



FAIRBANKS CITY COUNCIL
AGENDA NO. 2018-10
REGULAR MEETING MAY 21, 2018
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION

6:15 p.m. – FNSB VISTA Program Update

It is the mission of the City of Fairbanks to provide essential services to the residents of the City that increase the desirability of the City as a place to live, work, and visit. Essential services include not just the visible activities of police, fire, and public works employees, but also the creation and maintenance of community infrastructure, promotion of safe housing and construction standards, and the sound management of community assets.

REGULAR MEETING

7:00 p.m.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
5. CITIZENS' COMMENTS on consent agenda items indicated by an asterisk (*). Testimony is limited to five minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal 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.
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 April 9, 2018

8. SPECIAL ORDERS

- a) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location, Name Change, and Restaurant Designation Permit. Public Testimony will be taken and limited to five minutes.

Type: Restaurant/Eating Place, License #4344
DBA: Bahn Thai Restaurant
Applicant: Somnuk, LLC
Location: 541 Third Avenue, Fairbanks
From: Thai and Asian Cuisine/Chiang Mai Restaurant, LLC
Location: 338 Old Steese Highway, Fairbanks

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- *a) Resolution No. 4833 – A Resolution to Apply for and Accept Funds from the Alaska Division of Homeland Security and Emergency Management for the FFY2018 Emergency Management Performance Grant. Introduced by Mayor Matherly.
- *b) Resolution No. 4834 – A Resolution to Accept Funding from the Alaska Division of Homeland Security and Emergency Management for the SFY2019 Local Emergency Planning Committee Grant. Introduced by Mayor Matherly.
- *c) Resolution No. 4835 – A Resolution to Apply for Funds from the Alaska Highway Safety Office for the FFY2019 DUI Traffic Enforcement Unit. Introduced by Mayor Matherly.
- *d) Resolution No. 4836 – A Resolution to Apply for and Accept Funds from the United States Department of Justice for the FFY2018 Bulletproof Vest Partnership Grant. Introduced by Mayor Matherly.

- *e) Ordinance No. 6074 – An Ordinance Repealing Fairbanks General Code Section 1-19. Introduced by Mayor Matherly.
- *f) Ordinance No. 6075 – An Ordinance Authorizing and Directing Retention of the Property Known as the Polaris Building for Public Purpose Upon Tax Foreclosure. Introduced by Mayor Matherly and Council Member Pruhs.

12. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

13. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Reappointment to the Hotel/Motel Discretionary Fund Committee

14. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to five minutes.

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

- a) Gavora, Inc. v. City of Fairbanks, 4FA-16-01898CI, Settlement Offers
- b) FFU Labor Negotiations
- c) IBEW Labor Negotiations

19. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, APRIL 9, 2018
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 6:15 p.m. Work Session on the City's Strategic Plan, to conduct a Regular Meeting of the Fairbanks City Council 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: Joy Huntington, Seat A
June Rogers, Seat B
Valerie Therrien, Seat C
Jonathan Bagwill, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Also Present: Margarita Bell, Controller
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Stephanie Johnson, Dispatch Center Manager
Brad Johnson, Deputy Police Chief
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Christina Rowlett, Risk/Purchasing

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly asked Ms. **Huntington** to lead the Flag Salutation.

CEREMONIAL MATTERS

Mayor Matherly reported Development Manager Pat Smith retired at the end of March and spoke to the nice retirement party put on by City staff. Mayor Matherly stated he would like to dedicate the evening's Council meeting to former City Council Member Jerry Norum who passed away on Easter Sunday.

CITIZENS' COMMENTS ON CONSENT AGENDA ITEMS

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Bagwill, seconded by **Mr. Pruhs**, moved to APPROVE the Agenda and Consent Agenda.

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

City Clerk Snider read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of February 5, 2018.

APPROVED on the CONSENT AGENDA.

b) Regular Meeting Minutes of February 26, 2018.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council considered the following request by Lavelle’s Taphouse, LLC (Arlette Eagle-Lavelle) for an extension of premises of alcohol service area:

Type: Beverage Dispensary, License #270
DBA: Lavelle’s Taphouse
Licensee/Applicant: Lavelle’s Taphouse, LLC
Physical Location: 414 2nd Avenue, Fairbanks, Alaska

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to PROTEST the extension of premises of alcohol service area until a Certificate of Occupancy is issued.

Arlette Eagle-Lavelle, 828 8th Avenue, Fairbanks – Ms. Eagle-Lavelle thanked the Council for hearing her request to extend the premise of service into the courtyard off of 1st Avenue.

Mr. Cleworth asked whether the extended area is owned by the same landlord; Ms. Eagle-Lavelle stated it is.

Mayor Matherly commended Ms. Eagle-Lavelle for her determination. He thanked Ms. Eagle-Lavelle for her professionalism each time she has come before the Council.

Ms. Eagle-Lavelle thanked City Clerk Danyielle Snider for all her help. She stated Ms. Snider is always quick to respond to her emails and gives her full attention.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated he did not support blocking off a street in order for the Taphouse to sell drugs. He stated alcohol is a drug, and it is hypocritical for the Mayor to give special treatment to the Taphouse. **Mayor Matherly** asked Mr. Turney whether

he understood that the request is to extend to an area behind the building, not into the street; Mr. Turney stated he is still opposed to it because it would bring more drugs downtown.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE EXTENSION OF PREMISES OF ALCOHOL SERVICE AREA UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Bagwill, Huntington, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

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

Lic. #	DBA	License Type	Licensee	Address
2565	El Dorado Bar & Grill	Beverage Dispensary	Eldorado Bar & Grill, Inc.	530 Third Avenue
1920	Gambardella's Pasta Bella	Beverage Dispensary	Gambardella's II, Inc.	706 2nd Avenue
4174	Big Daddy's Bar-B-Q & Banquet Hall	Beverage Dispensary	RTG, LLC	107 Wickersham Street
4720	Gallantino's Italian Restaurant	Beverage Dispensary	Gallantino's, Inc.	1446 S. Cushman Street
5504	Mayan Palace	Beverage Dispensary Duplicate	Taco Azteca, Inc.	3403 Airport Way

Ms. Therrien, seconded by **Ms. Huntington**, moved to WAIVE PROTEST of the Liquor License applications for renewal.

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

Mr. Pruhs stated the El Dorado Bar & Grill was given a conditional approval last time they renewed, and the requested fixes appear to have been made.

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

YEAS: Bagwill, Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

- a) Special Reports

Karl Kassel, 907 Terminal Street, Fairbanks – Fairbanks North Star Borough Mayor Karl Kassel stated he is in attendance to brief the Council on the Mary Siah Recreation Center and the Fairbanks North Star Borough School District (FNSBSD) budget. Mayor Kassel stated that for the past 40 years the Borough has been dependent on State revenue sharing to help maintain its 217 facilities. He stated there are maintenance issues with many buildings, including Mary Siah. Mayor Kassel stated Mary Siah is a 68-year-old facility, and it would cost less to replace the building than it would continue maintaining the existing structure. He stated his budget has increases in fees for facility use as well as a reduction in hours of operation. He stated all of the facilities are well occupied, but Mary Siah is one of the least used with the highest cost to maintain. Mayor Kassel stated if the Borough tore down Mary Siah immediately and used Hamme Pool for the time being, they could build an aquatic center that would end up being less expensive to maintain. He stated he understands that people feel a historic draw to Mary Siah, but it does not make sense to keep it in operation with the extensive work that needs to be done. He stated it is time to stop kicking the can down the road, and it is time to change the business model of Borough maintenance. Mayor Kassel stated he is passionate about all of the facilities, and he cannot focus only on Mary Siah. He spoke to the recent closing of the main floor of the riverboat *Nenana* due to maintenance issues.

Mayor Matherly expressed appreciation to Mayor Kassel for coming to speak to the Council. He stated that he has received emails about shutting down Mary Siah which he has forwarded to Mayor Kassel.

Mr. Pruhs asked which would cost less: tearing down Mary Siah or continuing to subsidize it. Mayor Kassel stated that demolition would cost less than maintaining it.

Mr. Cleworth asked Mayor Kassel about the ordinance he is bringing to the Assembly at the next meeting; Mayor Kassel explained that the ordinance proposes transferring money from the facility maintenance and reserve account to six project funds for six different buildings.

Ms. Therrien asked Mayor Kassel what the other facilities on the list were. Mayor Kassel stated that the list includes Wescott Swim Pool, the demolition of Adler School out in Moose Creek, and a new roof for the Pioneer Hall at Pioneer Park. He stated he did not bring the list with him.

Mayor Kassel stated the State of Alaska has fiscal issues that trickle down and affect local government. He stated he received a budget request from the FNSBSD for \$50 million dollars, and so he budgeted for \$50 million dollars in his proposed budget. Mayor Kassel stated he has always supported education. He stated that when he was the Presiding Officer on the Assembly a few years ago, the Assembly authorized an extra \$4.5 million dollars for the School District, and the money is still sitting in the District's bank account untouched. He stated the District's fund balance is greater than it has ever been. Mayor Kassel stated that taxpayers paid an 1.5 mills that is just sitting in the bank, and he finds that troubling. He stated the if the District has a shortfall, the Assembly has to back them financially by law; he stated that the Borough also owns all the school facilities, so the maintenance and repair costs for those facilities falls to the Borough. He stated that the District currently has \$31 million in unrestricted funds distributed over several accounts. Mayor Kassel stated that in addition to those funds, they have \$11 million in impact aid funds from the federal government in holding that they will not use till the following year. He expressed concern that the District is cutting student programs when they have that much money in the bank; he commented

that they are blaming the Borough for the cuts. Mayor Kassel stated that students are getting the short end of the stick. He stated there needs to be a community-wide discussion about the issue.

Mayor Matherly asked how Mayor Kassel learned about the District's large fund balance. Mayor Kassel stated he has been tracking it, and it has been discussed at Assembly meetings. He stated that the Assembly has asked for some updated numbers, but the District has not provided them. He stated he will not advocate for anything less than a \$50 million allocation to the District, but some Assembly members do not agree with it.

Ms. Rogers stated she has great admiration for Mayor Kassel and commended him for his strength and integrity.

Ms. Huntington thanked Mayor Kassel for attending and for providing an update to the Council.

Mayor Matherly thanked Mayor Kassel for his tenacity and for all that he has done for the community. **Mayor Matherly** asked Chief of Staff Mike Meeks to give a staff report on the cannabis work session that will take place prior to the next Council meeting. Mr. Meeks stated that staff discussed how best to allow everyone an opportunity to speak at the work session. He stated there will be three topics to speak to and a signup sheet for each topic. He stated at the end of the session there will be a general public comment period for Ordinance No. 6070 if time permits.

Mr. Cleworth asked why the format changed from what was previously discussed; Mr. Meeks stated that selecting someone to represent each side would likely bring on a fight. He stated that a representative of the Police Department could answer Council Member questions.

Mr. Bagwill asked if it would be a 5:00 o'clock meeting; Mr. Meeks replied affirmatively.

Mr. Pruhs stated he liked the proposed format because it is apparent that the two sides of the issue do not get along.

Mayor Matherly stated he wants to make it possible for the public to engage in the process.

Ms. Huntington asked how the meeting would be advertised; Mr. Meeks stated it will be on the City's social media pages and website, and the City Clerk will advertise it in the newspaper.

Mr. Cleworth stated that he believes a staff report should be given at the work session.

Mayor Matherly thanked staff for the work that was put into coming up with an acceptable format for the work session. He stated he has received emails about the tattered flags along the Barnette Street Bridge, and he is working with Festival Fairbanks to address the issue. He spoke to the activities of his office since the last Council meeting.

Dawn Murphy, 101 Dunkel Street, Fairbanks – Ms. Murphy stated she is representing Explore Fairbanks, and she spoke to their clean audit for 2017. She stated 2017 bed tax collections were record-breaking and explained the differences between winter and summer tourist seasons. She spoke about the upcoming 16th Annual Visitor Walk for Charity, or "4K Graze," and she encouraged everyone to get involved. She invited the Council to the Explore Fairbanks Annual

Banquet at the Birch Hill Recreation area, and she thanked the Council for investing in destination marketing.

Ms. Rogers asked Ms. Murphy to speak to the work she is doing with the jobs program. Ms. Murphy stated she has worked with the FNSB Career and Technical Education Advisory Committee and the Alaska Can! Interior Steering Committee for future workforce development. She stated they held a conference in August of 2017, and they are looking at a matrix involving K-12 and post-secondary students to promote better education and workforce development.

Mayor Matherly stated April is Sexual Assault Awareness month, and he shared that there will be an awareness walk on April 25 from 5:30 – 7:30 p.m.

UNFINISHED BUSINESS

- a) Ordinance No. 6073 – An Ordinance Authorizing the Lease of Golden Heart Plaza to Festival Fairbanks. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Bagwill, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6073.

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

Mr. Pruhs, seconded by **Mr. Bagwill**, moved to AMEND Ordinance No. 6073 by changing the lease term in Section 1 from two years to three years.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6073, AS AMENDED, AS FOLLOWS:

YEAS: Rogers, Bagwill, Therrien, Pruhs, Cleworth, Huntington

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6073, as Amended, ADOPTED.

DISCUSSION ITEMS

- a) Committee Reports

Fairbanks Diversity Council - **Mayor Matherly** reported that there would be a Diversity Council meeting the following evening at 5:30 p.m.

Legislative Priorities Meeting – **Ms. Therrien** stated the group met the prior week, and things are moving along.

FMATS Policy Board – **Mr. Cleworth** acknowledged Julie Jones for all the hard work she dedicates to the Golden Heart Plaza. He spoke to the possibility of FMATS becoming its own entity and stated that there has been a lot of back and forth discussion on the issue.

Opioid Task Force & Housing and Homeless Coalition – **Ms. Rogers** stated both groups are moving forward in positive motion.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Board of Plumber Examiner Meeting Minutes of December 19, 2017
ACCEPTED on the CONSENT AGENDA.
- b) Chena Riverfront Commission Meeting Minutes of February 14, 2018
ACCEPTED on the CONSENT AGENDA.
- c) Clay Street Cemetery Commission Meeting Minutes of February 7, 2018
ACCEPTED on the CONSENT AGENDA.
- d) Clay Street Cemetery Commission Meeting Minutes of March 7, 2018
ACCEPTED on the CONSENT AGENDA.
- e) Appointment to the Fairbanks Diversity Council
APPROVED on the CONSENT AGENDA.

CITIZENS' COMMENTS

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney offered his condolences to the family of Jerry Norum and shared how much his father respected Mr. Norum. Mr. Turney stated he wished Mayor Kassel was still present because he had some budget questions for him. Mr. Turney spoke to the need for the police department to use non-lethal weapons. He stated his sister told him to cool his jets at Council meetings and that he is trying to take her advice.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg stated he is the Executive Director of the Downtown Association, and he is interested in the goals the Council is focusing on through strategic planning. He stated when the Masonic Temple fell it took a significant amount of history with it. He stated the City should make a goal to maintain the historical integrity of the City of Fairbanks. Mr. Van den Berg stated there will be a meeting the following morning at The Venue to discuss a possible closure of 2nd Avenue for a pedestrian mall-type event. He shared that there will be a gathering of downtown folks to discuss activities, events and other downtown issues on April 25 at 5:30 p.m. at the Morris Thompson Cultural Center.

Kathryn Ottersten, 1435 3rd Avenue, Fairbanks – Ms. Ottersten thanked the Public Works crews for the magnificent job they did with all the snow they were tasked to deal with over the winter. She encouraged everyone to open storm drains in their neighborhoods and not wait for the Public Works crew to do it with their limited resources. She stated that it really helps with drainage.

Floyd Terry, P.O. Box 73514, Fairbanks – Mr. Terry provided a handout to the Council. He spoke to the need for Fairbanks to get a roller rink; he stated it would be good for the community. He spoke to the number of businesses leaving the City.

Christian Hood, P.O. Box 83091, Fairbanks – Ms. Hood stated she is the owner of Good Cannabis, and she thanked the Council for approving her license. She stated the most recent First Friday event raised funds for the Fairbanks Community Food Bank; she added that her business also volunteers at the Food Bank six hours per week.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers thanked Mayor Kassel for engaging the community to discuss the important issues. She shared that she enjoyed all the years and memories she had with Mr. Norum and stated that he was a fun and talented man.

Ms. Huntington expressed her condolences to the family of Mr. Norum and shared that it was a pleasure serving with him. She thanked Pat Smith for his years of service to the City. She stated it was helpful to have Mayor Kassel attend and give a report; she encouraged everyone to attend the Borough Assembly meetings.

Ms. Therrien expressed her sadness for the loss of Mr. Norum. She shared that she spoke with Nancy Norum who stated the family would like people to make a donation to the charity of their choice in Mr. Norum's name in lieu of flowers.

Mayor Matherly shared that he recently learned of the passing of John Hajdukovich Sr.

Mr. Pruhs shared his condolences for the Norum family and stated he is thankful for the extraordinary family Mr. Norum left behind. **Mr. Pruhs** thanked the City Clerk for her report to the Council, and he congratulated Deputy Clerk Braniff for receiving a scholarship to attend training in June.

Mr. Cleworth stated he recently spoke with David van den Berg who indicated that the number of calls to the Community Service Patrol (CSP) had gone down. He questioned why the numbers presented by staff showed that ambulance calls had gone up. He stated in years past the CSP would take direct calls, but now everyone is directed to call 9-1-1. He stated it does not make sense that CSP calls are decreasing while Dispatch is being flooded. He spoke to the possibility of getting an outside source to analyze the issue. **Mr. Cleworth** stated that a task force did a study in 1989 or 1990 on snow removal, and one policy resulting from the study that the City has lapsed on is to get bids each fall from various companies in case of an unanticipated heavy snow fall. He explained that the City would then have the luxury of calling a company to help with plowing rather than taking five weeks to clear City streets. **Mr. Cleworth** recalled memories of recently-retired Development Manager Patrick Smith and stated it was nice to attend his retirement party; he added

that it was the first time he ever saw Mr. Smith in a suit. He stated Mr. Norum was a tenacious man whom he respected, and his wife Nancy is an angel in the community. He expressed his sympathy for Mr. Norum's passing.

FECC Manager Stephanie Johnson stated that CSP calls come into Dispatch, and she does not know why Mr. van den Berg said that calls are decreasing. She stated the City became responsible for CSP calls after the Downtown Association did not renew the services contract.

Mr. Bagwill offered his condolences to the family of Jerry Norum for their loss. He thanked City department heads and staff for the fantastic job they do.

Mr. Bagwill, seconded by **Ms. Therrien**, moved to ENTER Executive Session for the purpose of discussing Fairbanks Firefighter Union (FFU) and International Brotherhood of Electrical Workers (IBEW) labor negotiations.

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

Mayor Matherly called for a brief recess.

EXECUTIVE SESSION

- a) FFU Labor Negotiations
- b) IBEW Labor Negotiations

The City Council met in Executive Session to discuss FFU and IBEW Labor Negotiations. Direction was given to the negotiating team, and no action was taken.

ADJOURNMENT

Mr. Bagwill, seconded by **Ms. Therrien**, moved to ADJOURN the meeting.

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

Mayor Matherly declared the meeting adjourned at 10:08 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, CMC, CITY CLERK


Transcribed by: EB

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly
City Council Members

FROM: D. Danyielle Snider, CMC, City Clerk 

SUBJECT: Transfer of Liquor License Ownership, Location, Name Change, & RDP

DATE: May 16, 2018

An application has been received from the State of Alaska Alcohol and Marijuana Control Office for transfer of ownership, location, name change, and Restaurant Designation Permit for the following applicant:

License Type: Restaurant/Eating Place, License #4344
 D.B.A.: **Bahn Thai Restaurant**
 Licensee/Applicant: Somnuk, LLC
 Physical Location: 541 Third Avenue, Fairbanks, Alaska

From: Thai and Chinese Cuisine/Chiang Mai Restaurant, LLC
 Location: 338 Old Steese Hwy., Fairbanks, Alaska

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Somnuk, LLC Somnuk Wiggs	2908 17th Avneue Fairbanks, AK 99709	907-750-5228	09/26/2017 – AK	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/ Director:	Address	Phone	Title/Shares (%)
Somnuk Wiggs	2908 17th Avneue Fairbanks, AK 99709	907-750-5228	100%

Pursuant to FCG Sec. 14-178 the Council must determine whether or not to protest the liquor license action after holding a public hearing; public notice requirements of FGC Sec. 14-168(2) have been met.

Please note that the new location falls under FGC Section 14-178(b)(6) which addresses new or transferred licenses into the downtown core area.

There are **no departmental objections** to this transfer.

CITY OF FAIRBANKS PUBLIC SAFETY

BAHN THAI 541 THIRD AVE

04/18/2017 - 04/18/2018

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	03/24/2018 19:04	WELFARE CHECK -	541 THIRD AVE	O29	NRP	03/24/2018 19:25:22
	01/18/2018 00:01	SUSP	541 THIRD AVE	O3	NRP	01/18/2018 00:26:26
	01/12/2018 16:38	HIT & RUN	541 THIRD AVE	O25	NRP	01/13/2018 13:29:35
	06/04/2017 13:43	SUSP	541 THIRD AVE	O1	NRP	06/04/2017 14:33:01

Total Number of Events Listed: 4

RESOLUTION NO. 4833

**A RESOLUTION TO APPLY FOR FUNDS FROM THE ALASKA
DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT FOR FFY2018 EMERGENCY MANAGEMENT
PERFORMANCE GRANT**

WHEREAS, the City of Fairbanks received notification from the Alaska Division of Homeland Security and Emergency Management that the City is eligible to apply for Emergency Management Performance Grant (EMPG) funds to enhance response capabilities; and

WHEREAS, the City of Fairbanks will use these funds to enhance emergency planning and operations; and

WHEREAS, the City of Fairbanks plans to request \$12,000, and a required match of \$12,000 will be provided through in-kind personnel costs;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required for requesting funds on behalf of the City for this grant.

PASSED and APPROVED this 21st Day of May 2018.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS

FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4833

Abbreviated Title: FFY2018 EMERGENCY MANAGEMENT PERFORMANCE GRANT

Department(s): FIRE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

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:	Equipment	Contracts	Personnel	Total
Personnel Wages & Benefits			\$24,000	\$24,000
				\$0
				\$0
				\$0
				\$0
				\$0
TOTAL	\$0	\$0	\$24,000	\$24,000

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Alaska Department of Homeland Security (Federal Funds)			\$12,000	\$12,000
City of Fairbanks (General Funds In-Kind)			\$12,000	\$12,000
				\$0
TOTAL	\$0	\$0	\$24,000	\$24,000

The City does not anticipate additional costs associated with this project.

Reviewed by Finance Department:

Initial cp

Date 5/15/2018

RESOLUTION NO. 4834

**A RESOLUTION TO ACCEPT FUNDING FROM THE ALASKA
DIVISION OF HOMELAND SECURITY AND EMERGENCY
MANAGEMENT FOR SFY2019 LOCAL EMERGENCY PLANNING
COMMITTEE GRANT**

WHEREAS, the Alaska Division of Homeland Security and Emergency Management has awarded the City of Fairbanks funds for its participation in the Local Emergency Planning Committee (LEPC) to plan for responses to emergencies related to hazardous materials; and

WHEREAS, the City of Fairbanks partially funds a fire department employee and purchases supplies to support, sustain, and enhance the LEPC in order to perform its statutory responsibilities under state and federal law; and

WHEREAS, the City of Fairbanks was awarded \$15,500, and no match is required;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required for accepting funds on behalf of the City for this grant.

PASSED and APPROVED this 21st Day of May 2018.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4834

Abbreviated Title: SFY2019 LOCAL EMERGENCY PLANNING COMMITTEE

Department(s): FIRE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

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:	Equipment	Contracts	Personnel	Total
Personnel Wages & Benefits			\$4,000	\$4,000
Office Supplies & Contracts		\$1,400		\$1,400
Travel and Outreach		\$10,100		\$10,100
				\$0
				\$0
				\$0
TOTAL	\$0	\$11,500	\$4,000	\$15,500

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Alaska Department of Homeland Security (State Funds)		\$11,500	\$4,000	\$15,500
				\$0
				\$0
TOTAL	\$0	\$11,500	\$4,000	\$15,500

The City does not anticipate additional costs associated with this project.

Reviewed by Finance Department: Initial cp Date 5/15/2018

RESOLUTION NO. 4835

**A RESOLUTION TO APPLY FOR FUNDS FROM THE ALASKA
HIGHWAY SAFETY OFFICE FOR THE FFY2019 DUI TRAFFIC
ENFORCEMENT UNIT**

WHEREAS, the City of Fairbanks has been notified by the Alaska Highway Safety Office that the City of Fairbanks is eligible to apply for funds that address specific traffic safety priority areas; and

WHEREAS, the City of Fairbanks has received funding for local law enforcement, particularly in the apprehension of DUI offenders; and

WHEREAS, the City of Fairbanks received positive citizen feedback regarding continued traffic enforcement, and this program is highly regarded by the Alaska Highway Safety Office due to reductions in fatal crashes in the Fairbanks area; and

WHEREAS, the City of Fairbanks plans to request \$137,755, and the required match of \$137,755 will be provided through in-kind personnel costs;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required for requesting funds on behalf of the City for this grant.

PASSED and APPROVED this 21st Day of May 2018.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS

FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4835

Abbreviated Title: FFY19 ALASKA HIGHWAY SAFETY OFFICE TRAFFIC UNIT

Department(s): POLICE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No X

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:	Equipment	Contracts	Personnel	Total
Personnel Wages & Benefits (Traffic Unit Officer - Grant)			\$137,755	\$137,755
Personnel Wages & Benefits (Traffic Unit Lieutenant)			\$137,755	\$137,755
				\$0
				\$0
				\$0
				\$0
TOTAL	\$0	\$0	\$275,510	\$275,510

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Alaska Highway Safety Grant (Federal Funds)			\$137,755	\$137,755
City of Fairbanks (General Funds In-Kind)			\$137,755	\$137,755
				\$0
TOTAL	\$0	\$0	\$275,510	\$275,510

The City will use currently budgeted staff to meet the matching requirements for the grant.

Reviewed by Finance Department:

Initial cp

Date 5/15/2018

RESOLUTION NO. 4836

**A RESOLUTION AUTHORIZING THE CITY OF FAIRBANKS TO APPLY
FOR AND ACCEPT FUNDS FROM THE UNITED STATES
DEPARTMENT OF JUSTICE FOR THE FFY2018 BULLETPROOF VEST
PARTNERSHIP GRANT**

WHEREAS, the City of Fairbanks has been notified by the Bureau of Justice Assistance of the United States Department of Justice that the City of Fairbanks is eligible to apply for funding for reimbursement of body armor purchases; and

WHEREAS, the City of Fairbanks has a policy that all Fairbanks Police Officers must wear ballistic vests; and

WHEREAS, the Bulletproof Vest Partnership grant provides 50% of the retail cost for ballistic vests; and

WHEREAS, the City of Fairbanks is eligible to apply for \$5,500 to supplement the purchase of vests for newly hired officers and to replace outdated vests;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is authorized to execute any and all documents required to apply for and accept funds on behalf of the City for this grant.

PASSED and APPROVED this 21st Day of May 2018.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 4836

Abbreviated Title: FFY18 BULLETPROOF VEST PARTNERSHIP GRANT

Department(s): POLICE DEPARTMENT

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No X

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:	Equipment	Contracts	Personnel	Total
Ballistic Vests (10 vests @ \$1,100)	\$11,000			\$11,000
				\$0
				\$0
				\$0
				\$0
TOTAL	\$11,000	\$0	\$0	\$11,000

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
United States Department of Justice (Federal Funds)	\$5,500			\$5,500
City of Fairbanks (General Fund)	\$5,500			\$5,500
TOTAL	\$11,000	\$0	\$0	\$11,000

The City does not anticipate additional costs associated with this project. This is an annual grant that helps cover the cost of providing bulletproof vests for police officers.

Reviewed by Finance Department:

Initial cp

Date 5/15/2018

ORDINANCE NO. 6074

**AN ORDINANCE REPEALING FAIRBANKS GENERAL CODE
SECTION 1-19**

WHEREAS, FGC Sec. 1-19 was first enacted as Section 1.114 of the 1960 Code;
and

WHEREAS, Sec. 1-19 allows for the warrantless inspection of private property during reasonable hours when valid grounds exist for suspicion that public health, welfare, or safety is being jeopardized; and

WHEREAS, a United States Supreme Court case, *Frank v. Maryland*, 359 U.S. 360 (1959), and a Maryland case, *Givner v. State*, 124 A.2d. 764 (Md. 1956), were cited as authority for this code section; and

WHEREAS, *Frank v. Maryland* was overturned by *Camara v. Municipal Court of the City and County of San Francisco*, 387 U.S. 523, 528-34 (1967), which held that the Fourth Amendment bars the prosecution of persons who refuse to allow an unwarranted inspection of their personal residence; and

WHEREAS, the Alaska Supreme Court, in *Woods & Rohde, Inc. v. State, Dept. of Labor*, 565 P.2d 138, 150-52 (1977), ruled that the Alaska Constitution, Article I, Sections 14 and 22, affords protection against warrantless administrative searches of commercial premises; and

WHEREAS, because the original authority for FGC Sec. 1-19 has been overturned and the Alaska Supreme Court has ruled against warrantless administrative searches, and because the right of entry in emergency situations and for inspections is currently addressed in codes adopted in Chapter 10 of the Fairbanks General Code, this ordinance proposes to repeal FGC Sec. 1-19.

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

Section 1. That FGC Sec. 1-19, Right of entry of city officials to inspect for enforcement of health, welfare, and public safety requirements, is hereby repealed.

Section 2. That the effective date of this Ordinance is June _____, 2018.

JIM MATHERLY, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM

D. Danyielle Snider, CMC

Paul J. Ewers, City Attorney

Introduced by: Mayor Matherly and
Council Member Pruhs
Date: May 21, 2018

ORDINANCE NO. 6075

**AN ORDINANCE AUTHORIZING AND DIRECTING RETENTION OF
THE PROPERTY KNOWN AS THE POLARIS BUILDING FOR PUBLIC
PURPOSE UPON TAX FORECLOSURE**

WHEREAS, the Polaris Building is located at First Avenue and Lacey Street within Block 12, Fairbanks Townsite, and identified for property tax purposes as Parcel Account Number 0418111; and

WHEREAS, property taxes for the Polaris Building have not been paid for the years 2015, 2016, and 2017; and

WHEREAS, if the 2015 taxes remain unpaid at the close of business on May 25, 2018, the Fairbanks North Star Borough will receive title to the property by tax foreclosure; and

WHEREAS, Alaska Statutes Title 29 provides that a tax-foreclosed property may be retained by a municipality for public purpose by adoption of a retention ordinance; and

WHEREAS, the Polaris Building has become a blight on downtown Fairbanks; and

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

WHEREAS, because the owner has not responded to the Building Official's Notice and Order, the City has the legal right to demolish the Polaris Building; and

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

WHEREAS, City ownership of the property is a requirement for obtaining grant funds for demolition of the building; and

WHEREAS, the Fairbanks North Star Borough has agreed to waive landfill tipping fees at the time of demolition, helping reduce the total cost of the project; and

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

SECTION 1. That the City hereby exercises its right, as provided under AS 29.45.460, to retain for public purpose the following property, owned by Fairbanks Polaris Hotel, LLC, c/o Marlow

Development Co., 337 E 4th Ave., Unit 1, Anchorage, Alaska 99501, known as the Polaris Building, located at First Avenue and Lacey Street, 123 Lacey Street (also 427 First Avenue), Fairbanks, Alaska, identified for property tax purposes as Parcel Account Number 0418111, and legally described as:

Parcel 1

A portion of Block 12, Townsite of Fairbanks, according to the survey of said Townsite known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 1 in said Block; THENCE North 79°24'00" East along the Northerly line of Lots 1 and 2 in said Block, a distance of 63.17 feet; THENCE North 81°37'00" East along the Northerly line of Lots 2 and 3 in said Block, a distance of 44.20 feet to the Northeast corner of said Lot 3; THENCE South 8°06'00" East 75.50 feet to the Southeast corner of said Lot 3; THENCE South 82°09'00" West 23.55 feet; THENCE North 9°41'07" West 7.75 feet; THENCE South 80°18'53" West 79.91 feet to the Westerly line of said Lot 1; THENCE North 11°14'00" West along said Westerly line 67.02 feet to the POINT OF BEGINNING.

Parcel 2

That portion of Lots 1 and 2, Block 12, Townsite of Fairbanks, according to the survey of said Townsite known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922, Records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

BEGINNING at a point on the West boundary line of said Lot 1 that is South 11°14' East 67.02 feet from the Northwest corner of said Lot 1; THENCE North 80°18'53" East 79.91 feet; THENCE South 9°41'07" East 7.75 feet; THENCE North 82°09' East 1.35 feet to a point on the East line of Lot 2; THENCE South 08°43' East along the East line of Lot 2, a distance of 75.0 feet to the Southeast corner of said Lot 2; THENCE along the South boundary line of Lots 2 and 1, South 82°15' West 77.90 feet to the Southwest boundary of said Lot 1; THENCE along the West boundary line of said Lot 1, North 11°14' West 80.18 feet to the POINT OF BEGINNING.

SECTION 2. That funds shall be appropriated to pay the Borough its portion of property taxes due and owing, together with applicable fees, estimated at \$49,000.

SECTION 3. That a signed copy of this ordinance shall be furnished to the Borough Clerk.

SECTION 4. That the effective date of this Ordinance shall be the ____ day of June 2018.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

**CITY OF FAIRBANKS
FISCAL NOTE**

I. REQUEST:

Ordinance or Resolution No: 6075

Abbreviated Title: RETENTION OF POLARIS BUILDING

Department(s): MAYOR

Does the adoption of this ordinance or resolution authorize:

- 1) additional costs beyond the current adopted budget? Yes _____ No x
- 2) additional support or maintenance costs? Yes x No _____
 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:

EXPENDITURES:	Equipment	Contracts	Personnel	Total
FNSB Property Taxes	\$0	\$49,000	\$0	\$49,000
TOTAL	\$0	\$49,000	\$0	\$49,000

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
Fairbanks Downtown Association	\$0	\$49,000	\$0	\$49,000
TOTAL	\$0	\$49,000	\$0	\$49,000

The Fairbanks Downtown Association will provide funding for the required property taxes upon foreclosure, resulting in City ownership of the building. The support and maintenance of this property is unknown at this time.

Reviewed by Finance Department: Initial mb Date 5/10/2018

City of Fairbanks



MEMORANDUM

To: City Council Members
From: Jim Matherly, City Mayor
Subject: Request for Concurrence – Hotel/Motel Discretionary Fund Committee
Date: May 17, 2018

A handwritten signature in black ink, appearing to be "JM", written over the signature line of the memorandum.

The term of Seat D on the Hotel/Motel Discretionary Fund Committee will expire on June 30, 2018. Mr. John Kohler currently fills this position and has applied and is eligible for continued service.

I hereby request your concurrence to the following **re-appointment**:

Seat D Mr. John Kohler Term to Expire: June 30, 2021

Mr. Kohler's application is attached.


Thank you.

dds/



HOTEL/MOTEL DISCRETIONARY FUND COMMITTEE

BOARD DETAILS



OVERVIEW

- SIZE** 6 Seats
- TERM LENGTH** 3 Years
- TERM LIMIT** 2 Terms

The Hotel/Motel Discretionary Fund acts in an advisory capacity to the City Council; assures that funding is provided to organizations that guarantee the furtherance of the promotion of the tourist industry and other economic development and the funding of services for the general public; reviews applications from organizations applying for grant dollars and makes recommendations to the City Council for fund distribution; reviews Fairbanks General Code (FGC), Section 74 and makes recommendations to the City Council for modifications and/or additions.



DETAILS

BOARD/COMMISSION CHARACTERISTICS

The Hotel/Motel Discretionary Fund Committee shall consist of five community members and a Council person who will function as the Chairman, all appointed by the Mayor. Each member shall serve a three-year term with a limit of two consecutive full terms.

MEETINGS

Hotel/Motel Discretionary Fund Committee Meetings are held annually in November and December at City Hall in the Council Chambers. Please contact the Office of the City Clerk for meeting dates and times.

[Meeting Minutes](#)

ENACTING LEGISLATION

FGC Chapter 74, Article IV, Hotel-Motel Tax

ENACTING LEGISLATION WEBSITE

<http://bit.ly/2Cv4euM>

JOINT COMMISSION DETAILS

N/A

EMAIL THE COMMISSION

hotel-moteldiscretionaryfundcommittee@ci.fairbanks.ak.us

Profile

John
First Name

Kohler Jr
Last Name

[Redacted]
Email Address

[Redacted]
Street Address

[Redacted]
Suite or Apt

Fairbanks
City

AK
State

[Redacted]
Postal Code

Mailing Address

[Redacted]

Are you a City of Fairbanks resident? *

Yes

[Redacted]
Primary Phone

[Redacted]
Alternate Phone

Hub International
Employer

Vice President-Sales
Job Title

Which Boards would you like to apply for?

Hotel/Motel Discretionary Fund Committee: Submitted

Interests and Experiences

Why are you interested in serving on a City board or commission? What experiences can you contribute to the benefit of the board or commission?

I Had an interesting go at it this last year. I think I'm over the learning curve. Prior experience on grant/regrant boards include at the State level with the Alaska State council on the Arts, and locally for the bed-tax regrant group from Fairbanks Arts Association

Please provide a brief personal biography in the space below, or attach a resume.

Not born, but raised in Fairbanks- a resident (more or less) since 1972. 30 years in business locally with Rural Alaska Insurance, recently sold to Hub International- currently a Vice president for Sales. Dueling side careers in the mediums of music and theatre as actor, musician, play write, recording artist and composer.

Upload a Resume

List any professional licenses or training you believe are relevant to the seat you are applying for.

BA in Speech Communications from UAF, All lines insurance licenses.