

CORRECTED



**FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, FEBRUARY 6, 2017
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA**

The City Council convened at 7:00 p.m. on the above date, following a 6:00 p.m. Work Session for a Fairbanks Diversity Council Report, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: 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: Paul Ewers, City Attorney
D. Danyielle Snider, City Clerk
Jeff Jacobson, Public Works Director
Stephanie Johnson, Dispatch Center Manager
Christina Rowlett, HR Admin
Angela Foster-Snow, HR Director
Eric Jewkes, Police Chief
Jackson Fox, City Engineer

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

Brittany Smart, 809 Pioneer Way, Fairbanks – Ms. Smart spoke to the air quality and natural gas improvements that are occurring in the Fairbanks North Star Borough. She spoke to some House and Senate bills that are being discussed by the Alaska Legislature.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger thanked the City for clearing the snow off of Gilmore Street. He stated the City Mission Statement should be modified to add the

need for public restrooms. He spoke against people getting free housing because it is the homeless person's fault for not being a productive individual. Mr. Buberger stated that people need to work and not ask for free handouts.

Phoebe Gonzales Roebacher, 1595 Jones Road, Fairbanks – Ms. Roebacher asked the City Council to consider making Fairbanks a sanctuary city in light of President Trump's recent travel ban. She stated it is important to speak out; she asked the Council to ignore President Trump's executive orders and allow refugees and immigrants to seek sanctuary in Fairbanks, Alaska.

Timothy and Schalisa Thomas, P.O. Box 73004, Fairbanks – Mr. Thomas spoke of the program Restore, Inc. that helps recently-released prisoners reenter into society. He stated that the program was established in 2011 and has helped many formerly-incarcerated individuals to stay out of trouble. Mr. Thomas spoke to the mission of Restore, Inc. and shared that the goal is to reduce recidivism.

Mr. Cleworth asked how many employees Restore, Inc. has and what their funding source is. Ms. Thomas stated that they employ six individuals and several interns from the University of Alaska Fairbanks (UAF); she stated that they are currently privately funded. She stated that she and her husband are learning how to write grants in hopes of generating more funding.

Mr. Pruhs asked if the program is a 501(c)(3) and if there is an active or growing board. Ms. Thomas stated they are a 501(c)(3) corporation. She stated that there is an active board but that they are still looking for more board members.

Ms. Rogers thanked Mr. and Mrs. Thomas for the work that they do, and she asked them to come to more City Council meetings with updates. She invited them to the next Fairbanks Diversity Council (FDC) meeting; Ms. Thomas stated they would try to make it.

Ms. Therrien asked if Restore, Inc. works with LOVE, Inc. and whether they can bill medical providers for the services they provide. Ms. Thomas replied they do work with LOVE, Inc. and that they are trying to get approval to bill Medicaid; she added that it is a very lengthy process.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he tried to attend the recent Clay Street Cemetery Commission meeting but that the front door to City Hall was locked. He stated he banged on the door with a traffic cone to try to get someone's attention and that he wants to see the video footage of the incident. Mr. Turney stated the Mayor did not need to have his Chief of Staff Mike Meeks come back to City Hall to talk to him about scaring people. He stated he contacted Golden Heart Utilities (GHU) about the fire hydrants, and they told him that he was the only person who had ever complained. Mr. Turney stated nobody from the City had contacted GHU and that the Fire Department should have to help clean the areas around fire hydrants. He stated there should be a hemp refinery in North Pole and that North Pole City Councilman Santa Claus has said he would support it. Mr. Turney stated something has to change relating to the doors for after hour meetings at City Hall.

Amber Taylor, 529 Lily, Ft. Wainwright – Ms. Taylor stated she is concerned about the protection of people in the community. She stated that she is a member of the FDC and that homeless people are not non-productive members of society; rather they are a product of the

problems in Fairbanks. Ms. Taylor stated she is a part of the Housing and Homeless Coalition, and she invited everyone to attend meetings.

Ms. Therrien asked when and where the Housing and Homeless Coalition meetings are held. Ms. Taylor stated they are held at the JP Jones Community Center and that they are held on the third Thursday of the month at noon.

Mr. Cleworth apologized for missing the FDC Work Session that took place prior to the City Council meeting.

Mr. Pruhs thanked Ms. Taylor for all the work she does in the community.

Suzanne Rich, 1451 Flat Mountain Road, Fairbanks – Ms. Rich stated Fairbanks is a hidden jewel; she asked the Council to allow Fairbanks to join other cities that have become sanctuary cities. She stated that anyone who wants to live in Fairbanks should be allowed to do so.

Phil Osborne, 1451 Flat Mountain Road, Fairbanks – Mr. Osborne spoke in favor of the City of Fairbanks becoming a sanctuary city. He stated he is standing up for immigration rights and that he has no issue with allowing people from other countries to make Fairbanks their home.

Lily Cohen, Fairbanks – Ms. Cohen stated she is in favor of the City of Fairbanks becoming a sanctuary city and that there is too much misplaced fear about immigrants. She spoke to the issue of the President's travel ban and the need for it to be lifted. She stated that there are doctors who are not being allowed back into the country. Ms. Cohen asked the Council to make Fairbanks a sanctuary city.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson thanked the City Council and the Mayor for their support of project Homeless Connect. She stated the City of Fairbanks is a special community and that there are good resources in place such as the FDC. She spoke to homelessness and stated the Homeless Coalition meets on the third Thursday of every month at noon at the JP Jones Community Center.

Alex Gagne-Hawes, 1535 Mary Ann Street, Fairbanks – Mr. Gagne-Hawes stated that Mary Ann Street was redone in 2016 and asked for an update and for the qualifications of the contractor. He stated he is prochoice, and he criticized advertisements he has heard on the radio about the Crisis Pregnancy Center. He spoke to the Homestead Act in Alaska that gave people free property. Mr. Gagne-Hawes stated this is the Golden Heart City—not a hidden jewel—and that Jesus would want Fairbanks to be a sanctuary city. He spoke against the corrupt regime that has taken over Washington D.C.

Kathy Walling, 2671 Goldhill Road, Fairbanks – Ms. Walling spoke to an article in the newspaper titled, "Alaska Bishops Find Trump Travel Ban Troubling." She encouraged all public officials to speak out against the travel ban. She read aloud a letter signed by many people encouraging President Trump to drop the travel ban and to love our neighbors. She spoke in favor of Fairbanks becoming a sanctuary city.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated that Alaska is running short of money and that it needs to take care of its own. She stated that Alaska gave the Russians land, food stamps and Medicaid but they do not want to learn English. She stated now there is a Russian mafia in Delta Junction. Ms. Herbert stated Fairbanks should not become a sanctuary city and should not bring in immigrants that do not know how to survive in Alaska. She stated she does not think giving free homes away is a good idea, and she shared that she has two homeless people living in her house right now.

Mr. Pruhs asked Ms. Herbert if she knew who made up the largest population of homeless people in the United States (US). Ms. Herbert indicated that it may be teenagers. **Mr. Pruhs** stated that nationwide, veterans make up the largest population of homeless people.

Judah-Pegs Christian, 732 Alatna Loop, Fairbanks – Mr. Christian suggested the community pray and not fall victim to the panic that is going on throughout the nation. He stated that people cannot forget that there is due process in this country.

Rose O’Hara, 1932 Kittywake Drive, Fairbanks – Ms. O’Hara urged the City Council to make Fairbanks a sanctuary city. She likened the story of her grandparents immigrating to the US from Ireland to the immigrant situation going on in the world today. She spoke passionately about immigrants who have made America great. Ms. O’Hara stated her siblings have been privileged to grow up in a country that welcomes all, and she again encouraged the Council to make Fairbanks a sanctuary City. She stated we owe it to future generations to do the right thing. She stated her Jewish and Catholic family stand in solidarity with all people from all nations.

Sveta Yamin-Pasternak, 5694 Old Ridge Trail, Fairbanks – Ms. Yamin-Pasternak stated that she works as a counselor, researcher and anthropologist and has worked with the Russian and Ukrainian settlers in Delta Junction. She stated they are very hard working food producers in Alaska. Ms. Yamin-Pasternak stated her family was very fortunate to be granted political asylum in 1989; she shared that she is a first-generation immigrant. She stated that she received an award for an outstanding contribution to Alaska Native education and that she is very proud to be an Alaskan.

Jesus Silves, 1426 Lathrop Street, Fairbanks – Mr. Silves spoke in support of Fairbanks becoming a sanctuary city. He stated that President Trump’s travel ban comes from a fear that immigrants will become terrorists. He stated the City needs protection from Federal oversight. Mr. Silvas spoke to the death of the woman on Davis Road after she was released from jail for a drinking and driving charge. He stated the issue needs to be addressed and nobody should be released from jail to walk home while they are still intoxicated.

Mr. Pruhs clarified that the woman was released by the Department of Corrections, not the Fairbanks Police Department. He stated the City of Fairbanks is working very hard to get a sobering center open in order to deal with those kinds of issues.

Jo Ann Borges, 1130 Vicki Lane, North Pole – Ms. Borges stated she needs the Council’s help to protect herself, her family, her neighbors and her community. She spoke in favor of the City of

Fairbanks becoming a sanctuary city, and she stated that the actions of President Trump are ugly and unsafe.

Jack Ewers, 1045 Pedro Street, Fairbanks – Mr. Ewers stated that his views do not necessarily reflect the views of his relatives. He stated he was encouraged by community members to attend the meeting and to speak about the need for Fairbanks to become a sanctuary city. He stated the rhetoric that seeks to alienate people and put them in fear of terrorist attacks is wrong. Mr. Ewers stated that trying to dehumanize people who are in need of help is unacceptable. He stated he would like to change the narrative and foster a relationship with immigrants instead of fear-mongering. Mr. Ewers stated that many of the people who are not being allowed into the country have helped the US military when they were in their country. He asked law enforcement to spend time going after actual criminals, not people who are trying to bring their family to a safer and better life. He stated that undocumented people who are already in Fairbanks need to know that they will not be deported.

Crystal Wise, 2727 South Barnette Street, Fairbanks – Ms. Wise thanked the City Council for creating the FDC; she asked them to protect the lesbian, gay, bisexual and transgender (LGBT) population and the veterans in the City. She asked the City to continue to promote diversity and to hire transgender people and people who do not identify with a specific gender. She stated her family immigrated to the US; she asked that Fairbanks become a sanctuary city.

Mayor Matherly asked Ms. Wise if she would consider serving on the FDC. Ms. Wise stated she did not think she had anything to bring to the FDC but that she has considered it.

Ms. Rogers stated Ms. Wise has a lot to bring to the table; she encouraged her to submit an application. **Mr. Pruhs** stated that he agrees with Ms. Rogers.

Christopher Friar, 780 Gold Vein Road, Fairbanks – Mr. Friar stated that Fairbanks and all of Alaska should become a sanctuary. He stated it is a duty to do right by fellow human beings and welcome immigrants. He stated that society needs to overcome the fear and open its arms to the people who need help.

Anna Godduhn, 570 McFadden Lane, Fairbanks – Ms. Godduhn thanked everyone for the beautiful words they shared with the City Council. She stated she endorses the idea of making Fairbanks a sanctuary city. She asked that the FPD take measures to communicate the values she wishes to uphold.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Cleworth pulled Ordinance No. 6042 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.

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	Premises Address
4888	R.J.'s Lounge & Grill	Beverage Dispensary	Roy J Stoltz	3450 Airport Way
4076	Brown Jug	Package Store	Liquor Stores USA North, Inc	559 Harold Bentley
2512	2 Go Mart #114	Package Store	AK, Inc	2110 Peger Road
4216	2 Go Mart #115	Package Store	AK, Inc	99 College Road
4565	2 Go Tesoro #101	Package Store	AK, Inc	3569 S. Cushman St.
1912	Eastern Treats	Beverage Dispensary	Bulgar Corp	535 2nd Avenue
3020	American Legion Post #57	Club	American Legion Post #57	1634 Cushman St.

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

Mr. Pruhs, **Ms. Rogers**, and **Mayor Matherly** commented that they like the new Public Safety reporting that is being provided for the licenses up for renewal.

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

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

Mayor Matherly declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Matherly thanked everyone for attending the City Council meeting. He thanked the FDC for the Work Session held earlier in the evening. He stated he had a meeting with the Commissioner of the Department of Corrections, Dean Williams, and they spoke of the opioid problems in Fairbanks. **Mayor Matherly** spoke to the need for a sobering center in the City, and he stated that he is aggressively working on getting one open. He stated there would be 18 to 25 beds available for people to rest up and get sober. He stated he is working with Police Chief Eric Jewkes and Dispatch Manager Stephanie Johnson to see how the Community Service Patrol (CSP) can help transport people who are in need of the service. **Mayor Matherly** stated the goal is to have the facility open and running in June. He spoke to the tragedy of the woman who was released from jail and then died after being hit by a car. He stated he is not an expert about what a sanctuary city is, but that he would look into it. He thanked all the people who came to speak during Citizen's Comments. **Mayor Matherly** spoke to the behavior of Frank Turney when he

was banging on the door to get into City Hall and stated that it was unacceptable. **Mayor Matherly** spoke to the issue of cleaning the areas around fire hydrants.

Mayor Matherly asked City Clerk Danyielle Snider to speak to the issue of the doors being locked at the Clay Street Cemetery meeting. Ms. Snider spoke to the procedure for unlocking doors for afterhours meetings; she apologized for the oversight.

