



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JULY 10, 2017
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: Vacant, Seat D (Council Member Jerry Norum resigned from Seat D earlier the same day)

Also Present: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Mike Meeks, Chief of Staff
Carmen Randle, Chief Financial Officer
Angela Foster-Snow, HR Director
Pat Smith, Development Manager
Eric Jewkes, Police Chief
Jim Styers, Fire Chief
Ron Templeton, Deputy Fire Chief
Jennifer Meyer, Engineer II
Jeff Whipple, Engineer II
Tim Zinza, Engineer III
Jacob Rahlfs, Engineer II
Donna Gardino, MPO Coordinator
Bill Rogers, Engineer II

At Mayor Matherly's request, 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 led the Flag Salutation.

CITIZEN'S COMMENTS

Selina Fountain, 1115 Cloverleaf Drive, North Pole – Ms. Fountain stated that she is a parent of a child involved with the North Star All Stars Cheer Team. She stated the team is fundraising because they have been invited to represent the community in the 91st Annual Macy's Thanksgiving Day Parade. Team member Mackenzie introduced fellow team members. She asked for fundraising ideas and listed fundraisers the team is currently working on. Ms. Fountain provided contact information for the group.

Mr. Pruhs asked about the team's practice schedule. Mackenzie stated that practice is every Monday from 5:00 p.m. until 7:00 p.m. and Friday from 7:00 p. m. until 9:00 p.m.

Donna Gardino, P.O. Box 85056, Fairbanks – Ms. Gardino spoke about the hostile behavior of the City administration toward an IBEW member; she stated he was forced to resign from the IBEW negotiating team to avoid disciplinary action, including possible termination. She stated the administration threatened an entire department with an investigation which may have led to reprimands. Ms. Gardino stated the union was recently faced with legal action from the City administration; she stated she is shaken by the administration's tactics. She stated the member she refers to is a department head, and she argued that management should be allowed at the negotiating table on the union side. She stated there are two managers on the City's negotiating team, and she believes it is unfair bargaining to disallow IBEW managers on the union's team. She stated that morale is at an all-time low, and she spoke to the need for trust and respect.

Mr. Pruhs asked Ms. Gardino if she was an employee of the City of Fairbanks. Ms. Gardino stated she is technically an employee of the City because the City of Fairbanks writes her paychecks and is then reimbursed by the State. **Mr. Pruhs** stated that under normal circumstances, these types of issues are not discussed in public. Ms. Gardino stated that she brought the issue to the Mayor first. She stated that the lack of trust and respect for the employees is the reason why morale is so low. **Mr. Pruhs** asked if the IBEW removed the member from the negotiating team twice; Ms. Gardino replied affirmatively and stated that the action was taken upon threats by the City administration.

Ms. Rogers asked Ms. Gardino for a copy of her testimony notes; Ms. Gardino stated she would provide a copy to Council members.

Wolfgang Falke, 918 7th Avenue, Fairbanks – Mr. Falke stated he came to the meeting to give a big thank you to Fairbanks' finest and to the State Troopers. He stated his truck was stolen and that the police were very helpful in recovering it. He stated the thief used a drill to break the lock and a screwdriver to start the vehicle and, unfortunately, escaped. Mr. Falke spoke in favor of the City maintaining a good credit rating and against spending money it does not have. He spoke against raising property taxes; he stated that an increase may chase him out of town. He stated the Fire Department could be cut back in order to hire more police officers. He brandished a knife he uses for protection because the thief who stole his truck is still at large.

Tom Gross, 2440 Livingston Loop, Fairbanks – Mr. Gross reported he visited Fairbanks' Sister city Fanano, Italy with his singing group. He spoke of the activities of his trip and presented Mayor Matherly with a flag and statue to display in City Hall sent by the Mayor of Fanano.

Mayor Matherly thanked Mr. Gross for representing Fairbanks, Alaska on his trip to Fanano.

Jeff Whipple, 441 Keeling Road, Fairbanks – Mr. Whipple spoke to the recent issues between the City and the IBEW negotiation team and to the negativity it has generated. He spoke to the threats that have been lodged against City Engineer Jackson Fox and called it blackmail. He stated the Mayor met with the Engineering Department and said everything was fine and that nobody would be losing their jobs; he stated the Mayor did not honor his word. Mr. Whipple stated he thought the Mayor was sincere in his intentions to raise employee morale, and he spoke to the problems low morale creates. He presented the Council with a handout listing all the projects the Engineering Department is involved in. He stated a significant function of the Department is acquiring grant money for City projects. He stated the minimal CPI increases to employee wages do not cover the increases to healthcare costs. Mr. Whipple stated if the City gets to pick and choose who is on the IBEW negotiating team, the IBEW should be allowed to pick who is on the City's team. He commented that Mr. Fox is an outstanding leader, and he encouraged the Council to provide direction to its negotiation team in support of employees.

Mr. Pruhs stated that at Denise Kendrick's retirement party he was shunned by the person Mr. Whipple was barbequing with. He asked why he was treated that way, and he indicated that he has never voted against an IBEW labor contract. Mr. Whipple stated that it is a matter of trust. He stated that he does not know what direction Mr. Pruhs has provided to his negotiation team; **Mr. Pruhs** stated he provides zero direction.

Ms. Therrien called a Point of Order.

Ms. Rogers asked Mr. Whipple to provide a copy of his testimony to the Council; Mr. Whipple agreed to do so.

Mr. Cleworth stated he is not privy to all that is going on but that, traditionally, shop stewards have not been in management positions. He asked how someone would file a grievance if the shop steward was their department head. Mr. Whipple stated he would talk to the HR Director but that it would be tough in the current situation because she is on the City's negotiating team.

Tim Zinza, 933 Wood Way, Fairbanks – Mr. Zinza stated he is an employee of the Engineering Department. He stated did not prepare a speech because he had not intended speak. He stated a pattern of mistrust has developed with the Council and administration. Mr. Zinza stated that his department has been bullied, threatened, blackmailed, harassed and made to work in a hostile work environment by a member of the administration. He stated he listened to the radio show "Problem Corner" where a Council member spoke negatively about the relationship between Engineering and Public Works. Mr. Zinza questioned how he could trust someone who makes inaccurate statements in a public forum. He stated that the workplace has low morale, and he commented that the Council is picking on Jackson Fox. He stated that the Council should be ashamed of themselves; he stated he is appalled by their behavior. He stated that he is ashamed and embarrassed that the issue has become public.

Ms. Huntington asked Mr. Zinza if there has been a conversation at the HR level to address the behavior and concerns. Mr. Zinza replied that the question should be directed to Mr. Fox. He stated that Mr. Fox communicates his despair to the Engineering employees. He stated that three people are ready to quit their jobs in the Engineering Department.

Jacob Rahlfs, 704 Perry Street, Fairbanks – Mr. Rahlfs echoed the comments of his coworkers; he stated that he is appalled by his understanding of what is happening at the City. He stated he expects a higher level of moral character from elected officials. He confirmed that there is a complete lack of trust and that morale is low because of these recurring issues. Mr. Rahlfs stated he has heard Council members ask why the issues are not being dealt with outside of a public forum; he explained that the issues cannot be taken to the HR Department because HR works for the administration and is also a part of the City’s negotiating team. He stated he does not have much confidence in expressing his concerns to the HR Department.

Brittany Smart, 907 Terminal Street, Fairbanks – Ms. Smart spoke to code enforcement at the Borough and to the public’s ability to file anonymous complaints. She stated that the change has caused an increase in complaints because people feel more comfortable coming forward knowing they can remain anonymous. She stated the Code Enforcement Officer is working hard to follow up on all complaints that are received. She stated the Borough is planning to put some comments forward to the State regarding the Community Assistance Program (revenue sharing); she stated the Borough wants to ensure it is properly represented in regard to population.

Ms. Therrien asked who specifically at the Borough is working on the population study. Ms. Smart stated the Finance Director is working on the project she that she herself is the point of contact for the Mayor’s Office.

Ms. Huntington asked if the meeting for all three Mayors has happened for the month of July. **Mayor Matherly** responded that it has not yet occurred. **Ms. Huntington** stated it may be something that all the Mayors may want to sign. Ms. Smart stated she would relay that request to Mayor Kassel.

Ms. Smart stated she will be staying until 10 p.m. and would be happy to answer questions on the memo regarding the Chena Riverfront Commission. She encouraged the Council to support the proposed changes.

Mr. Cleworth asked whether the Chena Riverfront Commission would first weigh in if he were a property owner on the Chena River who requested a zoning change. Ms. Smart replied affirmatively; she explained that the existing process is similar but that the change would provide more clarity.

Jennifer Meyer, 2070 Waxwing Court, Fairbanks – Ms. Meyer stated that from 2010 to 2017 the Engineering Department generated \$75 million in funds in large part due to the efforts of Mr. Fox and Ms. Gardino. She stated the Engineering Department brings an average of \$9 million in revenue each year to the City of Fairbanks. She stated the department brings in 25% of the City’s operating budget each year. She stated that \$9 million is more than the revenue generated by every other City department combined. She spoke to the significance of the department.

David Berrey, 3174 Davis Road, Fairbanks – Mr. Berrey stated he wants to find out where the City is with the remediation of his water situation. He stated his family has been patient but was told it was an emergency situation; he stated it has not been treated as such. Mr. Berrey spoke to the conflicts between the City administration and the Engineering Department, and he expressed concern that it might affect the progress of the remediation project. He reported his property is located in the worst pocket of contamination. He stated he understood that bids were up for

approval at the meeting but that he does not see the item on the agenda. He stated that Mr. Fox has been guaranteeing that the work will happen, but he sees no progress. Mr. Berrey stated the infighting with the Engineering Department makes him nervous enough to contract the work out himself and bill the City.

Mayor Matherly stated the tension with the Engineering Department has nothing to do with the water contamination issue. He stated there have not really been any complaints about the water service issue, and he assured Mr. Berrey his water would be hooked up this summer. **Mayor Matherly** stated he would call Mr. Berrey the next morning; Mr. Berrey stated he did not want a phone call. He demanded that the funds for the contamination project be encumbered to ensure project completion. He stated that the area he lives in needs attention as soon as possible.

Mr. Pruhs stated the Council approved a budget amendment for \$2.4 million for the work. Mr. Berrey demanded that the funds be encumbered so there would be no risk of losing the funding.

Engineer II Jennifer Meyer stated the Engineers held a staff meeting earlier in the day; she stated that the Davis Road package would be advertised the following Friday, and the work would be done this summer. Mr. Berrey stated good intentions do not make him comfortable; he again stated that he wants the Council to encumber the funds. Ms. Meyer stated the funds cannot be encumbered until the bids are received and approved. Mr. Berrey again expressed concern with the ruined relationship between the administration and the Engineering Department. Ms. Meyer assured Mr. Berrey that the administration has been taking the contamination issue very seriously and has been working closely with the Engineers. Mr. Berrey asked if further breakdown of the relationships at the City could affect his water hook-up. Ms. Meyer stated his project would be completed during the summer of 2017.

Mayor Matherly stated that sometimes there are issues with union negotiations, but employees still do their jobs to the best of their ability. Mr. Berrey questioned again whether the infighting at the City is putting his project off. He asked how the City is going to fund the project and all the potential lawsuits that may come from the contamination issue. **Mayor Matherly** stated that he could not address that question at this time. He stated that the Council has approved \$2.4 million for the project asked Mr. Berrey for patience.

Mr. Pruhs stated Mr. Berrey's health is of utmost importance to the Council, and the term "encumbered" is the same as an appropriation of funds by the Council.

Fatima Lord Mancuso, 3350 Holden Road, Fairbanks – Ms. Mancuso stated she sent a letter to the Council about a month ago, and she read it aloud to the Council. She listed numerous health problems that can result from ingesting fluorinated compounds and shared the many health issues that her family has had. She stated the Engineering Department has been very cooperative and communicative with her family. Ms. Mancuso spoke against having to pay a monthly water bill because the contamination is not the fault of the property owners.

JoAnn Seurer, 2200 Hill Road, Fairbanks – Ms. Seurer stated she is in retirement mode, and she does not want to hassle with a monthly water bill. She stated she has had major health issues and questioned how the contamination has affected her lawn and garden. She stated she has ten grandchildren who come over and play on the lawn. She stated a man from Exclusive Paving stated he would start digging the following day, but she has not heard anything since that time.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert shared her sadness in attending a funeral for a 21-year-old boy who had been shot in the head by the police. She stated cops need to learn a different way to deal with young people who have long lives ahead of them. She stated she spoke with people in his village, and they all said he was a good kid. She stated kids make mistakes and that the young man's body looked that of a little boy at the service. Ms. Herbert stated she has been listening to the Council meeting and the discussion of water contamination for a long time; she stated that she advised her niece to move away from that area. She stated there is cancer in her family, and she would not want anyone to get cancer. She spoke against raising property taxes in order to fund a \$20,000 hiring bonus for police officers. She stated it is wrong to pay someone to come to work in Fairbanks, because if someone wanted to work here they would simply come here. Ms. Herbert spoke against giving raises to the firemen, because they make \$133,000 per year. She stated taxing property owners to give firemen raises is wrong. She spoke against the resolution regarding benefits for families of first responders killed in the line of duty. Ms. Herbert stated it is a nice idea, but there are a lot of older tax payers who cannot afford to pay for benefits. She stated if the Council keeps funding foolish things people are going to move away, and Fairbanks will become an unaffordable place to live.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he wants to live in an honest, fair, transparent-government kind of a town. He stated based on the testimony he has heard, it is anything but that. He stated he is tired of requesting the results of the Clay Street Cemetery lawn maintenance contract; he stated the information should not be a secret. Mr. Buberger stated he is impressed with how good the grounds at the cemetery look this summer. He spoke to the poor job that is being done on pothole repair on Easy Street where it meets the Old Richardson Highway; he commented that the potholes are so big a few dozen babies could be buried in them. He asked again for the results of the Clay Street Cemetery lawn maintenance bids. He stated there is no transparency in local government and recommended that the Fire Department use volunteer firefighters to save the City money.

Ms. Therrien provided Mr. Buberger with the bid tabulation for the Clay Street Cemetery lawn maintenance contract.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney thanked News Miner reporter Kevin Baird for the article he wrote about the Clay Street Cemetery. He stated he will be leading a tour of the cemetery to a group of Monroe Catholic School students; he stated he likes to share the history of the cemetery with anyone that is interested. Mr. Turney stated he is thankful that the same officers who were involved in the most recent shooting were not the same officers involved in the incident on the Mitchell overpass. He asked how many shots were fired by the police in order to take the men down. He spoke to the Office of Professional Responsibility and to the need for Mayor Matherly to get it up and running.

Floyd Terry, P.O. Box 73514, Fairbanks – Mr. Terry thanked the officers for bringing Stryker and Diesel from the K-9 unit to the meeting. He spoke of a dog that he used to own that took a long time to warm up to him. He stated he has been around law enforcement his whole life and that he really appreciates the K-9s; he stated he would put his money on a K-9 officer any time. Mr. Terry reported he may not be coming to many more Council meetings because he has let too many things in his personal life go that need attention.

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

Mayor Matherly called for a brief recess.

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Pruhs, seconded by Ms. Huntington, moved to APPROVE the Agenda and Consent Agenda.

Mr. Cleworth pulled Resolution No. 4800 and Ordinance No. 6054 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 April 24, 2017.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Premises Address
4862	Southern Wine & Spirits of Alaska	Wholesale – General	Southern Glazer's Wine & Spirits of Alaska, LLC	3101 Peger Road, Bay 2

Ms. Therrien, seconded by Mr. Pruhs, moved to WAIVE PROTEST on the Liquor License Application for Renewal.

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

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

YEAS: Huntington, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

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

Type: Retail Marijuana Store, License #10589

DBA: Nature's Releaf, LLC

Licensee/Applicant: Nature's Releaf, LLC

Physical Location: 503 7th Avenue, Fairbanks, Alaska

Mr. Pruhs, seconded by **Ms. Huntington**, moved to PROTEST the new Retail Marijuana Store License until a Certificate of Occupancy is issued by the City Building Department.

Ms. Therrien stated that she has a business relationship with the owners and declared a conflict of interest. No Council Members objected to allowing Ms. Therrien to abstain from voting.

Sandy Kowalski, 1575 Golden View Drive, Fairbanks – Ms. Kowalski stated she is an Assistant Superintendent at the Fairbanks North Star Borough School District (FNSBSD). She reported that the district office houses school programs and approximately 300 students are enrolled in the BEST Program to receive onsite homeschool support. She stated there are students who come to the office due to disciplinary action. She asked the Council to postpone the issue.

Ms. Huntington asked how long the process will take to determine if it is classified a school. Ms. Kowalski stated that she believes the Planning Commission would have to look at the issue again. **Ms. Huntington** asked if the district had communicated with the Planning Department at the Borough; Ms. Kowalski replied that it had not. **Mayor Matherly** asked Ms. Kowalski if she had communicated with the Paschalls; she replied that she had not.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that the business is a medical cannabis shop, not recreational. He stated he strongly supports the Paschall's business model, and he spoke in favor of the license. He stated the business is near his house and that they have most likely spent thousands of dollars renovating the premises.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated she was not aware of how many marijuana shops exist in Fairbanks but that there are a lot of kids that hang around the FNSBSD office. She asked whether the kids or marijuana sales is more important.

Police Chief Eric Jewkes – Chief Jewkes stated he knows the owners of the business and has no doubt that they would run a quality establishment. He stated that he realized earlier in the day that the district office is too close to the marijuana establishment. He stated the Council should find out if the FNSBSD office is considered a school by the FNSB Planning Department.

Ms. Huntington thanked Chief Jewkes for thinking so critically about the situation and for contacting the district to let them know about the potential problem.

Judah Christian, 1416 Gillam Way, Fairbanks – Mr. Christian asked how the City alerts the community about an application for a new marijuana business. He stated that the culture that is set today is the culture that will exist tomorrow.

Mr. Pruhs stated that the ballot question on October 3, 2017 will allow citizens to weigh in on their support for the industry.

Mayor Matherly asked City Clerk Danyielle Snider to speak to public notice of potential marijuana establishments. Ms. Snider stated the applicant is required to post public notice as part of their State application process. She stated she is required to run a public notice in the newspaper and in the Council agenda. She reported that property owners within 500 feet of a proposed location are sent a notification of the public hearing.

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

Mr. Pruhs spoke to buffer zones and explained that they are not measured as the crow flies; he stated they are measured as the shortest pedestrian path from entrance to entrance of a property.

Mr. Cleworth, seconded by **Ms. Huntington**, moved to POSTPONE consideration on the new Retail Marijuana Store License until the Regular Meeting of July 24, 2017.

Chief Jewkes stated the parking lots between the properties are the main thoroughfare, so it should be considered as a pedestrian path.

Mr. Pruhs acknowledged Chief Jewkes' point, but stated it is irrelevant based on State law. He questioned the purpose of postponing the vote, because the business meets the buffer requirements when walking on the pedestrian path between facilities. He stated it is not inside the boundary and that the Council should not delay the owners in moving forward with their business plan.

Ms. Rogers stated there are no fences as a boundary, so people would likely cross through the parking lot.

Mr. Pruhs stated the law is written specifically to state that distances are measured by pedestrian path. He stated that his father was instrumental in the 1966 legislation, and he knows the law.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE CONSIDERATION ON THE NEW RETAIL MARIJUANA STORE LICENSE UNTIL THE REGULAR MEETING OF JULY 24, 2017 AS FOLLOWS:

YEAS: Huntington, Cleworth, Rogers

NAYS: Pruhs

ABSTAIN: Therrien

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

a) 2016 Independent Audit Presentation

Garry Hutchison presented the 2016 audit results to the City Council and shared that the General Fund ended 2016 in a good place. He went over the fund balances of the accounts of the City and briefly went over the 2016 audit presentation.

Mayor Matherly read aloud Council Member Jerry Norum's letter of resignation, effective immediately. He thanked Mr. Norum for his years of service to the community and his family. He welcomed the new Assistant Fire Chief Ron Templeton and asked him come forward. **Mayor Matherly** read aloud information about Mr. Templeton's background and experience. He thanked Mr. Jacobson for providing Mr. Buberger with the information relating to the Clay Street Cemetery lawn maintenance contract. He stated it was an honor attending the Intertribal Powwow and seeing Sean Rice from Public Works and Michael Sanders from the Housing and Homeless Coordinator Office at the events. **Mayor Matherly** spoke to the many events that took place over the weekend.

He expressed sadness for the family of the little girl who drowned at Chena Lakes over the weekend.

Ms. Therrien asked about the process by which Seat D would be filled. **Mayor Matherly** stated he just received the notification earlier in the evening, and he has not had an opportunity to discuss it yet with City staff.

UNFINISHED BUSINESS

- a) Ordinance No. 6051 – An Ordinance Authorizing a Lease Amendment for Additional Space in City Hall to the Boys & Girls Club of Alaska, Inc. Introduced by Mayor Matherly.
SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6051.

Development Manager Pat Smith stated the space that the Boys & Girls Club (BGC) wants to use was formerly occupied by the boxing gym. He stated the BGC has received a grant from Lowes to renovate the space, and they would like to add the space to their currently-leased space. Mr. Smith stated it is one of the more neglected corners of the building, but the City has invested \$25,000 in renovations and repairs to date; he added that if the City were to bring the space up to code it would cost another \$4,000. He stated the BGC is willing to do the work themselves as part of the grant from Lowes. He stated the BGC has occupied the current space for 20 years paying only utility costs. Mr. Smith suggested raising the rent by \$500 to include the new space in their rent package. He stated that on the commercial market, the space would rent for \$8,000-\$9,000 per month.

Public Works Director Jeff Jacobson stated it is his department's job to maintain the City Hall building and that over time, the cost of maintenance has significantly increased. He encouraged the Council to allow for a slight raise in rent to cover maintenance costs. He stated the City has been generous over the years, and the generosity should continue. He stated, however, that an increase to the rent should be considered.

Ms. Huntington thanked staff for their report on the property and asked if the maintenance costs could go down if they renovated the space. Mr. Jacobson stated the mechanical systems are not contained in that space and there has been \$12,000 in air quality testing throughout City Hall. He stated that those are the types of things that the BGC needs to share costs for. He stated it is expensive to maintain an older building; he advised the Council to raise rent to cover expenses.

Mr. Smith stated there has been about \$250,000 in electrical upgrades and backup power generators that serve the space even though they are not located in that space. He stated the roof project cost the City a half a million dollars, and the BGC rent has never increased to cover those kinds of costs.

Mr. Cleworth asked if the \$25,000 in City renovations Mr. Smith spoke about was for the whole building or just the space the boxing gym was in. Mr. Smith clarified it was only in the space the boxing gym had occupied. He stated that abating the asbestos tile was one of the more expensive renovation projects. Mr. Smith stated the cost does not include the new windows that the City installed. He reported they replaced the ceiling and installed hot water because it was not plumbed for hot water prior to renovation. Mr. Jacobson stated Public Works painted in 2016.

Ms. Therrien asked if anyone was chomping at the bit to rent the space. Mr. Smith stated he does not have an answer for that because he would have to be given permission by the Council to advertise for the rental in order to know. Mr. Jacobson stated he supports the BGC and the service they provide for the youth; he stated that expanding their footprint would allow for some programs for older kids. He stated he is just trying to help the City cover maintenance costs.

Ms. Huntington asked about setting precedent in bringing in outside resources to renovate the area. Mr. Jacobson stated the City has already invested \$25,000 prior to any other improvements. Mr. Smith stated it would be nice if it was black and white, but it is a grey area.

John Brown, 814 Austin Street, Fairbanks – Mr. Brown stated he agrees that the City has been very accommodating to the BGC and that he cannot think of any Mayor that has not been supportive. He thanked the City for the support they have provided the BGC over the years. He stated that when he joined the board, the organization was not in good shape and would even ask employees to hold their paychecks. Mr. Brown stated that early on the board knew they needed to affiliate themselves with a bigger entity, and they started receiving federal funding. He stated that those funds have now dried up and are gone completely. He asked if the lease could be postponed and reworked because the BGC is going to do a major remodel, and finances are tight.

Ms. Therrien asked Mr. Brown if there was a figure he had in mind; Mr. Brown stated raising the rent \$300 would be acceptable. He also requested a rent-free period of four years due to offset the \$50,000 renovation they will be doing.

Mr. Pruhs asked Mr. Brown if he is planning to recalculate everything in the lease agreement. Mr. Brown stated he knows that the BGC does not have much money and that they have barely gotten by because of the sale of some land. He asked for lower rent or to give a reprieve on rent for a period of time.

Mayor Matherly stated he understands that Mr. Brown was out of town but asked why he is attempting to negotiate at the final reading of the ordinance. Mr. Brown stated he has been gone and the other gentleman who works at the BGC did not have the authority to negotiate. **Mayor Matherly** stated months have been spent on the lease, and it is a strange time to negotiate.

Ms. Rogers spoke to the need to be charitable and stated that she would be willing to postpone. Mr. Brown stated he understands he will not get anything if he does not ask.

Ms. Huntington asked if there have been budgetary changes which are causing the BGC to struggle to pay its bills. Mr. Brown stated it is not his intent to get something for nothing and that he is just asking that the \$50,000 renovation be taken into account.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson stated her 12-year-old daughter regularly goes to the BGC. She stated her daughter participated in a program called “Girls on the Run” which is about primary prevention. She stated it is a very important program and one of few in the nation. Ms. Carlson spoke to the importance of having a safe and healthy place for youth to go, and she stated the BGC provides that. She encouraged the Council to think about keeping kids off the street when they are considering the lease.

Deison Rios, 100 10th Avenue, Fairbanks – Mr. Rios thanked the Council for their generosity over the years. He stated that BGCs across the country are having problems drawing in teens who are high-risk for drug use. He stated in 2016 they started a VISTA program which added activities for teenagers, and it has worked out well. He stated the problem is the teens leave when all the young kids show up and that it would be nice to have a separate space for the teens.

Ms. Huntington asked Mr. Rios what he had thought the City would charge to rent the extra space. Mr. Rios stated \$300 because that is what the previous tenant was charged.

Ms. Rogers asked Mr. Rios how many youth the BGC serves annually; Mr. Rios replied that they serve over 300 young people.

Ms. Therrien asked if the teens have to pay to be there on Friday nights. Mr. Rios stated that Friday night is free for teens, and often they have up to 60 teens show up. He stated that is proof that they want to be there. **Ms. Therrien** asked if the teens have to pay the \$50 membership fee; Mr. Rios replied that typically they are teens who do not have an involved family, so most of the teens are there on scholarship.

Ms. Rogers asked how many people donate to the scholarship program; Mr. Rios stated that funds collected go to the statewide level and are then paid back to the local club.

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

Mr. Pruhs, seconded by **Ms. Therrien**, moved to AMEND Exhibit B of Ordinance No. 6051 by striking the \$500 rent and replacing it with \$1 (for a total rent amount of \$1356).

Mr. Pruhs stated he is looking at the space with his commercial realtor hat on, and he listed many flaws the property has for a commercial space. He stated they have been an excellent tenant for twenty years and provide a valuable service to the community.

Mr. Cleworth stated Mr. Brown's job is to come and get the best deal he can for the BGC. He stated that he thinks the Council should backup staff members who have asked for cost sharing on building maintenance. He stated the utilities are estimated to be \$283 per month; he added that the City never intended to subsidize the BGC and that it was intended to be a partnership. He stated that the City also never intended to make a profit off the BGC. **Mr. Cleworth** stated making rent \$1 means the tax payers are left footing the bill. He stated that \$500 is a great deal, and spoke against Mr. Pruhs' motion. **Mr. Cleworth** apologized to Mr. Brown and stated he has to stick up for the City.

Ms. Huntington asked Mr. Cleworth what he would think of lowering the rent from \$500 to \$300. **Mr. Cleworth** stated he has worked with Mr. Smith for years, and he never tries to nickel and dime anyone; he stated he believes the Council should listen to Mr. Smith's advice.

Ms. Therrien stated the area has been vacant for some time and spoke in support of it being used for a teen program.

Mr. Cleworth stated the City is not out to get a tenant and that if they want a tenant they need to advertise an RFP just like every other competitive bid process.

Ms. Huntington stated she would propose one year of no rent then increase the rent by \$300 rather than \$500. She stated that would acknowledge the value added by the renovation.

Mayor Matherly stated that if Mr. Jacobson and Mr. Smith knew back when they started renovations that all the improvements were going to be for a non-paying tenant, things may have turned out differently. He stated the City's budget is tight and that \$1 per month rent is unfair.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND EXHIBIT B OF ORDINANCE NO. 6051 BY STRIKING THE \$500 RENT AND REPLACING IT WITH \$1 (FOR A TOTAL RENT AMOUNT OF \$1356) AS FOLLOWS:

YEAS: Therrien, Pruhs
NAYS: Huntington, Cleworth, Rogers
Mayor Matherly declared the MOTION FAILED.

Ms. Huntington, seconded by **Ms. Therrien**, moved to AMEND Exhibit B of Ordinance No. 6051 by changing the rent of the new space from \$500 to \$300 and by adding one year of free rent for the new space.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND EXHIBIT B OF ORDINANCE NO. 6051 BY CHANGING THE RENT OF THE NEW SPACE FROM \$500 TO \$300 AND BY ADDING ONE YEAR OF FREE RENT FOR THE NEW SPACE AS FOLLOWS:

YEAS: Pruhs, Rogers, Huntington, Therrien
NAYS: Cleworth
Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6051, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Huntington, Cleworth
NAYS: None
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6051, as Amended, ADOPTED.

b) Ordinance No. 6052 – An Ordinance Amending FGC Chapter 66, Solid Waste. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6052.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to SUBSTITUTE Ordinance No. 6052, as Amended, for Ordinance No. 6052.

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

Mayor Matherly called for Mr. Jacobson forward. Mr. Jacobson stated the proposed language addresses previous concerns of the Council; he offered to answer any questions.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6052, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6052, as Amended, ADOPTED

- c) Ordinance No. 6053 – An Ordinance Authorizing and Directing Retention of the Property Located at 804 Cowles Street for Public Purpose Upon Tax Foreclosure. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6053.

Mayor Matherly called for a Staff report; Mr. Smith reported that the City was planning to purchase the property. He stated that after the ordinance was written, an interested party approached the City and another deal was discussed. He recommended that the Council postpone Ordinance No. 6053 indefinitely. He offered to answer any questions

Mr. Cleworth expressed confusion about the property owner; Mr. Smith explained how the new owner plans to pay off the taxes, fees and costs for the property. He stated that the new owner would allow the City to use the property as a staging area during the Cowles Street project.

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

Mr. Pruhs, seconded by **Ms. Therrien**, moved to LAY ON THE TABLE Ordinance No. 6053.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO LAY ON THE TABLE ORDINANCE NO. 6053 AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Huntington, Cleworth

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

NEW BUSINESS

- a) Resolution No. 4798 – A Resolution Amending the City Schedule of Fees and Charges for Services. Introduced by Mayor Matherly.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to APPROVE Resolution No. 4798.

Mayor Matherly requested a Staff report from Mr. Jacobson. Mr. Jacobson stated Resolution No. 4798 is designed to educate the public as to what kinds of trash they are allowed to dispose of with City garbage collection. He stated it would add a charge that would provide an incentive to citizens

to dispose of medical waste and needles properly. He stated that the City is spending way too much time and money on medical services when employees are stuck by needles.

Ms. Huntington thanked Mr. Jacobson for bringing to light how much time off work is taken when someone is burned, stuck by a needle, or hurt from picking up heavy items.

Mayor Matherly stated it is important for citizens to know that some trash is not the City's responsibility; he used pet waste as an example. He stated the Public Works employees deserve to be treated with safety in mind.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4798 AS FOLLOWS:

YEAS: Huntington, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4798 APPROVED.

Mayor Matherly called for a brief recess.

- b) Resolution No. 4799 – A Resolution to Request and Accept Funds from the US Department of Justice for the Bulletproof Vest Partnership. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Resolution No. 4800 – A Resolution Authorizing Discussions with the Commissioner of Public Safety Regarding the Cost of Medical Insurance Premiums for Surviving Dependents of City Peace Officers or Firefighters Who Die in the Line of Duty. Introduced by Mayor Matherly.

Mr. Pruhs, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 4800.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to AMEND Resolution No. 4800 by adding the language "costs for possible alternatives" after the word "plan" in the "Now, Therefore" section.

Mr. Cleworth stated that the Council should have the option to go in with the State insurance plan or to find an alternative plan.

Mr. Pruhs stated everyone worked hard on the resolution and now City employees need to price out options.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4800 BY ADDING THE LANGUAGE "COSTS FOR POSSIBLE ALTERNATIVES" AFTER THE WORD "PLAN" IN THE "NOW, THEREFORE" SECTION AS FOLLOWS:

YEAS: Cleworth, Rogers, Huntington, Therrien, Pruhs

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4800, AS AMENDED, AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Therrien

NAYS: None

Mayor Matherly declared the MOTION CARRIED and Resolution No. 4800, as Amended, APPROVED.

- d) Ordinance No. 6054 – An Ordinance to Present to the Qualified Voters of the City of Fairbanks the Question of Maintaining Essential Services by Increasing Revenue to Offset Lost Funding from the State of Alaska. Introduced by Mayor Matherly and Council Members Huntington, Rogers and Therrien.

Ms. Therrien, seconded by **Ms. Rogers**, moved to ADVANCE Ordinance No. 6054.

Mr. Cleworth stated he just wanted to point out that revenue sharing dried up in 2001, and it was not reinstated until Mayor Strle was in office. He reported that he encouraged the Council at the time to put the money in the Capital Fund to save for a rainy day, but instead it was put in the General Fund and was spent. **Mr. Cleworth** stated his taxes have gone up over the years and a rate hike of 2 mills is going to hit homeowners hard. He stated there are likely lawsuits coming the City's way relating to the groundwater contamination. He stated he just wanted to point those things out.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6054 AS FOLLOWS:

YEAS: Rogers, Therrien, Huntington

NAYS: Pruhs, Cleworth

Mayor Matherly declared the MOTION CARRIED.

- e) Ordinance No. 6055 – An Ordinance Amending Fairbanks General Code Chapter 86, Vehicles for Hire. Introduced by Mayor Matherly and Council Member Pruhs.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Ms. Rogers reported she has been attending the Opioid Meetings and that the Interior AIDS Committee is well-positioned to receive grant money from the State to help with the problem.

Ms. Huntington asked which committees Mr. Norum was serving on; **Mayor Matherly** stated he was serving on the Explore Fairbanks Board of Directors, and it will be discussed in the future.

COMMUNICATIONS TO COUNCIL

- a) Board of Plumber Examiner Meeting Minutes of March 21, 2017

ACCEPTED on the CONSENT AGENDA.

- b) Clay Street Cemetery Commission Meeting Minutes of June 7, 2017

ACCEPTED on the CONSENT AGENDA.

- c) Memo Regarding Borough Ordinance No. 2017-46, Chena Riverfront Commission

Mr. Pruhs, seconded by **Ms. Therrien**, moved to APPROVE the Memo regarding the Chena Riverfront Commission.

Mr. Cleworth stated he had to work with the Commission when there was an issue with ICE Alaska and that he does not think the Borough will follow any direction the City provides.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE MEMO REGARDING THE CHENA RIVERFRONT COMMISSION AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Cleworth, Rogers

NAYS: None

Mayor Matherly declared the MOTION CARRIED.

COUNCIL MEMBERS' COMMENTS

Mr. Cleworth stated that Denali Way between Lathrop Street and Stewart Street is a disaster, and something needs to be done about it. He spoke to the recent loss of Christin Holmberg who passed away at age 29 after falling victim to a life on the street.

Mr. Pruhs stated the Council needs to look for long-term solutions regarding medical insurance for the family of Sergeant Brandt. He suggested the Mayor, Chief of Staff and Risk Management sit down with the Brandt family to find out what their long-term medical needs are. **Mr. Pruhs** stated Rickert Street is still torn up and that it was supposed to be fixed last May. He stated that construction management on the project is lacking and needs to be addressed because he is receiving complaints from people in the neighborhood. He asked the HR Department for information on the retired military police officer who was denied a job at FPD, and he requested the last six years' worth of FPD applicants from Ft. Wainwright who were also turned away. **Mr. Pruhs** thanked Mr. Whipple for his invitation to attend the IBEW labor negotiations. He stated he did not know why venom was thrown toward him or what is going on within the Engineering Department, and he wished the Mayor the best in working with them.

Ms. Therrien stated that she is sad that Mr. Norum resigned because she knows he enjoyed serving the community. She stated it saddens her that the Engineering Department is coming forward in public to discuss the issues with the IBEW. She stated she had nothing to do with the unfair labor practice (ULP) that was filed and that it is very unfortunate.

Ms. Rogers stated that she too is sad to see Mr. Norum resign and that he was a wonderful community servant. She stated that she has a declared conflict of interest on IBEW matters, but she is sad to hear so many employee issues. She stated it is hard to be affiliated with something that is

so unproductive, and it is discouraging. **Ms. Rogers** stated she is sad to hear that there are morale issues because that is something that concerns the body as a whole.

Ms. Huntington thanked Mr. Norum for his service to the City and stated that she will miss him and his knowledge. She stated it is unfortunate that the Engineering Department came to the table with issues at the same time citizens were present to testify about the contamination issue.

Mr. Pruhs, seconded by **Mr. Cleworth**, moved to go into 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 staff, and no action was taken.

ADJOURNMENT

Ms. Therrien, 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 12:01 a.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB