



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, APRIL 3, 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 p.m. Work Session to discuss City Hall/Public Meeting Security, 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 Norum, Seat D
Jerry Cleworth, Seat E
David Pruhs, Seat F

Absent: None

Also Present: Clem Clooten, Building Official
Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Kyle Green, Deputy Fire Marshal
Mike Meeks, Chief of Staff
Stephanie Johnson, Dispatch Center Manager
Angela Foster-Snow, HR Director
Eric Jewkes, Police Chief
Jackson Fox, City Engineer
Mike Sanders, Housing & Homeless Coordinator
Christina Rowlett, HR Admin

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 Clerk Snider.

FLAG SALUTATION

Mayor Matherly led the Flag Salutation.

CITIZEN'S COMMENTS

Brittany Smart, 907 Terminal Way, Fairbanks – Ms. Smart apologized for missing the last Council meeting. She spoke to the Environmental Protection Agency (EPA) and the Department of Environmental Conservation's (DEC) desire to reclassify local air quality from moderate to serious. She shared that the following day would be National Service Recognition Day and that

the three local Mayors signed a proclamation to honor it. Ms. Smart spoke to the VISTA projects that will be taking place during the summer of 2017. She stated the Borough Mayor has finalized his budget which includes a lot of budget cuts. She stated she is hopeful about the recycling program; she spoke to how the process is being handled by Borough employees.

Greg Allison, 2448 Arvia Street, Fairbanks – Mr. Allison stated he is the Vice Chair of the Fairbanks chapter of the Alaska Marijuana Industry Association. He reported that the Chapter President, Karen Bloom, was also present. Mr. Allison stated the mission the Association is to promote community unity through education and community development. He spoke about some of the programs the Association has implemented that help the community. Mr. Allison stated he would like the marijuana industry in Fairbanks to set the precedent around the State for giving back to its community.

Karen Perdue, 204 Front Street, Fairbanks – Ms. Perdue thanked the Council for the resolution to support smoke-free work places. She spoke to the dangers of second-hand smoke and women smoking while they are pregnant. She listed many other cities in Alaska that have gone smoke-free. Ms. Perdue stated 70% of Alaskans support a statewide law banning smoking in the workplace. She stated this is not an effort to get people to quit smoking, but encouragement to take it outside.

Ms. Rogers asked Ms. Perdue to speak to the dangers of vaping. Ms. Perdue stated the contaminants in vaping can lead to brain damage and are similar to the contaminants found in nicotine. She stated she did not want children being attracted to the concept of smoking.

Jodi Blakley, 2000 Patricia Court, Fairbanks – Ms. Blakley stated she is the owner of the Mecca Bar and that they made the decision to go smoke-free in June of 2016. She stated the owner of the Oasis also thanks the Council because they went smoke-free several years ago and received a lot of push back for it.

Ms. Huntington asked what the impact e-cigarettes has had to her establishment. Ms. Blakley stated that when e-cigarettes first came out they were odorless, but now there are all different flavors and types. She stated that she no longer allows e-cigarettes in her bar.

Ms. Therrien asked if the Alaska Cabaret, Hotel, Restaurant and Retailers Association (CHARR) had taken a stand on the issue; Ms. Blakley reported they had not taken a position.

Dawn Murphy, 101 Dunkel Street, Fairbanks – Ms. Murphy stated that she is the Director of Finance and Administration at Explore Fairbanks; she spoke to the audit that was delivered to the Council earlier in the day. She spoke to the amount of hotel/motel taxes that were collected borough-wide in 2016. Ms. Murphy spoke to upcoming events such as the free City tour and the “4K Graze” walk for charity that will benefit local non-profit organizations.

Christine Nelson, 907 Terminal Street, Fairbanks – Ms. Nelson stated that she is the Fairbanks North Star Borough (FNSB) Community Planning Director, and she spoke to two recent ordinances adopted by the Borough Assembly: community gardens ordinance and ordinance regarding buffer zones for marijuana establishments. She stated that the following evening there would be a Planning Commission work session on what makes communities livable. She stated

that on April 12, there would be a meeting with real estate and lending professionals regarding how grandfather rights and zoning may affect appraisals.

Ms. Therrien asked if the buffer zone ordinance changes affected the Borough's position on marijuana licenses. Ms. Nelson stated the changes loosened the buffer zone boundaries.

Mr. Norum stated the City and Borough should have similar buffer zone regulations. He asked if there was a way for the City and Borough to coordinate so their rules do not conflict with each other. Ms. Nelson stated that everyone was involved in the process of creating the regulations.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated his children do not live in Alaska; he stated they live in Washington D.C. and Virginia and that he goes to visit them regularly. He stated he read an article about how alcohol is a drug that causes people to commit suicide, assaults, murder, divorce and any number of other bad things; he added that cannabis causes none of those things. Mr. Turney gave his condolences to the family of the little girl who was buried in the snow when it fell from the roof. He encouraged citizens to buy a snow rake to clear the snow off of roofs. He spoke to the hemp bill that is being discussed in the State Legislature.

Alex McDonald, 909 Cushman Street, Fairbanks – Mr. McDonald spoke against the smoke-free resolution, stating that vaping is safe according to many doctors. He stated that e-cigarettes should not be part of the resolution because they do not smell like cigarettes. He stated that vaping can help smokers avoid smoking-related illnesses; he stated that the resolution will cost Alaskans their health.

Ms. Huntington asked Mr. McDonald to clarify what he meant when he said it would cost Alaskans their health. Mr. McDonald stated that studies out of the UK and New Zealand show that vaping is not the same as cigarettes; he stated that they use vaping as an incentive to help people quit smoking. He stated people should be encouraged to vape because it does not have the same harmful side effects as cigarettes.

Mr. Norum asked Mr. McDonald if he is opposed to requiring that vaping be taken outside. Mr. McDonald replied affirmatively.

Jamie Hanson, 301 Steelhead Road, Fairbanks – Ms. Hanson spoke in support of the smoke-free workplace resolution which supports the bill in the State Legislature. She stated the legislation is not intended to hurt business but is designed to protect people.

Daisy Stevens, 1841 Hilton Avenue, Fairbanks – Ms. Stevens thanked Ms. Perdue for her report and thanked Ms. Blakley for making the Mecca Bar smoke-free. She stated it is a good thing that bars are going smoke free, because she smoked for 30 years and now has COPD. She stated that she lost a niece because of secondhand smoke and explained what third-hand smoke is. Ms. Stevens spoke to an incident that Darlene Herbert brought up at a previous meeting where several Fairbanks police officers raided an apartment building and ransacked the property. She stated that Mayor Matherly had said that it was the State Troopers, not the Fairbanks police. Ms. Stevens stated that is a lie; she stated she saw seven City police cars when they tore the property apart and that there were no State Troopers there. She stated she was with Ms. Herbert when it happened and that she wants the police department to confess to wrongdoing.

Mayor Matherly stated Police Chief Eric Jewkes had addressed the issue; he stated that it was a State Trooper case. He encouraged citizens to provide his office with pictures of the incident.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated it was the Mayor who said it was the State Troopers and not Chief Jewkes. She stated she has pictures of the incident and can prove that there were seven city police vehicles at the scene. She asked why the Mayor did not believe her when she reported that there were so many police officers at the scene. She stated the man who owns the building is a nice person and he lets poor people live in his house. Ms. Herbert accused the Mayor of believing the Police Chief over what she and Ms. Stevens have reported. She stated she spoke to a City police officer at the scene and asked him if her daughter was one of the occupants of the building; she reported that he told her that he could not say who was in the building. She stated she would be posting the pictures that she has on Facebook of the incident. She stated that she is thankful for the smoke-free resolution.

Ms. Therrien asked Ms. Herbert to bring the pictures she has to the next Council meeting so that Council Members could see them. Ms. Herbert stated she would bring them to the next meeting.

Ray Brasier, 1699 Tungsten Trail, Fairbanks – Mr. Brasier stated he is a realtor and real estate investor in Fairbanks; he stated he supports Travis Fraser in his effort to open a marijuana business. He spoke highly of Mr. Fraser's character. Mr. Brasier stated he owns a property that is next door to Mr. Fraser's business, and upon finding his property vandalized, Mr. Fraser offered to burn a copy of his surveillance camera footage to give to the police department. Mr. Brasier stated he owns 61 units in South Fairbanks, and he tries to clean the area; he added that vacant properties bring crime. He asked the Council to approve Mr. Fraser's marijuana license.

Ms. Huntington asked Mr. Brasier to speak to measures he has been involved with that have improved South Fairbanks. Mr. Brasier stated that breaking up the Anderson Apartments by buying out a portion of the complex and upgrading the property is one example. He stated he buys residential properties in hopes of cleaning up the neighborhood.

Ms. Therrien asked Mr. Brasier if he was concerned with the amount of licenses being approved within such a small proximity. Mr. Brasier stated there is nothing that can be done unless the Borough changes its zoning ordinances to address the issue.

Mr. Pruhs stated he has a friend that owns an apartment on Stacia Street, and he asked Mr. Brasier if he sees potential problems with the marijuana establishment. Mr. Brasier stated he does not see a problem with it because marijuana is not allowed to be smoked in public. He stated that South Fairbanks has issues with trespassing and littering already, and a retail marijuana store is not going to do any damage.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger thanked Mother Nature for making the snow disappear. He spoke to Mayor Matherly's comments about not putting public restrooms in the City this calendar year because of the tight budget and lack of public interest. He stated the Council does not want to put in public restrooms because of the many drunks who would use them inappropriately. He spoke to the local poor air quality and to the big contributors to the problem. Mr. Buberger spoke to the importance of the Public Works department painting lines at crosswalks.

Mr. Pruhs asked Mr. Buberger if he had spoken to the Downtown Association about getting a local business to open their restroom to the public. Mr. Buberger replied the City should go talk to the Downtown Association.

Travis Cortez, 1419 Lathrop Street, Fairbanks – Mr. Cortez voiced his concern for the resistance to the cannabis industry. He stated he spoke with local doctors who are in favor of the cannabis industry because they are so against opiates. He stated the resistance to the marijuana industry seems to be a personal issue that overlooks the benefits of the industry. Mr. Cortez spoke in favor of the industry because of all of the revenue that it will generate. He stated he was born and raised in Fairbanks and that he just wanted to voice his opinion to the City Council.

Jennifer Vargason, 2360 Outside Boulevard, Fairbanks – Ms. Vargason stated she was a long-time tobacco smoker; she stated that since her partner brought home a vaporizer five years ago, she has been tobacco-free. She stated her daughter has always had breathing issues but since transitioning to a vaporizer, her daughter no longer has the issues. She stated vaporizers help the community become tobacco-free and should not be included in the “take it outside” campaign.

Travis Fraser, 908 Bennett, Fairbanks – Mr. Fraser thanked Mr. Brasier for his kind words and reaffirmed that he is committed to cleaning up the South Fairbanks. He stated he has met with Police Chief Eric Jewkes about cleaning up the neighborhood. He stated if his business was not next door to Mr. Brasier’s property they would have never caught who vandalized it. Mr. Fraser stated he understands public comment on the license was held at the last Council meeting, but he wanted to attend in case any Council Members had questions.

Mr. Pruhs stated there are two applications on the agenda and one is not up for public comment. He stated the State cannot measure through someone’s private property and that the distance has to be based on the nearest pedestrian path. He suggested that Mr. Fraser raise that issue to the State.

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

Mayor Matherly called for a five minute recess.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Pruhs pulled Resolution No. 4787 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 February 6, 2017.

APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of February 27, 2017.

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

- a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Liquor License Applications for Renewal:

Lic #	DBA	License Type	Licensee	Address
3282	Sam's Club #6603	Package Store	Sam's West, Inc.	48 College Road
3336	Soapy Smith's Pioneer Restaurant	Restaurant/Eating Place	Nicholas V Stepovich	543 2nd Avenue

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

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

Ms. Huntington asked if there were any police call outs to the locations; City Clerk Snider stated she failed to include the call out reports in the Council packets.

Deputy Fire Marshall Kyle Green reported that the owner of license #3336 has become compliant with the kitchen hood, and he is working with the owner to resolve other issues.

Mayor Matherly asked Police Chief Eric Jewkes to come forward with a staff report. Chief Jewkes reported that there are very few call outs to the locations of the licenses.

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

YEAS: Cleworth, Pruhs, Huntington, Norum, Therrien
NAYS: None
ABSENT: Rogers (was temporarily unavailable by phone)
Mayor Matherly declared the MOTION CARRIED.

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, considered the following Application for a New Marijuana Cultivation Facility License. POSTPONED from the Regular Meeting of March 20, 2017 (a public hearing was held at that time).

Type: Marijuana Cultivation Facility, License #11051
DBA: Northlink, LLC
Licensee/Applicant: Northlink, LLC
Physical Location: 1550 Cushman Street, Fairbanks, Alaska

The motion to WAIVE PROTEST on the Marijuana Cultivation Facility License was made at the Regular City Council meeting of March 20, 2017 (Mr. Pruhs, seconded by Ms. Huntington).

Mr. Cleworth reminded the Council that both the Building Department and the Fire Department recommended a protest until the building is complete and a final inspection has been done.

Mr. Pruhs, with concurrence of the second, withdrew the motion to WAIVE PROTEST.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to PROTEST the Application for a New Marijuana Cultivation Facility License until a Certificate of Occupancy is issued by the Building Department.

Travis Fraser, 908 Bennett, Fairbanks – Mr. Fraser spoke to the reasons he believes the Council should support the cultivation license. He stated the neighborhood would be safer once his business opens because of the shared surveillance footage.

Mr. Pruhs asked Mr. Fraser's attorney to speak to the AMCO Board meeting minutes that removed the term "daycare" from state licensing restrictions.

Jake Staser, Anchorage – Mr. Staser stated that he is Mr. Fraser's attorney and that he is available for questions if the Council should have any. He stated the State removed daycares from buffer zones, so it should not be a consideration. He urged the Council to not protest the license and to let it be determined at the State level.

Ms. Therrien asked Mr. Fraser if he had received his Certificate of Occupancy yet. Mr. Fraser stated he was not sure when he would receive his Certificate of Occupancy from the Building Department. Mr. Fraser stated he spoke with Building Official Clem Clooten who told him that the time it is taking is standard.

Mr. Pruhs asked Mr. Fraser if he fully understood that the voters could make commercial marijuana illegal inside the City of Fairbanks. Mr. Fraser stated the initiative had not been put together when he purchased the building, so he did not begin the process knowing that it could be made illegal.

Mr. Norum stated Mr. Fraser entered into an investment without doing all of his homework; he added that the rules have not changed. Mr. Fraser explained that the citizens' initiative occurred after he had purchased the building and start the remodel. **Mr. Norum** stated that there are a number of questions in regard to Mr. Fraser's application. Mr. Fraser expressed confusion with Mr. Norum's statements. **Mr. Norum** stated that the rules are in place for a reason.

Mr. Cleworth called a point of order. He stated that the Council may only ask questions at this time.

Ms. Huntington stated that since neither the Council nor Mr. Fraser know what the results of the ballot initiative will be, questions should be directed only on the merits of the application.

Ms. Therrien stated she would like the Council to protest the license until a Certificate of Occupancy is issued. **Ms. Huntington** expressed agreement with Ms. Therrien.

Mr. Cleworth asked whether the State's interpretation regarding daycare centers has changed since the last meeting. Mr. Ewers replied that he tried to contact them to find out if Little Thinkers Daycare falls under their definition of a youth facility, but they have not contacted him back. Mr. Ewers indicated that the proximity of the facility to the daycare may violate State law.

Mr. Pruhs stated the license is in conflict at the State level. He stated that the Council should support the license and allow the State to make the final decision.

Mr. Cleworth stated he voted to waive protest on many marijuana facilities inside City limits, but this license is in the worst possible location: directly across the street from Housing First. He shared his concern for the concentration of marijuana businesses in that area. He stated he sympathizes with the large investment he made, but he encouraged the Council to address the concentration issue for marijuana businesses.

Mr. Norum agreed and stated that there are too many marijuana facilities in that area.

Ms. Rogers stated that concentration is a very important issue.

Ms. Huntington stated that since the density issue is not addressed in regulations, it would be unfair to make density an issue for Mr. Fraser. She spoke to the contradiction between the AMCO Board and the AMCO attorney relating to the definition of a youth facility.

Mr. Ewers stated an argument could be made that the intent of the AMCO Board at the time of regulation adoption was to not include daycares in the buffer zone. He spoke to the difference in interpretation between the AMCO Board and the State attorney. Mr. Ewers stated that Mr. Fraser and his attorney will have to address the issue with the AMCO Board.

Mr. Pruhs stated that he would work with Mr. Ewers to draft regulations addressing the concentration of marijuana establishments within City limits.

Ms. Therrien, in regard to the close proximity of the establishment to Housing First, stated that she did not believe that chronically inebriated people would be able to afford marijuana.

Mr. Norum again stated he agrees with Mr. Cleworth's take on the density issue, and he asked Mr. Cleworth to speak to it again.

Mr. Cleworth briefly spoke to the City's regulations regarding liquor license concentration. He stated that alcohol and marijuana use are not mutually exclusive and that he sees use of both at his downtown store on a daily basis.

Ms. Rogers stated there is confusion surrounding the issue but that Mr. Fraser has presented his case well. She stated she believes he will create a positive business in the area. She expressed support for the motion to protest until a Certificate of Occupancy is issued.

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

YEAS: Therrien, Rogers, Pruhs, Norum, Huntington

NAYS: Cleworth

Mayor Matherly declared the MOTION CARRIED.

- c) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following application for a new Retail Marijuana Store License:

Type: Retail Marijuana Store, License #11053

DBA: True Dank

Licensee/Applicant: True Dank, LLC

Physical Location: 1550 Cushman Street, Fairbanks, Alaska

Mr. Therrien, seconded by **Mr. Pruhs**, moved to PROTEST the Retail Marijuana Store License until a Certificate of Occupancy has been issued by the Building Department.

Travis Fraser, 908 Bennett, Fairbanks – Mr. Fraser clarified that there was an email conversation between his attorney and the State regarding daycare and youth center definitions. He pointed out in the packet he gave Council members that the State took no opinion and left it up to the AMCO Board.

Ms. Therrien asked Mr. Fraser to speak to parking at his retail facility. Mr. Fraser stated a person would have to park behind the Alaska Motel and walk over to his location. **Ms. Therrien** asked whether Mr. Fraser had spoken to the Chief of Police about the parking issue; she pointed out that Chief Jewkes recommended protest based on the parking issue. Mr. Fraser stated he was not aware of the recommendation but that he would do all he could to remedy the problem.

Ms. Huntington stated the Council agenda packet was posted online the Thursday prior to the meeting, Mr. Fraser stated he was not aware of that.

James Overbay, 1175 Doonerak Road, Fairbanks – Mr. Overbay spoke to the vagrancy issue in the downtown area and stated that vacant buildings worsen the problem. He stated Mr. Fraser's business would occupy a vacant building and create traffic flow on South Cushman. He stated that when he was in high school it was very easy to purchase marijuana, but it was very difficult to get alcohol because it was regulated. Mr. Overbay stated the same would be true for minors trying to purchase marijuana because it is now regulated.

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

Mr. Pruhs spoke to the Police Department's recommendation to protest due to parking. He stated that the Tanana Valley Clinic (TVC) ran out of parking and made the vacant lot next to their building overflow parking. He stated he did not see a problem with walking 100 feet to visit a business.

Ms. Huntington asked Police Chief Eric Jewkes to come forward to speak to the parking lot issue. Chief Jewkes stated marijuana is highly sought after, and he is concerned about the visibility issue behind the hotel. He stated it is a safety concern because someone could be hiding and looking to rob someone of the product they purchased.

Mr. Cleworth asked Chief Jewkes if he feels differently about the cultivation license versus the retail license. Chief Jewkes stated traffic will increase if the retail license is approved, and there is no way to know the effects because it is such a new industry. He stated that any substance with an intoxicating effect can cause problems. **Mr. Cleworth** asked Chief Jewkes whether he would want a retail facility so close to Stacia Street if he was sitting on the Council. Chief Jewkes stated he did not support the legalization of marijuana and that there is no way to know what impacts it may have in that particular area.

Ms. Huntington asked Chief Jewkes what Mr. Fraser would have to do in order for the Police Department to lift their recommendation for protest on the retail license. Chief Jewkes stated he would rather see people park across the street than behind another building. He stated Mr. Fraser has been easy to work with and has been helpful in providing evidence to the Department. He stated that Mr. Fraser would have to figure out a safer plan for parking at the facility.

Mr. Norum asked Mayor Matherly where he stands on the issue. **Mayor Matherly** stated he sees all sides of the issue and that Mr. Fraser has been great and forthcoming; he indicated that Mr. Fraser clearly has a good business model. **Mayor Matherly** stated he also recognizes the public safety concerns with the parking but that he would like to see the business thrive.

Ms. Rogers stated the Council should consider Chief Jewkes' advice when voting on the issue. **Ms. Huntington** spoke to her conflicting feelings about the retail license.

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

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

Mayor Matherly called for a brief recess.

City Attorney Ewers explained that there was some confusion and a difference of opinion as to whether the Council essentially waived protest by failing the motion to protest subject to a condition. He stated he believes that the Council may follow the failed motion with a new motion regarding the license.

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

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

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

Ms. Therrien, seconded by **Ms. Huntington**, moved to AMEND the motion to PROTEST the Retail Marijuana Store License until a Certificate of Occupancy is issued by adding that the protest will remain in place until FPD's public safety concerns in regard to customer parking are resolved.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO PROTEST THE RETAIL MARIJUANA STORE LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED BY ADDING THAT THE PROTEST WILL REMAIN IN PLACE UNTIL FPD'S PUBLIC SAFETY CONCERNS IN REGARD TO CUSTOMER PARKING ARE RESOLVED AS FOLLOWS:

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE RETAIL MARIJUANA STORE LICENSE UNTIL A CERTIFICATE OF OCCUPANCY IS ISSUED AND UNTIL FPD'S PUBLIC SAFETY CONCERNS IN REGARD TO CUSTOMER PARKING ARE RESOLVED AS FOLLOWS:

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

MAYOR'S COMMENTS AND REPORT

Mayor Matherly read aloud a Proclamation declaring April 3 – 9 as National Public Health Week. He offered condolences to the family who lost their four-year-old daughter in a recent accident when snow fell off their roof.

UNFINISHED BUSINESS

- a) Ordinance No. 6043 – An Ordinance to Amend Fairbanks General Code Chapter 2, Article VIII, Financial Disclosure. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Mr. Pruhs, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6043.

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

Ms. Therrien stated she has received some comments requesting that Council Members amend their financial disclosure statements if any major changes have occurred in their finances since their last report filing. She expressed support for Ordinance No. 6043.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6043 AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Cleworth, Norum, Rogers
NAYS: None
Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6043 ADOPTED.

NEW BUSINESS

- a) Resolution No. 4786 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the FMATS Intersection Improvement Program Project. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4787 – A Resolution in Support of a Smoke-free Alaska. Introduced by Council Members Huntington and Pruhs.

City Clerk Danyielle Snider informed the Council that Ms. Rogers and Ms. Therrien have asked to be included as cosponsors of Resolution No. 4787. **Mr. Norum** requested he be listed as a sponsor also.

Mr. Cleworth, seconded by **Mr. Pruhs**, moved to APPROVE Resolution No. 4787.

Mr. Pruhs stated he pulled the resolution because he wanted Council Members to have an opportunity to be added as sponsors. **Mr. Cleworth** stated he would like to be a sponsor of the resolution also.

Ms. Huntington stated she supports creating distances between buildings and designated smoking areas but that it should not be included in the current resolution.

Mr. Cleworth stated that the distance is already in City Code but is difficult to enforce.

Mr. Norum stated the University has installed effective signage that states “this is a non-smoking campus.” He suggested the City do the same.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4787 AS FOLLOWS:

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

- c) Ordinance No. 6044 – An Ordinance Amending Fairbanks General Code Section 70-134 Setting Design Standards for Roadways in Fairbanks. Introduced by Council Member Cleworth.

ADVANCED on the CONSENT AGENDA.

- d) Ordinance No. 6045 – An Ordinance Amending Fairbanks General Code Section 2-232(a), Fairbanks Diversity Council Composition; Terms of Office. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Polaris Workgroup – Mr. Pruhs shared that there will be a meeting on April 11, 2017 at 3:00 p.m., and several entities will be attending.

COMMUNICATIONS TO COUNCIL

- a) Board of Plumber Examiner Meeting Minutes of December 13, 2016

ACCEPTED on the CONSENT AGENDA.

- b) Chena Riverfront Commission Meeting Minutes of February 8, 2017

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers thanked Chief Jewkes for the Work Session he presented on City security. She shared that the Pioneer Park Civic Center was renamed to honor a former Assembly Member.

Mr. Norum asked Ms. Snider to draft a resolution aimed at banning smoking on City grounds. He thanked the Council for not approving the marijuana license without complying with public safety standards.

Ms. Therrien stated the Fire Fighters Union (FFU) arbitration decision has been issued, and she asked if the Mayor was drafting an ordinance to approve it. Mr. Ewers stated the Finance Department is putting numbers together in regard to the FFU arbitration award.

Ms. Huntington stated she has had a very hectic schedule, and she thanked Mr. Pruhs and Mayor Matherly for all of the help they provided to her in the past few weeks. She stated it was great to have people to turn to for support.

Ms. Therrien stated there would be a Legislative Committee Meeting on May 6 at 3:00 p.m.

Mr. Cleworth asked City Engineer Jackson Fox to give a report on the Noble Street Project at the next Finance Committee Meeting. He requested that the contamination issue and the issue of records retention also be placed on the next Finance agenda. He stated the FFU does not care about the City's precarious financial situation, and he is disappointed in the arbitrator's decision.

Mr. Pruhs offered condolences to the family who recently lost their daughter. He wished a happy birthday to his brother Danny. He thanked Ms. Snider for being a good Clerk.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to ENTER Executive Session for the purpose of discussing IBEW and AFL-CIO Labor Negotiations.

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

Mayor Matherly called for a ten minute recess.

EXECUTIVE SESSION

- a) IBEW Labor Negotiations
- b) AFL-CIO Labor Negotiations

The City Council met in Executive Session to discuss IBEW and AFL-CIO 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 11:32 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB