



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 20, 2017
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, following a 6:00 p.m. Work Session for the Fairbanks Economic Development Corporation (FEDC) Annual Report, 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: June Rogers, Seat B
Valerie Therrien, Seat C
Jonathan Bagwill, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: Joy Huntington, Seat A (Excused)

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Stephanie Johnson, Dispatch Center Manager
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Matherly asked Chief of Staff Mike Meeks to lead the Flag Salutation.

CEREMONIAL MATTERS

Mayor Matherly congratulated City Clerk Danyielle Snider for being awarded the Alaska Association of Municipal Clerks (AAMC) Lighthouse Presidential Award at the Alaska Municipal League (AML) Conference in Anchorage, and he read aloud the letter of recommendation he wrote for her nomination. Mayor Matherly thanked Ms. Snider for her professionalism in dealing with citizens, employees, and her staff.

Mayor Matherly thanked Boy Scout Troop 92 for attending the City Council Meeting to better understand local government and receive a merit badge.

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

Mr. Cleworth pulled Ordinance No. 6067 from the Consent Agenda.

Mr. Pruhs pulled the Appointment to the Permanent Fund Review Board from the Consent Agenda.

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

City Clerk Snider read the Consent Agenda, as Amended, into the record.

APPROVAL OF PREVIOUS MINUTES

a) Regular Meeting Minutes of September 11, 2017.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council heard interested citizens concerned with the following application for a New Retail Marijuana Store License:

Type:	Retail Marijuana Store, License #12964
DBA:	Fairdanks Cannabis
Licensee/Applicant:	West Front Andrew, LLC
Physical Location:	29 College Road, Fairbanks, Alaska

Mr. Pruhs, seconded by **Ms. Rogers**, moved to WAIVE PROTEST on the New Retail Marijuana Store License.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke in support of Fairdanks Cannabis retail store as long as they are compliant with regulations.

Vivian Hong, 201 Old Steese Highway, Fairbanks – Ms. Hong stated she is in attendance on behalf of West Front Andrew, LLC and is available to answer questions.

Ms. Therrien asked if the Certificate of Occupancy had been issued for the retail location. Ms. Hong stated they just started construction, and they do not plan to open until the spring of 2018.

Mayor Matherly asked where 29 College Road is located; Ms. Hong stated it is across from the Bentley Mall.

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

Mr. Pruhs, with the concurrence of the Second, moved to AMEND the motion to WAIVE PROTEST by changing it to a motion to PROTEST until a Certificate of Occupancy is issued by the Building Department.

Mr. Pruhs spoke in support of the license because of the resounding results of the October election.

Mr. Cleworth asked that the Council pay close attention to the Police Department's comments about limiting the number of retail locations in the City limits. He shared his concern for oversaturating the market with marijuana retail locations.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE NEW RETAIL MARIJUANA STORE LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED BY THE BUILDING DEPARTMENT AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Bagwill, Therrien

NAYS: None

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly stated that Public Works is preparing for lots of snow, and he asked everyone to see the City of Fairbanks Facebook page for the snow removal schedule. He asked everyone for patience and understanding.

a) Special Reports

Brittany Smart, 907 Terminal Street, Fairbanks – Ms. Smart stated it is good to be back to work and thanked Krista Major for filling in for her while she was out taking care of her newborn daughter. Ms. Smart reported that Mayor Kassel was elected as the President of the Mayor's Association. She stated that staff at the Borough is pleased with the progress at the Central Recycling Center. She stated Mayor Kassel is still trying to collect information and ideas for the Downtown Fairbanks Plan and asked people to continue to submit input on the Borough website. She stated there is an art show in the Borough hallway that displays student art, and she invited everyone to check it out.

Scott McCrea, 2965 Westgate Place, Fairbanks – Mr. McCrea stated he is speaking as the Director of Tourism of Explore Fairbanks. He spoke to events that brought tourism to the City in 2017 and gave a preview of what to expect in 2018 and 2019 relating to the cruise ship industry. Mr. McCrea thanked the Council for reinvesting City Bed Tax dollars into destination marketing.

Mayor Matherly stated he was sad to hear the news about Ice Alaska not opening this year and shared his hope that they get back on their feet.

NEW BUSINESS

- a) Ordinance No. 6066 – An Ordinance Amending Fairbanks General Code Section 74-34 Residential Property Tax Exemption to Clarify Amount of Exemption. Introduced by Council Members Pruhs, Cleworth, Bagwill, and Huntington.

ADVANCED on the CONSENT AGENDA.

- b) Ordinance No. 6067 – An Ordinance Approving Amendments to the 1997 Wastewater Treatment Plant Lease Agreement Between the City of Fairbanks and Golden Heart Utilities. Introduced by Mayor Matherly.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to ADVANCE Ordinance No. 6067.

Mr. Cleworth asked about the sale amount of the Wastewater Treatment Plant; Mr. Meeks explained that the sales price is reduced because each time Golden Heart Utilities (GHU) performs improvements the City's equity is decreased. Mr. Meeks stated that improvements funded by GHU are GHU assets, not the City's. **Mr. Cleworth** questioned the difference in the dates cited in the contract relating to GHU's credit and the deadline to exercise the option to purchase. Mr. Meeks stated he would speak with Pat Smith and report back with an answer.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6067 AS FOLLOWS:

YEAS: Bagwill, Cleworth, Rogers, Therrien, Pruhs
NAYS: None
ABSENT: Huntington
Mayor Matherly declared the MOTION CARRIED.

DISCUSSION ITEMS

- a) Committee Reports

Polaris Work Group – **Mr. Pruhs** stated the group is reviewing a 732-page report on the Brownfields assessment. He stated they are going to request that the Environmental Protection Agency (EPA) send the report back to the contractor because they identified contaminants and pollutions but did not provide any estimate for remediation. **Mr. Pruhs** reported Senator Lisa Murkowski's Office has submitted a funding request of \$70 million to help with the remediation.

WRITTEN COMMUNICATIONS TO COUNCIL

- a) Appointment to the Permanent Fund Review Board

Mr. Pruhs, seconded by **Mr. Bagwill**, moved to APPROVE the Appointment to the Permanent Fund Review Board.

Mr. Pruhs complimented Mayor Matherly for selecting Bernard Gatewood to serve.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT TO THE PERMANENT FUND REVIEW BOARD AS FOLLOWS:

YEAS: Rogers, Bagwill, Therrien, Pruhs, Cleworth

NAYS: None

ABSENT: Huntington

Mayor Matherly declared the MOTION CARRIED.

b) Reappointment to the Public Safety Commission

APPROVED on the CONSENT AGENDA.

c) Reappointment to the Chena Riverfront Commission

APPROVED on the CONSENT AGENDA.

d) Reappointment to the City Finance Committee

APPROVED on the CONSENT AGENDA.

e) Chena Riverfront Commission Meeting Minutes of June 14, 2017

ACCEPTED on the CONSENT AGENDA.

f) Chena Riverfront Commission Meeting Minutes of September 13, 2017

ACCEPTED on the CONSENT AGENDA.

g) Chena Riverfront Commission Meeting Minutes of October 11, 2017

ACCEPTED on the CONSENT AGENDA.

h) Hotel/Motel Discretionary Fund Committee Meeting Minutes of February 17, 2017

ACCEPTED on the CONSENT AGENDA.

CITIZENS' COMMENTS

Randall Kelsch, 3254 Riverview Drive, Fairbanks – Mr. Kelsch spoke to the liquor license at McCoy's Restaurant at 636 28th Avenue. He asked the City to lift the protest on the location because he complied with the Fire Department's request to place sprinklers throughout building.

He stated he is fully compliant and looking for a tenant; he stated that having the protest lifted would allow for a restaurant to operate at the location.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated the snow seems to be plowed on the Southside, but pedestrian routes are not good in the City. He stated Noble Street is plowed beautifully, but 2nd Avenue is a mess. He asked if snow removal would be performed on Thanksgiving Day at double or triple overtime for union employees, and he commented that all the overtime makes a nice Christmas bonus for the union workers. Mr. Buberger spoke about transgender restrooms and questioned what might happen if he decided he wanted to be a kitten, a pony, a stallion, or a unicorn. He spoke against special restrooms for transgender people. He expressed his belief that people are born and die either male or female. He again spoke of the danger to pedestrians with all the snow on sidewalks and in neighborhoods.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated he understands that there is only one snow crew until the end of the year but that the snow berms are starting to get high. He shared that he has faith in Public Works Director Jeff Jacobson that he will get the job done. Mr. Turney spoke to racial discrimination in the jury pool and stated he is trying to get the FDC to look into the problem. He shared his concern with the FDC supporting the transgender restroom issue and stated that the public has the right to know the FDC is supporting the issue. He thanked the Mayor for speaking out about the alcohol problem in the community and commented that he is the first Mayor to take such a stand. He wished everyone a happy Thanksgiving and shared that if it was not for the Bill of Rights, Americans would not be able to enjoy such things.

Mayor Matherly reminded everyone of the rules of decorum.

Michael Farrell, P.O. Box 83327, Fairbanks – Mr. Farrell stated International Men's Day was November 19, and he recommended the book Thirty Seven by Quintus Curtius. He distributed a handout about the sexuality of humans and stated that the City does not have the money for projects like the potty project. He stated the Council should spend more time working on balancing the budget and less time focusing on transgender restrooms.

Mayor Matherly asked Mr. Farrell if he had attended any of the Fairbanks Diversity Council meetings or any of the budget meetings. Mr. Farrell stated he has not attended either type of meeting but that he has read meeting minutes. **Mayor Matherly** invited Mr. Farrell to attend the meetings and encouraged him to participate in the process.

Angela Foster-Snow, 1212 Bainbridge Boulevard, Fairbanks – Ms. Foster-Snow clarified that the potty project is not focused only on transgender issues; she stated it is an effort to make restrooms available to anyone who may need special assistance. She clarified the individual bathrooms are about normalizing opportunities for people who may need special assistance in the restroom and it just happened to be brought up at an FDC meeting. She shared a story of her brother needing special attention in the restroom; she added that having a single-stall restroom would have helped him be more comfortable.

Vivian Hong, 201 Old Steese Highway, Fairbanks – Ms. Hong stated alcohol is a factor in 40% of violent crimes and that marijuana stores will not add to it. She stated the marijuana industry is good for the community because it will increase tourism and boost the City's budget.

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

COUNCIL MEMBERS' COMMENTS

Ms. Rogers thanked Public Works for the good job they are doing and asked that citizens be patient because the department is doing its best. She invited everyone to attend the FDC meetings and other public meetings because it allows for everyone to be involved. She wished everyone a wonderful Thanksgiving and encouraged everyone to take care of each other.

Ms. Therrien spoke to the number of budget meetings the Council has attended and pointed out that there are more meetings to come. She stated there has been a lot of time and effort put into the budget and that the Council has been going over it with a fine-tooth comb. She invited everyone to attend budget meetings and see how seriously everyone takes the issues. She stated if the Council is going to limit the number of marijuana retail locations within the City, they should also revisit the number of alcohol establishments that are allowed. She wished everyone a happy Thanksgiving and safe travels.

Mr. Pruhs congratulated Ms. Snider on receiving the award and thanked the Mayor for writing her letter of recommendation. He asked that someone look into Mr. Kelsch's claim that his restaurant is now in compliance with City requirements. He stated there has been heavy snowfall and indicated that Fairbanksans should be prepared for it. He thanked Ms. Rogers for her work on the FDC. He thanked the Boy Scouts for attending the meeting; he expressed hope that they learned something and that they receive their merit badges.

Mr. Cleworth, in reference to Mr. Kelsch's testimony on the McCoy's liquor license, asked what a temporary liquor license meant; Clerk Snider stated she had not heard of a temporary license but that it may be possible that the AMCO office had issued one. Ms. Snider read aloud the letter she sent to AMCO on behalf of the Council stating what was required in order for the City's protest to be lifted. Mr. Cleworth stated he the concentration of alcohol licenses was worse in years past, but there needs to be some planning to prevent oversaturation in the future. In respect to the rules of decorum and order, he asked whether it was appropriate for City staff to speak during citizens' comments.

Mayor Matherly stated that staff reports should be given after citizens' comments.

Mr. Bagwill welcomed the Boy Scouts to the meeting. He shared he learned a lot at the newly-elected officials training at the AML Conference. He stated that Council meetings and Board and Commission meetings are open to the public and minutes are available for inspection; he added that all meetings are all publically noticed. He wished everyone a happy Thanksgiving and encouraged everyone to spend time with family and those they hold close.

CITY ATTORNEY'S REPORT

City Attorney Ewers stated that the AML conference is always a sad time of year, because it memorializes the time of year that former Chief of Staff Patrick Cole passed away.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to enter Executive Session for the purpose of discussing IBEW Labor Negotiations.

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

Mayor Matherly called for a brief recess.

EXECUTIVE SESSION

a) IBEW Labor Negotiations

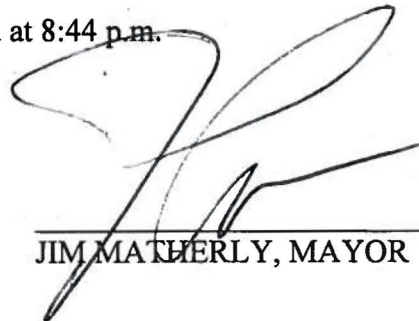
The City Council met in Executive Session to discuss IBEW Labor Negotiations. Direction was given to the negotiating team, and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 8:44 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB