



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, OCTOBER 23, 2017  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 7:00 p.m. on the above date 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

Absent: None

Also Present: Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Jeff Jacobson, Public Works Director  
Stephanie Johnson, Dispatch Center Manager  
Carmen Randle, Chief Financial Officer  
Angela Foster-Snow, HR Director  
Christina Rowlett, HR Admin  
Jim Styers, Fire Chief  
Dan Welborn, Deputy Police Chief

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 Ms. Huntington to lead the Flag Salutation.

**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 Mr. Cleworth, moved to APPROVE the Agenda and Consent Agenda.

**Ms. Therrien** pulled the Approval of the 2018 City Council Meeting Schedule and the Memo Acknowledging Payment of Incentive Bonus to FPD Employees from the Consent Agenda.

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

**Mr. Pruhs**, seconded by **Mr. Bagwill**, moved to add an Executive Session to discuss Gavora, Inc. v. City of Fairbanks 4FA-16-01898CI: Offers of Judgement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADD AN EXECUTIVE SESSION TO DISCUSS GAVORA, INC. V. CITY OF FAIRBANKS 4FA-16-01898CI: OFFERS OF JUDGEMENT AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Cleworth, Bagwill, Rogers  
NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

#### **APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of July 24, 2017.

APPROVED on the CONSENT AGENDA.

#### **MAYOR'S COMMENTS AND REPORT**

**Mayor Matherly** stated that he was honored to attend the Alaska Federation of Natives (AFN) event; he stated it was a great event. He stated he spent most of Saturday at Pioneer Park for International Friendship Day, and he thanked Rosalind Kan for all the hard work she put into the event. He stated there will be public trick-or-treating from 3-5 p.m. at City Hall on Halloween, and all are welcome. **Mayor Matherly** reported that the Fairbanks Police Department (FPD) will be giving out glow sticks for Operation Glow.

**Ms. Rogers** stated she heard on the news that 63,000 people are killed every year on Halloween in the United States, and she reminded everyone of the importance of safety.

**Mayor Matherly** stated Star Electric is working on street light issues, and they will be taken care of before Halloween. He stated the Homeless Coalition's two-day event stated earlier in the day at the Westmark Hotel, and he encouraged everyone to attend.

a) Special Reports

Krista Major, 907 Terminal Street, Fairbanks – Ms. Major stated the Fairbanks North Star Borough (FNSB) will host a "sandbox" meeting on November 1 at noon and 6:00 p.m. She stated they are looking for feedback on the needs of the community. She asked everyone to stop by even if it was just to fill out a comment card but encouraged interaction if anyone wished to personally share their thoughts. She stated Mayor Kassel asked her to thank Mike Sanders and



the Housing & Homeless Coalition for their efforts to end homelessness. Ms. Major spoke to events that took place at Eielson Air Force Base (EAFB) relating to the F-35s and to the Regional Growth Plan. She stated the whole thing is coming together and that Fairbanks appears to have adequate housing; she added that North Pole will be short because of the close proximity to the base. She stated there will be a spooky train event at Pioneer Park on October 28 to celebrate Halloween and invited everyone to attend. She stated the Noel Wein Library will be celebrating its 40 year anniversary on November 3 and asked everyone to come out and take part in the event. Ms. Major reported that Brittany Smart asked her to say hello to the Council.

Helen Renfrew, 101 Dunkel Street, Fairbanks – Ms. Renfrew stated she is the Director of Meetings and Conventions at Explore Fairbanks, and she reported on the revenue that events bring into the community. She provided a rundown of the events that have occurred in Fairbanks over the past year and other events that Explore Fairbanks has sponsored around the State. She stated that in June Explore Fairbanks met with Johnson Consulting Group to do a study on a convention center in Fairbanks, and the work is still ongoing. She stated Explore Fairbanks would be happy to do a Work Session with the Council to give a thorough update on the issue. She thanked the Council for reinvesting bed tax dollars into destination marketing.

**Mr. Cleworth** stated a similar study was done four or five years ago, and he asked whether it was an extension of the group or a different group. He stated the original study found that a convention center would not be feasible if it was not in close proximity to a hotel. Ms. Renfrew stated the study is being done by a different group and that they have asked Johnson Consulting Group to reevaluate and double-check the numbers. She stated that the direction has changed to look at a colocated facility with a convention center and a performing arts center. **Mr. Cleworth** asked if they have identified a funding source; Ms. Renfrew stated that a funding source has not yet been identified yet but that she would be happy to provide a future update. **Mr. Cleworth** shared his concern with subsidizing a facility of that size.

**Mayor Matherly** stated that October 24 marks one year of being Mayor of the City of Fairbanks and spoke of the honor it has been to serve. He stated that the meeting he was sworn in was the same meeting Sergeant Allen Brandt gave a powerful public testimony that took the breath out of the room. **Mayor Matherly** stated Sgt. Brandt's police vehicle will be parked out front to memorialize him; he stated his prayers are with the Brandt family and the FPD.

Public Works Director Jeff Jacobson stated that at the last Council meeting a resident of Hamilton Acres came to speak about the bad potholes in her area; he reported that Public Works has repaired all the potholes in the area. Mr. Jacobson stated his crew went around the whole City filling potholes with a new kind of cold patch that comes from the emulsion plant, and it seems to be working well. He stated he has heard that rain is in the forecast for Friday and that his crew is ready in case of freezing rain and icy streets.

**Mayor Matherly** commended the Public Works department for their efforts in getting citizens to separate sharps out of their garbage. He thanked Mr. Jacobson for his efforts in getting citizens to do their part in snow removal.

## 2017 MUNICIPAL ELECTION

### a) Certification of the 2017 Municipal Election Results

**Ms. Therrien**, seconded by **Mr. Bagwill**, moved to CERTIFY the 2017 Municipal Election Results.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CERTIFY THE 2017 MUNICIPAL ELECTION RESULTS AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and the 2017 Municipal Election Results CERTIFIED.

### b) Oaths of Office

City Clerk Danyielle Snider read the following 2017 Municipal Election results into the record:

That **Jerry Cleworth**, having received the majority number of votes cast for CITY COUNCIL SEAT E, for a three-year term ending October 2020, is hereby declared reelected as a Member of the Fairbanks City Council; and

That **David Pruhs**, having received the majority number of votes cast for CITY COUNCIL SEAT F, for a three-year term ending October 2020, is hereby declared reelected as a Member of the Fairbanks City Council; and

That **Proposition A** on the question of whether to ratify the citizens' initiative petition to prohibit the operation of marijuana establishments within the City of Fairbanks FAILED by a vote of 1522 "yes" votes to 3423 "no" votes; and

That **Proposition B** on the question of whether to ratify Ordinance No. 6054, as Amended, which would allow the City to impose increased taxes to maintain City services in an amount of \$1,713,652, minus any revenue sharing funds the City receives from the State of Alaska FAILED by a vote of 2115 "yes" votes to 2729 "no" votes.

City Clerk Snider swore in Council Members Jerry Cleworth and David Pruhs. Members reassumed their respective seats.

## NEW BUSINESS

- a) Resolution No. 4813 – A Resolution Authorizing the Mayor to Execute an Agreement with Superior, LLC for Acquisition of Software License Sharing for the Alaska State Troopers. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.



- b) Ordinance No. 6063 – An Ordinance Amending the 2017 Operating Budget for the Fifth Time and the Capital Budget for the Third Time. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- c) Ordinance No. 6064 – An Ordinance Amending Fairbanks General Code Section 2-233(a) Regarding Fairbanks Diversity Council Vice-Chairperson. Introduced by Mayor Matherly and Council Member Rogers.

ADVANCED on the CONSENT AGENDA.

### **DISCUSSION ITEMS**

- a) Committee Reports

Permanent Fund Review Board (PFRB) – **Ms. Therrien** stated the board met and agreed to make a recommendation to the Council to continue depositing Golden Heart Utilities (GHU) lease payments into the Permanent Fund, and she requested Ms. Randle provide balance information to the Council. Ms. Randle reported the balance of the Permanent Fund as of October 17 was \$131,600,000.

Polaris Group – **Mr. Pruhs** stated the group met and received a lengthy Brownsfield Survey that they have not finished reviewing. He stated he will bring a report to the Council in the future.

Public Safety Commission (PSC) – **Ms. Huntington** stated the Commission met and welcomed a new member, Jason Roe. She stated departments gave staff reports at the meeting, and now the Commission has a better understanding of staffing levels and vacancies that need to be filled. She reported no action was taken at the meeting, but something may be happening soon.

Fairbanks Diversity Council (FDC) – **Mayor Matherly** stated the group met, but it was a short meeting. He asked Ms. Rogers to give a report. **Ms. Rogers** reported students from West Valley High School came to share about their school's Diversity Club and that there was a lot of discussion about International Friendship Day. She stated that she also offered to facilitate a meeting between the School District Diversity Council and the West Valley Diversity Club.

### **WRITTEN COMMUNICATIONS TO COUNCIL**

- a) Approval of the 2018 City Council Meeting Schedule

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to APPROVE the 2018 City Council Meeting Schedule.

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to AMEND the 2018 City Council Meeting Schedule by changing the second meeting in January from the 22nd to the 29th.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE 2018 CITY COUNCIL MEETING SCHEDULE BY CHANGING THE SECOND MEETING IN JANUARY FROM THE 22ND TO THE 29TH AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE 2018 CITY COUNCIL MEETING SCHEDULE, AS AMENDED, AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

b) Memo Acknowledging Payment of Incentive Bonus to FPD Employees

**Mr. Bagwill**, seconded by **Ms. Therrien**, moved to ACCEPT the Memo Acknowledging Payment of Incentive Bonus to FPD Employees.

**Ms. Therrien** asked if the bonus would be credited toward the case that is pending before the Supreme Court. City Attorney Paul Ewers stated it would not be.

**Mr. Pruhs** stated that he understood the bonus was to be given with no strings attached.

**Ms. Therrien** expressed confusion with the memo; **Mayor Matherly** asked Deputy Chief Dan Welborn for a staff report. Deputy Chief Welborn stated the memo before the Council does not pertain to a retention bonus; he stated that it is regarding a lateral hire bonus and a couple of recruitment bonuses.

A ROLL CALL VOTE ON THE MOTION TO ACCEPT THE MEMO ACKNOWLEDGING PAYMENT OF INCENTIVE BONUS TO FPD EMPLOYEES AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

c) Memo Clarifying Public Works Security Projects

ACCEPTED on the CONSENT AGENDA.

d) Permanent Fund Review Board Resolution No. 2017-01 – A Resolution by the Permanent Fund Review Board Urging the Fairbanks City Council to Continue Depositing the Golden Heart Lease Payments Into the Permanent Fund.

ACCEPTED on the CONSENT AGENDA.

- e) Fairbanks Diversity Council Meeting Minutes of September 12, 2017

ACCEPTED on the CONSENT AGENDA.

- f) Permanent Fund Review Board Meeting Minutes of July 19, 2017

ACCEPTED on the CONSENT AGENDA.

### **CITIZENS' COMMENTS**

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated voter turnout in the last election was the second highest since the 1980s. He asked why the voter rolls have not been purged. He stated it is a shame because there is no way to determine an accurate percentage of voter turnout. He stated cannabis is about education, not incarceration. Mr. Turney stated he is a member of the Clay Street Cemetery Commission, and he spoke to the importance of correcting the signage to guide visitors to the cemetery. He stated he was overwhelmed by the number of voters that came out in support of the cannabis industry but that he is hearing complaints that the THC is not high enough. Mr. Turney stated he looks forward to the Paschall's business opening with a medicinal line of products. He stated cannabis should not be part of employee drug testing because of how long the substance takes to leave a person's system. He stated Sergeant Brandt was a very professional peace officer, and he was an excellent part of the FPD.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger spoke to the fiscal problems of the City and stated it is probably because the Council went against City Code by increasing their contribution to the Fire Department's insurance plan. He stated the City should have volunteers in the Fire Department. Mr. Buberger asked who really runs the City: the Unions or the Council. He asked if the Fire Department is so special that they get to break the City when they could have some volunteer staff working at the department. He stated he has seen instances when other local departments come to help out at City fires, and he again questioned why the City does not have volunteer firefighters. He stated that on-the-job training is the best kind of training for volunteer firefighters.

Meagan Scheer, 100 10th Avenue, Fairbanks – Ms. Scheer shared her excitement for the addition to the Boy's and Girl's Club for teens. She stated that Access Alaska will be cohosting a trick-or-treating event at Pioneer Park; she stated that presale tickets are \$5 or \$7 at the door, and she listed the places tickets are being sold. She stated Access Alaska has Medicare counselors to help people during open enrollment. Ms. Scheer shared that Access Alaska's pre-employment transition program is off to a great start and that there are 22 students enrolled in the program. Ms. Scheer stated the program is hoping to meet with The Door and the Department of Juvenile Justice to see if it would be of any service to the youth in their organizations. Ms. Scheer thanked the Council for all of the support they provide to the community.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson thanked Mayor Matherly for the support he has given to the Housing & Homeless Coalition; she stated that Mike and Scott are providing a valuable service to the community. She complimented Deison for the hard work he put into the Club to get a teen center onsite. She reported that October is domestic violence awareness month and commented that Fairbanks is one of the worst places per capita for domestic violence;



she listed some statistics on domestic violence. Ms. Carlson stated the Interior Alaska Center for Non-Violent Living and some of the groups at UAF will be hosting a screening of *Beauty and the Beast* at the Wood Center ballroom. She encouraged everyone to wear purple every Friday in October to bring awareness to the issue of domestic violence.

Michael Farrell, P.O. Box 83327, Fairbanks – Mr. Farrell stated he has been reading the Fairbanks Diversity Council minutes and that being a transgender is actually a mental illness. He stated that those who transition have a 40%-50% suicide rate, and he does not understand why the City is encouraging that. He stated there are only two different genders: male and female. He referenced and spoke against the “potty project”; he added that the whole thing is disgusting. Mr. Farrell stated giving kids mind-altering drugs is a serious problem. He asked the Mayor why there were only a few, selected people who had the opportunity to testify during Mayor’s comments. He stated he did not mind waiting but that everyone should have to wait. He read aloud a section of an article he distributed to the Council that was posted in the National Review.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated she would like all the City’s marijuana revenue to be given to treatment facilities for people with drug addictions. She stated she has seen other states successfully run treatment centers. She asked the Council to open a facility that can house 200 beds for people who are on drugs and need help. She stated the Council is talking specifically about opiates but they need to talk about all drugs. She stated there are a lot of people out there in need of help.

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

### **COUNCIL MEMBERS’ COMMENTS**

**Ms. Therrien** stated that the firefighters’ increase used the City’s Fund balance which is not against City Code. She stated given the amount of Fire Department calls it would make a bad place to train a volunteer firefighter. She stated it was offensive to hear Mr. Farrell say that a transgender person is disgusting; she stated he should take those comments back.

**Ms. Rogers** stated it was an interesting meeting, and she noted that there have been all sorts of comments prior to the meeting about the new order of business. She stated she likes that she is able to immediately respond to public comment but that the format is not cast in stone. She encouraged everyone to slow down on the road and to leave space between vehicles because the roads are slippery. She stated she is appalled by how fast she sees drivers driving in parking lots because little children dart out into the street so quickly.

**Ms. Huntington** congratulated Mr. Cleworth and Mr. Pruhs for being reelected, and she thanked them for all the experience and energy they bring to the Council. She stated Mayor Matherly represented the City famously at AFN in his welcoming remarks and added that it was a great moment for Fairbanks to shine. She stated that it is domestic violence awareness month and encouraged people to speak up and take action against it. She encouraged everyone to advocate for and take care of themselves and their families.



**Mr. Bagwill** asked everyone to keep the Brandt family in their prayers. He thanked the Council and City staff for all the work done on past budgets. He stated he had not contacted journalist Kevin Baird back because he is drowning in the budget and trying to learn the process. He thanked everyone who showed up to vote and have their voice be counted and heard. He thanked the Clerk's Office staff for all the hard work they put into the election.

**Mr. Cleworth** stated that within the last week the community lost two important people: Marion Braid and Karen Lavery. He shared a little about each woman and stated that Ms. Lavery was instrumental in changing downtown Fairbanks. **Mr. Cleworth** stated he was happy to hear the news about the Permanent Fund but reminded everyone that there may be some tough times ahead. He stated he has tried for years to change the Firefighter contract to allow for volunteers but to no success. He asked whether the City Hall door locking schedule has been changed with the changing of the order of business; Mayor Matherly stated it has. **Mr. Cleworth** commended Mayor Matherly for representing Fairbanks at AFN. He stated that it has been a joy to serve on the City Council over the years. **Mr. Cleworth** stated that when he first started serving on the Council, the Police and Fire Departments were in cramped quarters on 7th Avenue. He stated that in the mid-1990s, voters approved the bond for the Police Station, and Senator Pete Kelly and others in Juneau helped the City's Fire Station come to pass. He stated the beauty of Cushman Street is all the work that you cannot see—like the fiber-optic cable that runs under the street. He stated he loves serving on the Council because of the difference a person can make in the community. **Mr. Cleworth** stated City Hall is a classic example; he explained that City Hall used to be the School District Building, and when they relinquished it to the City, employees painted their own offices and made it their own space. He stated over the years the City has helped to restore the building. Speaking about the world as a whole, **Mr. Cleworth** stated that if a person makes \$35,000 or more per year they are considered very wealthy and in the upper 1% of all wage earners on earth.

**Mr. Pruhs** stated he would look into the status of Kelly Paschall's building for Mr. Turney and have a report at the next Council meeting. He stated the City does not observe Martin Luther King, Jr. Day as a holiday. He stated that he would like the Fairbanks Diversity Council to speak with each bargaining unit to find out why personal days are given, but MLK Day is not observed. **Mr. Pruhs** thanked everyone for congratulating him on being reelected and that serving on the Council for the City in which he was raised is a fine honor. He thanked everyone for allowing him to give his input and thanked the Mayor for having fine staff to work with.

**Mr. Pruhs**, seconded by **Mr. Bagwill**, moved to go into Executive Session for the purpose of discussing Gavora, Inc. v. City of Fairbanks 4FA-16-01898CI: Offers of Judgement.

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

**Mayor Matherly** called for a brief recess.

### **EXECUTIVE SESSION**

a) Gavora, Inc. V. City of Fairbanks 4FA-16-01898CI: Offers of Judgement

*This item was added to the agenda by motion and vote of the Council at agenda approval.*

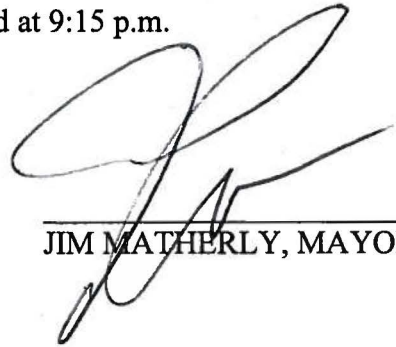
The City Council met in Executive Session to discuss Gavora, Inc. V. City of Fairbanks 4FA-16-01898CI: Offers of Judgement. Direction was given to the legal team, and no action was taken.

**ADJOURNMENT**

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

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

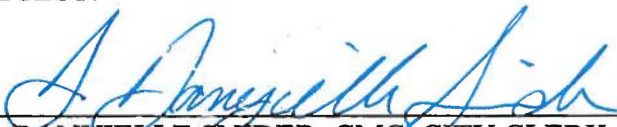
**Mayor Matherly** declared the meeting adjourned at 9:15 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANYELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB