPASS/UNWANTE | 813 NOBLE ST | O7 | RPT | 03/02/2022 11:48:34 |
| | 03/01/2022 20:40 | ASSAULT CHARLIE - | 813 NOBLE ST | O6 | NRP | 03/01/2022 21:04:44 |
| | 02/28/2022 21:17 | TRESPASS/UNWANTE | 813 NOBLE ST | O17 | NRP | 02/28/2022 21:28:04 |
| 22000806 | 02/28/2022 18:20 | TRESPASS/UNWANTE | 813 NOBLE ST | O20 | RPT | 02/28/2022 19:47:31 |
| 22000787 | 02/27/2022 21:46 | MISCHIEF - CHARLIE | 813 NOBLE ST | O17 | RPT | 02/27/2022 22:39:12 |
| | 02/27/2022 02:45 | DISTURBANCE | 813 NOBLE ST | O16 | NRP | 02/27/2022 02:54:37 |
| 22000771 | 02/26/2022 20:03 | PAST THEFT - BRAVO | 813 NOBLE ST | O42 | RPT | 02/26/2022 20:53:39 |
| | 02/24/2022 23:27 | TRESPASS/UNWANTE | 813 NOBLE ST | O56 | NRP | 02/24/2022 23:42:53 |
| | 02/24/2022 09:21 | PAST DOMESTIC | 813 NOBLE ST | S12 | NRP | 02/24/2022 10:24:31 |
| 22000658 | 02/18/2022 09:30 | PAST THEFT - BRAVO | 813 NOBLE ST | O7 | RPT | 02/18/2022 10:58:03 |
| | 02/04/2022 07:08 | ASSAULT CHARLIE - | 813 NOBLE ST | O8 | NRP | 02/04/2022 13:34:23 |
| 22000446 | 02/02/2022 00:17 | TRESPASS/UNWANTE | 813 NOBLE ST | O16 | RPT | 02/02/2022 01:50:38 |
| | 01/31/2022 23:53 | TRESPASS/UNWANTE | 813 NOBLE ST | O17 | NRP | 02/01/2022 00:13:51 |
| | 01/15/2022 05:27 | TRESPASS/UNWANTE | 813 NOBLE ST | O54 | NRP | 01/15/2022 05:40:39 |
| 22000174 | 01/13/2022 18:47 | THEFT - DELTA | 813 NOBLE ST | O32 | RPT | 01/13/2022 19:42:53 |
| 22000085 | 01/07/2022 09:46 | TRESPASS/UNWANTE | 813 NOBLE ST | O8 | RPT | 01/07/2022 11:03:24 |
| | 01/05/2022 13:21 | SUSPICIOUS PERSON | 813 NOBLE ST | O41 | NRP | 01/05/2022 13:56:19 |
| 22000038 | 01/04/2022 00:10 | TRESPASS/UNWANTE | 813 NOBLE ST | O56 | RPT | 01/04/2022 01:15:32 |
| 22000004 | 01/01/2022 03:02 | INDECEN/LEWDNESS | 813 NOBLE ST | S34 | RPT | 01/01/2022 03:51:19 |
| | 12/31/2021 09:51 | TRESPASS - PAST - | 813 NOBLE ST | O8 | SUBL | 12/31/2021 11:06:26 |
| | 12/25/2021 21:53 | LOST PROPERTY - | 813 NOBLE ST | DESK | NRP | 12/25/2021 21:57:26 |
| | 12/19/2021 15:32 | SEND PROTOCOL | 813 NOBLE ST | O20 | NRP | 12/19/2021 15:54:01 |
| | 12/11/2021 16:15 | TRESPASS/UNWANTE | 813 NOBLE ST | O16 | NRP | 12/11/2021 16:33:54 |
| 21004611 | 12/08/2021 18:38 | TRESPASS/UNWANTE | 813 NOBLE ST | O2 | RPT | 12/08/2021 20:32:11 |
| 21004607 | 12/08/2021 16:58 | THEFT FROM | 813 NOBLE ST | L2 | RPT | 12/08/2021 19:44:27 |
| | 12/05/2021 16:46 | TRESPASS/UNWANTE | 813 NOBLE ST | O42 | NRP | 12/05/2021 17:47:39 |
| | 12/03/2021 19:11 | SUSPICIOUS PERSON | 813 NOBLE ST | O50 | NRP | 12/03/2021 19:24:52 |
| | 11/29/2021 03:08 | CIVIL PROBLEM | 813 NOBLE ST | O19 | NRP | 11/29/2021 03:30:09 |
| | 11/28/2021 00:36 | HARASSMENT - | 813 NOBLE ST | S34 | NRP | 11/28/2021 01:03:30 |
| 21004372 | 11/18/2021 21:06 | TRESPASS/UNWANTE | 813 NOBLE ST | O40 | RPT | 11/18/2021 23:19:08 |
| 21004263 | 11/12/2021 09:20 | TRESPASS/UNWANTE | 813 NOBLE ST | O41 | RPT | 11/12/2021 10:14:25 |
| 21004150 | 11/03/2021 05:04 | AOA - NON URGENT - | 813 NOBLE ST | O42 | RPT | 11/03/2021 07:33:24 |
| 21004125 | 11/01/2021 17:56 | SI - FOLLOW-UP | 813 NOBLE ST | S5 | RPT | 11/01/2021 18:14:24 |
| | 10/22/2021 22:47 | 10-36 | 813 NOBLE ST | S21 | WAR | 10/22/2021 22:49:37 |
| | 10/22/2021 11:49 | 911 HANG-UP - | 813 NOBLE ST | O13 | NRP | 10/22/2021 11:55:55 |
| | 10/09/2021 18:17 | THREAT - BRAVO | 813 NOBLE ST | O13 | NRP | 10/09/2021 18:58:10 |
| | 09/28/2021 03:07 | TRESPASS/UNWANTE | 813 NOBLE ST | O42 | NRP | 09/28/2021 03:24:00 |
| 21003404 | 09/10/2021 09:18 | PAST VEHICLE THEFT | 813 NOBLE ST | O13 | RPT | 09/10/2021 10:06:53 |
| | 09/09/2021 03:50 | SI - FIELD CONTACT | 813 NOBLE ST | S11 | NRP | 09/09/2021 03:51:46 |

Report Generated: 03/14/2022 12:23:15 | User ID: 1287

\\fccc-app\sscicad\cad\vrpt\EventHistory_EventListWithReportNumbers

| Report # | Call Time | Nature | Location | Prime Unit | Disp. | Close Time |
|----------|------------------|--------------------|--------------|------------|-------|---------------------|
| 21003278 | 09/02/2021 09:03 | THEFT FROM | 813 NOBLE ST | O7 | RPT | 09/02/2021 10:05:36 |
| 21003236 | 08/30/2021 06:02 | MENTAL DISORDERS- | 813 NOBLE ST | O20 | RPT | 08/30/2021 07:20:29 |
| | 08/23/2021 15:37 | CIVIL PROBLEM | 813 NOBLE ST | C4 | NRP | 08/31/2021 14:29:49 |
| 21003132 | 08/22/2021 09:14 | THEFT FROM | 813 NOBLE ST | DESK | RPT | 08/22/2021 09:30:39 |
| 21002961 | 08/08/2021 11:29 | PAST THEFT - BRAVO | 813 NOBLE ST | DESK | RPT | 08/08/2021 11:51:25 |
| 21002930 | 08/08/2021 11:18 | SUPPLEMENTAL- | 813 NOBLE ST | S4 | RPT | 08/08/2021 11:57:18 |
| | 08/06/2021 13:16 | THREAT - BRAVO | 813 NOBLE ST | O21 | NRP | 08/06/2021 13:31:07 |
| 21002930 | 08/06/2021 07:00 | PAST VEHICLE THEFT | 813 NOBLE ST | O41 | RPT | 08/06/2021 08:57:59 |
| 21002883 | 08/02/2021 16:15 | CRIMINAL | 813 NOBLE ST | DESK | RPT | 08/02/2021 16:36:25 |
| | 07/14/2021 19:05 | TRESPASS/UNWANTE | 813 NOBLE ST | O42 | NRP | 07/14/2021 19:17:45 |
| 21002446 | 07/09/2021 14:05 | DISTURBANCE | 813 NOBLE ST | O41 | RPT | 07/09/2021 15:28:12 |
| 21002443 | 07/07/2021 11:31 | SUPPLEMENTAL- | 813 NOBLE ST | DESK | RPT | 07/07/2021 12:20:09 |
| 21002443 | 07/04/2021 11:57 | PAST THEFT - BRAVO | 813 NOBLE ST | DESK | RPT | 07/04/2021 13:21:41 |
| | 06/24/2021 15:36 | AOA - NON URGENT - | 813 NOBLE ST | O21 | NRP | 06/25/2021 04:36:44 |
| 21002292 | 06/24/2021 12:34 | THEFT FROM | 813 NOBLE ST | DESK | RPT | 06/24/2021 13:17:20 |
| 21002225 | 06/20/2021 13:24 | ASSAULT - BRAVO | 813 NOBLE ST | O17 | RPT | 06/20/2021 16:37:10 |
| | 06/13/2021 19:05 | LOST PROPERTY - | 813 NOBLE ST | DESK | NRP | 06/13/2021 19:09:34 |
| 21002089 | 06/11/2021 15:54 | MISCHIEF - CHARLIE | 813 NOBLE ST | O50 | RPT | 06/11/2021 20:05:27 |
| | 06/09/2021 23:03 | SUSPICIOUS PERSON | 813 NOBLE ST | O20 | NRP | 06/09/2021 23:16:23 |
| | 06/06/2021 22:46 | DISTURBANCE | 813 NOBLE ST | O20 | NRP | 06/06/2021 22:55:11 |
| | 06/02/2021 11:20 | SUSP | 813 NOBLE ST | O9 | NRP | 06/02/2021 11:50:10 |
| | 05/26/2021 13:20 | TRESPASS/UNWANTE | 813 NOBLE ST | O9 | NRP | 05/26/2021 13:45:55 |
| 21001845 | 05/26/2021 06:40 | PAST VEHICLE THEFT | 813 NOBLE ST | O42 | RPT | 05/26/2021 08:34:40 |
| | 05/21/2021 22:07 | OFFICER ADVICE | 813 NOBLE ST | O54 | NRP | 05/21/2021 23:08:49 |
| | 05/03/2021 14:42 | OFFICER ADVICE | 813 NOBLE ST | O50 | NRP | 05/03/2021 15:31:41 |
| 21001525 | 05/02/2021 02:43 | TRESPASS/UNWANTE | 813 NOBLE ST | O25 | RPT | 05/02/2021 03:19:51 |
| 21001457 | 04/26/2021 08:33 | PAST VEHICLE THEFT | 813 NOBLE ST | O50 | RPT | 04/26/2021 15:26:35 |
| 21001173 | 04/20/2021 13:57 | SUPPLEMENTAL- | 813 NOBLE ST | O13 | RPT | 04/20/2021 14:19:10 |
| 21001334 | 04/17/2021 08:18 | TRESPASS/UNWANTE | 813 NOBLE ST | O26 | RPT | 04/17/2021 09:26:40 |
| | 04/15/2021 23:58 | TRESPASS/UNWANTE | 813 NOBLE ST | O50 | NRP | 04/16/2021 00:22:26 |
| 21001311 | 04/15/2021 11:36 | THEFT FROM | 813 NOBLE ST | DESK | RPT | 04/15/2021 11:46:25 |
| | 04/08/2021 11:26 | TRESPASS/UNWANTE | 813 NOBLE ST | O12 | NRP | 04/08/2021 11:42:11 |
| | 04/02/2021 04:06 | TRESPASS/UNWANTE | 813 NOBLE ST | O25 | NRP | 04/02/2021 04:16:43 |
| 21001026 | 03/21/2021 12:47 | PAST THEFT - BRAVO | 813 NOBLE ST | DESK | RPT | 03/21/2021 12:51:24 |
| | 03/14/2021 19:44 | TRESPASS/UNWANTE | 813 NOBLE ST | O30 | NRP | 03/14/2021 20:10:21 |

Total Number of Events Listed: 76

CITY OF FAIRBANKS PUBLIC SAFETY

Geraldo`s Restaurant

03/14/2021 - 03/13/2022

| Report # | Call Time | Nature | Location | Prime Unit | Disp. | Close Time |
|----------|------------------|------------------|----------------|------------|-------|---------------------|
| | 03/01/2022 16:39 | SUSP | 701 COLLEGE RD | O6 | NRP | 03/01/2022 19:16:46 |
| | 01/24/2022 19:28 | SUPPLEMENTAL- | 701 COLLEGE RD | O20 | NRP | 01/24/2022 20:24:19 |
| | 10/17/2021 08:04 | ALARM BURGLARY - | 701 COLLEGE RD | O8 | FAB | 10/17/2021 08:18:37 |
| 21002357 | 06/28/2021 19:00 | TRESPASS/UNWANTE | 701 COLLEGE RD | O17 | RPT | 06/28/2021 19:55:04 |
| | 06/14/2021 20:14 | ANIMAL | 701 COLLEGE RD | S3 | NRP | 06/14/2021 20:30:38 |

Total Number of Events Listed: 5

CITY OF FAIRBANKS PUBLIC SAFETY

Brewsters

03/14/2021 - 03/13/2022

| Report # | Call Time | Nature | Location | Prime Unit | Disp. | Close Time |
|----------|------------------|---------------------|------------------|------------|-------|---------------------|
| | 02/24/2022 04:06 | SI - SECURITY CHECK | 3578 AIRPORT WAY | L1 | NRP | 02/24/2022 04:15:37 |
| | 01/06/2022 17:05 | WANTED PERSON - | 3578 AIRPORT WAY | I44 | NRP | 01/06/2022 17:52:15 |
| | 12/29/2021 07:47 | ALARM BURGLARY - | 3578 AIRPORT WAY | O26 | FAB | 12/29/2021 08:13:02 |
| 21004703 | 12/14/2021 12:45 | ROAD RAGE - DELTA | 3578 AIRPORT WAY | O8 | RPT | 12/14/2021 14:43:50 |
| | 11/17/2021 16:43 | TRESPASS/UNWANTE | 3578 AIRPORT WAY | DESK | NRP | 11/17/2021 17:24:27 |
| | 11/14/2021 23:25 | ALARM BURGLARY - | 3578 AIRPORT WAY | O19 | FAB | 11/14/2021 23:37:37 |
| 21001558 | 05/04/2021 13:33 | THREAT - BRAVO | 3578 AIRPORT WAY | O2 | RPT | 05/04/2021 14:22:56 |

Total Number of Events Listed: 7




800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6702
Fax (907)459-6710

MEMORANDUM

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, City Clerk 

SUBJECT: Application for Liquor License Transfer of Ownership and Location

DATE: April 6, 2022

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of ownership and location for the following liquor license applicant:

License Type/No.: Package Store, License #**3282**
 DBA: **No DBA**
 Licensee/Applicant: Holiday Alaska, LLC
 Physical Location: No Premises

From (DBA/Owner): Sam's Club #6603 / Sam's West, Inc.
 Physical Location: 48 College Road, Fairbanks, AK

| Corp/LLC Agent: | Address | Date/State of Ltd Partner/Corp | Good standing? |
|------------------------------------|--|--------------------------------|----------------|
| Holiday Alaska, LLC Gloria Nash | 9360 Glacier Highway, Ste. 202 Juneau, AK 99801 | 09/10/2003 – AK | Yes |

| Member/Officer/Director: | Address | Phone | Title/Shares (%) |
|----------------------------|--|--------------|-------------------------------------|
| Holiday Stationstores, LLC | 4567 American Blvd. W Bloomington, MN 55437 | 952-830-8700 | Sole Member – 100% |
| Gary M Brant | 4567 American Blvd. W Bloomington, MN 55437 | 952-830-8700 | Affiliate, Holiday Alaska, LLC – 0% |
| Richard D Johnson | 4567 American Blvd. W Bloomington, MN 55437 | 952-830-8700 | Affiliate, Holiday Alaska, LLC – 0% |

Pursuant to FGC Sec. 14-178, the Council must determine whether to protest the liquor license action after holding a public hearing.

There are **no departmental objections** to the transfer of ownership and location for this license.




800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6702
Fax (907)459-6710

MEMORANDUM

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, City Clerk 

SUBJECT: Application for Liquor License Transfer of Controlling Interest and Restaurant Designation Permit

DATE: April 6, 2022

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of controlling interest and restaurant designation permit (RDP) for the following liquor license applicant:

License Type/No.: Beverage Dispensary, License #4395
 DBA: **The Banks Alehouse**
 Licensee/Applicant: Goethe, LLC
 Physical Location: 1243 Old Steese Highway, Fairbanks, AK

| Corp/LLC Agent: | Address | Date/State of Incorporation | Good standing? |
|--------------------------------------|--|-----------------------------|----------------|
| Goethe, LLC Christopher Zimmerman | 711 Gaffney Road, Suite 202 Fairbanks, AK 99701 | 11/29/2000 | Yes |

| Member/Officer/Director: | Address | Phone | Title/Shares (%) |
|--------------------------|---|--------------|------------------|
| ME. N. U. LLC | 607 Old Steese Highway, Suite B209 Fairbanks, AK 99701 | 907-460-2704 | Member – 50% |
| Tito Alaska LTD | 31 Harvard Place Spruce Grove, AB Canada T7X4K8 | 907-374-3265 | Member – 50% |
| Michael Cervantes | 607 Old Steese Highway, Suite B209 Fairbanks, AK 99701 | 907-460-2704 | Affiliate – 0% |
| Donnie Parasynchuk | 31 Harvard Place Spruce Grove, AB Canada T7X4K8 | 907-374-3265 | Affiliate – 0% |

This transfer of controlling interest would add Michael Cervantes and Donnie Parasynchuk as entity officials.

Pursuant to FGC Sec. 14-178, the Council must determine whether to protest the liquor license action after holding a public hearing.

The Fairbanks Police Department (FPD) has included a call report for this location (see attached), but the Chief is not recommending protest.

There are **no departmental objections** to the transfer of ownership and location for this license.

CITY OF FAIRBANKS PUBLIC SAFETY

The Banks Alehouse

03/15/2021 - 03/14/2022

| Report # | Call Time | Nature | Location | Prime Unit | Disp. | Close Time |
|----------|------------------|--------------------|---------------------|------------|-------|---------------------|
| 22000747 | 02/25/2022 09:18 | PAST BURGLARY - | 1243 OLD STEESE HWY | S12 | RPT | 02/25/2022 10:10:42 |
| | 11/04/2021 12:59 | LOST PROPERTY - | 1243 OLD STEESE HWY | DESK | NRP | 11/04/2021 13:03:04 |
| 21003306 | 09/03/2021 18:57 | PAST THEFT - BRAVO | 1243 OLD STEESE HWY | DESK | RPT | 09/03/2021 19:09:39 |
| | 08/29/2021 16:06 | SUSP | 1243 OLD STEESE HWY | O2 | NRP | 08/29/2021 16:41:22 |
| | 07/22/2021 06:48 | WELFARE CHECK | 1243 OLD STEESE HWY | O7 | NRP | 07/22/2021 07:20:35 |
| 21002108 | 06/13/2021 20:08 | STALKING - DELTA | 1243 OLD STEESE HWY | O12 | RPT | 06/13/2021 21:49:38 |
| | 06/10/2021 20:51 | PAST HIT & RUN - | 1243 OLD STEESE HWY | O50 | NRP | 06/10/2021 21:15:18 |
| | 04/20/2021 13:34 | PAST HIT & RUN - | 1243 OLD STEESE HWY | DESK | NRP | 04/20/2021 13:37:22 |
| | 03/21/2021 11:37 | PAST MVC - ALPHA | 1243 OLD STEESE HWY | DESK | NRP | 03/21/2021 11:42:54 |

Total Number of Events Listed: 9

ORDINANCE NO. 6202

AN ORDINANCE AUTHORIZING THE CITY OF FAIRBANKS TO APPLY FOR FUNDS FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR THE REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) DISCRETIONARY GRANT PROGRAM

WHEREAS, the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program provides the United States Department of Transportation a unique opportunity to invest in road, rail, transit, and port projects with nearly \$9.9 billion in funds; and

WHEREAS, the City of Fairbanks plans to apply for funds to reconstruct roads, sidewalks, and improve drainage in the Island Home subdivision; and

WHEREAS, the City of Fairbanks plans to request \$9,500,000, and a 20% match of \$1,900,000 is required; and

WHEREAS, the City of Fairbanks Capital Fund will be amended to include the increased expenditures for the match.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That the Mayor or his designee is authorized to execute all documents required for requesting funds on behalf of the City for the RAISE Discretionary Grant Program.

SECTION 2. That the Capital Fund budget is amended to provide the \$1,900,000 in matching funds.

SECTION 3. That the effective date of this ordinance is 16th day of April 2022.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6202

Abbreviated Title: RAISE DISCRETIONARY GRANT

Department(s): ENGINEERING

Does the adoption of this ordinance or resolution authorize:

- 1) additional costs beyond the current adopted budget? Yes X No
- 2) additional support or maintenance costs? Yes No X
- If yes, what is the estimate? see below
- 3) additional positions beyond the current adopted budget? Yes No X
- If yes, how many positions?
- If yes, type of positions? (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

| PROJECTS: | Total |
|---|--------------------|
| Island Home Subdivision Reconstruction (Roads, Sidewalks, and Drainage) | \$9,500,000 |
| | |
| | |
| | |
| TOTAL | \$9,500,000 |

| FUNDING SOURCE: | Total |
|------------------------|--------------------|
| Grant Fund (Federal) | \$7,600,000 |
| Capital Fund | \$1,900,000 |
| | |
| TOTAL | \$9,500,000 |

The City will use \$1,900,000 of the \$6,998,484 unassigned capital funds to meet the match requirements for this grant.

Reviewed by Finance Department: Initial CP/MB Date 3/17/2022

RESOLUTION NO. 5009

**A RESOLUTION EXPRESSING GRATITUDE TO SENATOR LISA
MURKOWSKI FOR HELPING SECURE FUNDING FOR THE
DEMOLITION OF THE POLARIS BUILDING**

WHEREAS, in August of 2012, the City Building Official issued a Notice and Order to the owner of the Polaris Building, under the authority of the City's Code for the Abatement of Dangerous Buildings, to repair or demolish the building; and

WHEREAS, after years of neglect and inaction by the owners of the Polaris Building, the building had become a blight on downtown Fairbanks; and

WHEREAS, the City eventually obtained ownership of the building after the property tax foreclosure action by the Fairbanks North Star Borough; and

WHEREAS, the demolition of the Polaris Building is key to plans for urban renewal of this area of downtown Fairbanks; and

WHEREAS, a group of concerned citizens and governmental officials formed an ad hoc committee, the Polaris Group; and

WHEREAS, among other goals, the Polaris Group searched for funding sources for the demolition of the Polaris Building; and

WHEREAS, Senator Murkowski's office provided invaluable assistance to the Polaris Group in its search for possible federal assistance; and

WHEREAS, through the efforts of Senator Murkowski, funds were appropriated in the federal Consolidated Appropriations Act, 2022, for the demolition of the Polaris Building.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Council, on behalf of the City of Fairbanks, expresses its gratitude to Senator Lisa Murkowski and her staff for their tireless efforts on behalf of the City of Fairbanks in securing funding for the demolition of the Polaris Building.

PASSED and APPROVED this 11th day of April 2022.

Jim Matherly, City Mayor

YEAS:

NAYS:

ABSENT

APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

Introduced By: Mayor Matherly
Finance Committee Review: April 5, 2022
Date: April 11, 2022

ORDINANCE NO. 6203

**AN ORDINANCE AUTHORIZING THE LEASE OF GOLDEN HEART
PLAZA TO FESTIVAL FAIRBANKS**

WHEREAS, the City of Fairbanks owns Lots 3 and 4, Block 4, Fairbanks Townsite (also known as "Golden Heart Plaza") and the improvements thereon, as shown on attached Exhibit A, Real Estate Lease; and

WHEREAS, Festival Fairbanks, a not-for-profit community agency, has for many years promoted the public use, management, and maintenance of Golden Heart Plaza, all of which benefits the City of Fairbanks, its residents, and visitors; and

WHEREAS, management of the Plaza by Festival Fairbanks is deemed consistent with the provisions of Fairbanks General Code Chapter 70, Article III, Golden Heart Plaza; and

WHEREAS, leasing the Plaza property to Festival Fairbanks provides the basic rights necessary for it to legally and effectively manage the Plaza; and

WHEREAS, Festival Fairbanks has requested a lease for the management purposes stated above; and

WHEREAS, FGC Sec. 70-44 provides that the City may lease real property without public offering whenever the lessee is a not-for-profit organization; and

WHEREAS, the lease of the Plaza property is in the best interest of the community.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. That a lease instrument, substantially in the form shown in attached Exhibit A, is hereby authorized by the Council for the purposes stated herein, providing for a term of three years.

SECTION 2. That the Mayor's execution of the lease must take place not less than 30 days after the effective date of this ordinance, as prescribed by Charter Section 8.3 and FGC Sec. 70-56.

SECTION 3. The effective date of this ordinance is the ____ day of _____ 2022.

Jim Matherly, Mayor

AYES:

NAYS:

ABSENT:

ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

EXHIBIT "A" to ORDINANCE No. 6203

REAL ESTATE LEASE

WHEREAS, the City of Fairbanks, a municipal corporation of the State of Alaska, 800 Cushman Street, Fairbanks, Alaska 99701, hereinafter called Lessor, as trustee for the public and pursuant to Ordinance No. 6203, hereby authorizes lease of the property described below under the conditions stated; and

WHEREAS, Festival Fairbanks, Inc., 514 Second Avenue, Fairbanks, Alaska 99701, hereinafter called Lessee, hereby enters into this lease of the property described below under the conditions stated.

NOW THEREFORE, Lessor and Lessee, in consideration of the rent specified and of the mutual covenants and agreements expressed herein, agree as follows:

1. Lease of Property. The Lessor leases to Lessee, and Lessee leases from Lessor, the real property located at Fairbanks, Alaska, more particularly described as follows:

Lots 3 and 4, Block 4, Fairbanks Townsite, also known as "Golden Heart Plaza", and the improvements thereon, as shown on the attached "Lease Exhibit 1".
2. Term. The term of this Lease will be for three years, beginning April 13, 2022 and ending April 12, 2025.
3. Use. Lessee shall use the Property in compliance with FGC Sections 70-96 through 70-99, Golden Heart Plaza.
4. Rent. As compensation for use of the Property during the life of this lease, Lessee shall pay the sum of One Dollar (\$1.00) per year, paid in advance. Payments will be made at Lessor's Office of the City Clerk, 800 Cushman Street, Fairbanks, Alaska 99701.
5. Prohibited Uses. Lessee shall not use or permit the use of the Property or any part thereof in violation of any applicable law, ordinance, or regulation.
6. Maintenance and Expenses. Lessee shall perform routine cleaning associated with the leased Property proper, keeping the Property in a clean, safe condition, free of litter and debris. Lessee shall notify Lessor of hazards or safety concerns on or

about the Property in a timely manner. Lessor shall provide repairs or alterations as it deems necessary, at its expense.

7. Termination. In the event of Lessor's sale or redevelopment of the property, Lessee's rights hereunder will terminate, and Lessee must vacate the property within 60 days of written notice.
8. Exculpation and Indemnity.
 - (a) *Exculpation of Lessor*: Lessor shall not be liable to Lessee for any damage to Lessee or Lessee's property from any cause. Lessee shall bear all risk of loss as to all personal property of the Lessee stored or remaining on or near the Property, including without limitation, inventory, equipment, fixtures, and employees' personal effects.
 - (b) *Indemnity*: Lessee shall defend and hold the Lessor harmless from all damages arising out of any damage or injury to any person or property occurring in, about, or on the Property.
 - (c) *Public Liability and Damage Insurance*: Lessee at its sole cost shall at all times maintain public liability and damage insurance with a single combined liability limit of \$1,000,000, insuring against all liability of Lessee and its authorized representatives arising out of and in connection with Lessee's use or occupancy of the Property. All public liability insurance and property damage insurance will insure performance by Lessee of the indemnity provisions provided herein. Lessor shall be named as an additional insured.
9. Prevention of Waste and Nuisance. Lessee shall not use the Property in any manner that will constitute waste, nuisance, or unreasonable annoyance to Lessor or the owners or occupants of adjacent properties. Violation or breach under this section will be determined at the sole discretion of the City Mayor.
10. Assignment and Sublease. Lessee shall not assign or sublet its rights under this Lease without written consent of Lessor, which consent will be at Lessor's sole discretion.
11. Liens. Lessee shall keep the Property free from any liens, including without limitation those liens arising out of any work performed, materials furnished, or obligations incurred by Lessee.

12. Consultation with Attorney. Lessee acknowledges that it has the right to review this Lease and all other documents relating to the Lease with its own attorney. Each party electing to have this Lease reviewed by an attorney shall bear the costs and expenses so incurred.
13. Right of Entry. Lessor and its agents and authorized employees have the right to enter the rented Property to examine it and to make repairs, alterations, improvements, or additions, as Lessor may deem necessary or desirable during Lessee's business hours. All such entry shall be preceded by 72-hour advance notice to Lessee, except that immediate entry will be allowed in event of emergency, as determined by the City Engineer.
14. Default. Failure to occupy and operate the Property for two consecutive weekends or failure to perform any provision of this Lease constitutes a default by Lessee. Upon Lessee's default, Lessor shall give Lessee 10 days' notice to cure the default. No default notice may be deemed a forfeiture or a termination of this Lease unless Lessor so elects in the notice.
15. Notice. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party or any other person must be in writing and either served personally or sent by prepaid, first-class mail, addressed to the other party at the address set forth in the introductory paragraph of this Lease. Either party may change its address by notifying the other party of the change of address.
16. Attorney's Fees. If Lessor brings or maintains an action for enforcement of any of the covenants, terms, or conditions of this Lease, Lessee shall pay all costs incurred by Lessor for such action, including attorney's fees in the event Lessee is found to be at fault.
17. Time of Essence. Time is of the essence of each provision of this Lease.
18. Successors. This Lease is binding on the parties and their successors.
19. Severability. The unenforceability, invalidity, or illegality of any provision will not render the other provisions unenforceable, invalid, or illegal.

FESTIVAL FAIRBANKS, INC.

CITY OF FAIRBANKS

Julie Jones
Executive Director

Jim Matherly
Mayor

ATTEST:

D. Danyielle Snider, MMC, City Clerk

ACKNOWLEDGMENT

State of Alaska)
) ss
Fourth Judicial District)

THIS IS TO CERTIFY that on this _____ day of _____ 2022, before me the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared **Jim Matherly**, the Mayor of the City of Fairbanks, and **D. Danyielle Snider**, the City Clerk of the City of Fairbanks, the municipal corporation named above, and they acknowledged before me that they executive the same for and on behalf of said Corporation.

IN WITNESS WHEREOF I have set my hand and seal.

NOTARY PUBLIC:
My Commission Expires:

ACKNOWLEDGMENT

State of Alaska)

) ss

Fourth Judicial District)

THIS IS TO CERTIFY that on this _____ day of _____ 2022, before me the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared **Julie Jones** of Festival Fairbanks, Inc., the corporation named above, and she acknowledged to me that she executive the same for and on behalf of said Corporation as the Executive Director, under the authority of said Corporation so granted by the Board of Directors, as the free ad voluntary act and deed of said Corporation.

IN WITNESS WHEREOF I have set my hand and seal.

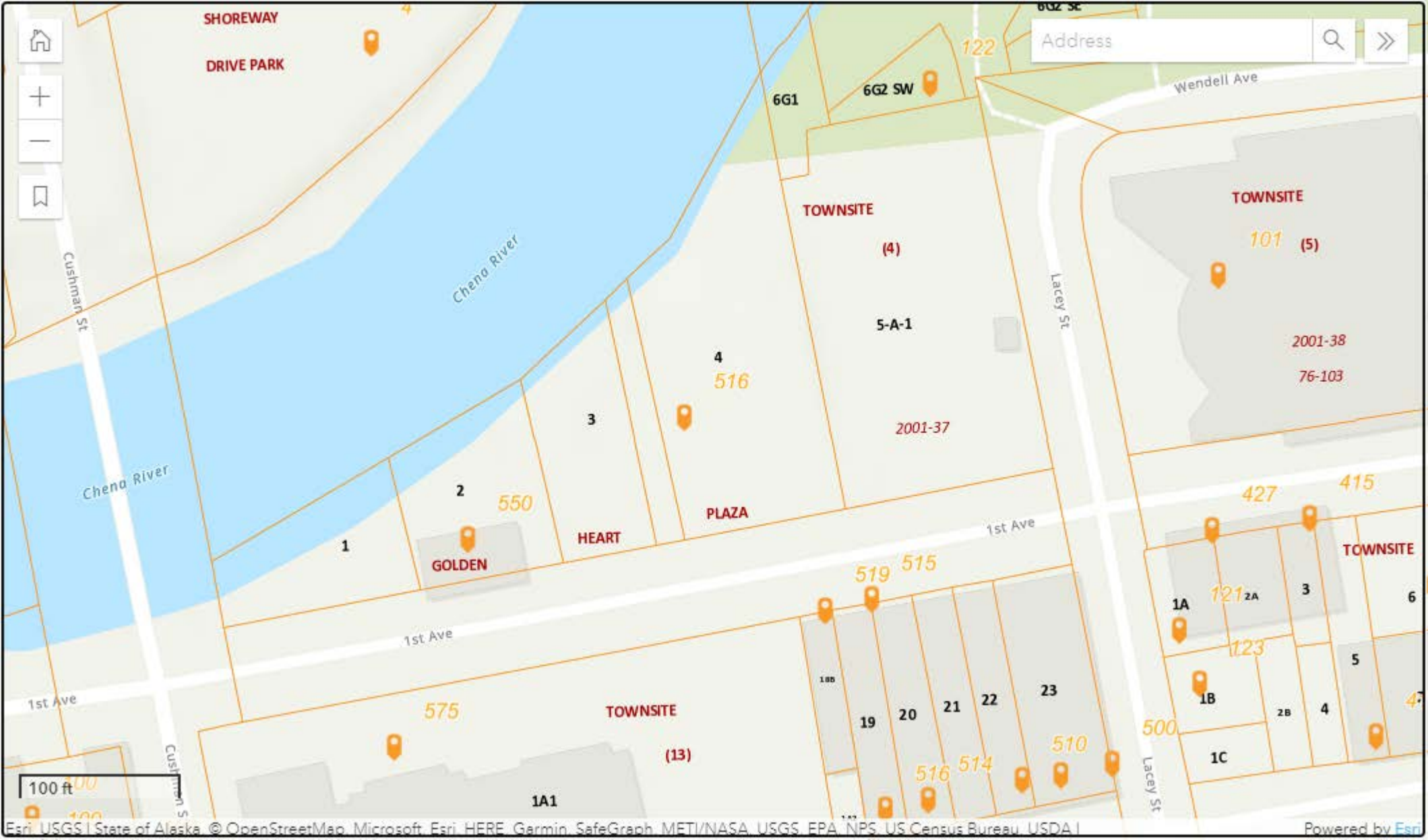
NOTARY PUBLIC:
My Commission Expires:

Return to:

City Clerk
City of Fairbanks
800 Cushman Street
Fairbanks, AK 99701



Address



100 ft

FAIRBANKS NORTH STAR BOROUGH
Chena Riverfront Commission
February 23, 2022
12:02 p.m.

A regular meeting of the Chena Riverfront Commission was held Wednesday, February 23, 2022, in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska.

ROLL CALL

There were present appearing telephonically:

| | |
|----------------|---------------------------|
| Gregory Barker | Wade Binkley, Vice-Chair |
| Robert Henszey | Lee Wood |
| Buki Wright | Annette Freiburger, Chair |

Comprising a quorum of the Commission, and

Cullen Mahaffey, Administrative Assistant III, Clerk
Kellen Spillman, Acting Community Planning Director
John Netardus, AK DOT&PF Representative
Lauren Little, AK DOT&PF Representative
Hanna Thompson, Planner III
Sarah Bingham, Planner II
Kayde Whiteside, Planner II
Trisha Levasseur, Parks Project Coordinator
Kimberly Diamond, Parks Project Coordinator

Absent & Excused

| | |
|-------------|--------------|
| Julie Jones | Kevin Fraley |
|-------------|--------------|

Unexcused

Diana Campbell

MESSAGES

1. Chair's Comments

Chair Wright asked panelists to introduce themselves.

MESSAGES – continued

2.a. Citizens’ Comments on agenda items not scheduled for public hearing

NONE

2.b. Citizens’ Comments on items other than those appearing on the agenda

NONE

3. Disclosure and Statement of Conflict of Interest

NONE

APPROVAL OF AGENDA AND CONSENT AGENDA

HENSZEY,
Seconded by BINKLEY

moved to approve the agenda and consent
agenda as read.

VOTE ON MOTION TO APPROVE THE AGENDA AND CONSENT AGENDA AS READ.

Yeses: Barker, Binkley, Henszey, Wood,
Freiburger, Wright

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

MINUTES

1. *Chena Riverfront Commission meeting minutes from December 22, 2021

Without objection this measure was read by title and approved under the consent agenda.

REPORTS

1. Communications to the Chena Riverfront Commission

Kellen Spillman, Acting Community Planning Director, provided updates on the newly appointed commissioner, vacancies, staff and the Chena River Safety Signage project.

REPORTS – continued

2. Status update on the Chena Riverfront Commission project list by Kellen Spillman, Acting Community Planning Director

Mr. Spillman provided an update and recommended removal of the Elodea Infestation and Pioneer Park Masterplan projects from the list. He also noted the additions of the River Safety Signage project and evaluation of river health at the lower Chena River.

Commissioners requested an update on the Elodea Infestation project and suggested separating the project list into current projects and informational items.

3. Status updates on State of Alaska Department of Transportation and Public Facilities (DOT&PF) riverfront projects by John Netardus, AK DOT&PF

- 3.a. Funding for the Chena Riverwalk Multi-Use Path

John Netardus, AK DOT&PF Representative, stated that appraisals are in progress on right-of-way acquisitions.

- 3.b. Other Riverfront Projects

Mr. Netardus provided updates on right-of-way acquisitions, construction schedules, contract awards, advertising and local planning authority.

Lauren Little, AK DOT&PF Representative, provided updates on fencing at the University Avenue, Cushman Street and Wendell Avenue bridges.

Mr. Spillman provided an update on project delays and impacts on the railroad agreement.

NEW BUSINESS

1. Review and make recommendation to the Borough Assembly on Ordinance No. 2022-01

An Ordinance Amending FNSBC 4.32.030 And FNSBC 4.32.100, Chena Riverfront Commission, By Reducing The Number of Members And Quorum Requirements
(Sponsor: Mayor Ward)

FREIBURGER,
Seconded by BINKLEY

moved to recommend adoption of
Ordinance No. 2022-01.

NEW BUSINESS – continued

Discussion ensued on the stricter rules for commissions, potential impacts and the ease of attending remotely.

VOTE ON MOTION TO RECOMMEND ADOPTION OF ORDINANCE NO. 2022-01.

Yeses: Wright
Noes: Henszey, Wood, Freiburger, Binkley, Barker

MOTION FAILED 1 Yes, 5 Noes

HENSZEY, moved to recommend defeat of Ordinance
Seconded by WOOD No. 2022-01.

VOTE ON MOTION TO RECOMMEND DEFEAT OF ORDINANCE NO. 2022-01.

Yeses: Binkley, Wood, Freiburger, Barker, Henszey, Wright
Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

2. Election of Chair and Vice Chair

Commissioner Henszey nominated Commissioner Freiburger for Chair, who was elected by default as there were no other nominations.

Commissioner Freiburger nominated Commissioner Wood for Vice-Chair, who respectfully declined.

Commissioner Wood nominated Commissioner Wright for Vice-Chair, who respectfully declined.

Commissioner Freiburger nominated Commissioner Binkley for Vice-Chair, who was elected by default as there were no other nominations.

NEW BUSINESS – continued

3. Discussion regarding whether or not the commission wishes to review the Chena Riverfront Plan this year.

Discussion ensued on staff support and involvement, workload, educating new commissioners, agency outreach and considering one component per meeting.

Commissioners requested a review of the Chena Riverfront Plan after vacancies have been filled and Community Planning has more staff.

EXCUSE FUTURE ABSENCES

NONE

COMMISSIONERS' COMMENTS/COMMUNICATIONS

Vice-Chair Binkley thanked Commissioner Wright for his service as Chair.

Chair Freiburger echoed Vice-Chair Binkley's comment.

ADJOURNMENT

There being no further business to come before the Chena Riverfront Commission, the meeting was adjourned at 1:30 p.m.

APPROVED: March 23, 2022