NEW BUSINESS

- a) Resolution No. 4780 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security for the FFY2017 State Homeland Security Program. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 6041 – An Ordinance Amending Fairbanks General Code Sections 2-260 and 2-261 Regarding the Authorized Index Language and Asset Allocations in the City Permanent Fund Investment Policy. Introduced by Council Members Therrien and Pruhs.

ADVANCED on the CONSENT AGENDA.

- c) Ordinance No. 6042 – An Ordinance Modifying the Annual General Fund Transfer from the Permanent Fund. Introduced by Council Members Therrien and Pruhs.

Ms. Therrien, seconded by **Ms. Huntington** moved to ADVANCE Ordinance No. 6042.

Mr. Cleworth spoke to the history of Permanent Fund transactions and distributed a handout out to Council Members. He stated the Permanent Fund Review Board (PFRB) is recommending reducing the annual drawdown but they are not taking into account all of the extra funds the Council has voted to put into the Fund. **Mr. Cleworth** spoke to his concern for decreasing the drawdown because it reduces the annual budget. He suggested that the Council wait until there is a surplus so auditors can run a report on what could be cut from the annual budget. He stated that making the reduced drawdown mandatory does not help future budgets, and it hinders flexibility. He stated he understands the importance of the Permanent Fund and that he would like to look at other ways to protect it.

Ms. Therrien stated that the PFRB wants to reduce the amount of the drawdown in order to protect the Fund. She stated that given the situation with the City's finances, she does not envision the Council putting any money into the Permanent Fund in the future. She urged the Council to advance Ordinance No. 6042.

Mr. Pruhs stated he was surprised that he does not agree with Mr. Cleworth. He stated the Council needs to keep the future in mind when considering the City's finances. He stated that some years the budget will be thin but protecting the Permanent Fund is important.

Ms. Rogers thanked Mr. Cleworth for his concern and for all the research he did. She stated she is in favor of advancing the ordinance.

Mr. Cleworth stated that the Council has put additional money in the Fund every year that was not required and that he thinks the system has been working.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6042 AS FOLLOWS:

YEAS: Pruhs, Therrien, Huntington, Norum, Rogers

NAYS: Cleworth

Mayor Matherly declared the MOTION CARRIED.

Public comment was not offered on the Liquor License Applications for Renewal, so Mayor Matherly opened public comment for those items.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney asked how much revenue the City received in 2016 from alcohol taxes.

Mayor Matherly stated he did not know the exact number and that the Chief Financial Officer was not present at the meeting. He stated he would get back to Mr. Turney with an answer.

Alex Gagne-Hawes, 1535 Mary Ann Street – Mr. Gagne-Hawes spoke to the public safety calls to liquor establishments and the volume of calls for service. He questioned why the Council is allowing public comment after they already voted on the liquor license renewals.

Mayor Matherly stated that public testimony was opened as a courtesy because it should have been offered under Special Orders.

COMMUNICATIONS TO COUNCIL

- a) Permanent Fund Review Board Meeting Minutes of October 19, 2016.

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Norum asked if anyone could give him the definition of a sanctuary city. **Mayor Matherly** stated he would look into it and get back to Mr. Norum.

Mr. Cleworth stated that when House Bill (HB) 23 was introduced (survivor benefits for deceased fire/police personnel), it was supposed to be a shared cost with municipalities. He stated that now it is a mandate on municipalities; he asked Council Members to weigh in.

Mr. Pruhs stated that the bill has become an unfunded mandate and that any municipality that has a population greater 10,000 must participate in the system.

Mr. Cleworth stated he did not understand how the State could adopt something and then pass the tab to the municipalities. He stated that the Council has a policy of not getting involved in

national issues because their plates are full running the City. **Mr. Cleworth** spoke to the need for fire hydrant areas to be cleaned; he stated that if GHU does not take care of it, the Fire Department should. He stated it is a safety issue because firefighters should not have to dig out a hydrant when they are responding to a fire.

Mr. Pruhs stated he was at the Clerk's Office one day when the staff had to call the police because a citizen was behaving in a threatening manner. He stated the clerks pushed the panic button and four officers showed up almost immediately. **Mr. Pruhs** stated he could understand if an employee was scared by banging and screaming at the front door. He thanked Police Chief Eric Jewkes for being a guest on the radio with him and that it is a privilege having him as the Chief. He thanked Governor Walker for appointing him to the State of Alaska Real Estate Commission that he will be honored to be a part of.

Ms. Therrien stated she is interested in learning more about sanctuary cities and that she would like to see a template that one of the public speakers brought to the meeting.

Ms. Rogers thanked the FDC for the Work Session and for their hard work in drafting the Diversity Action Plan (DAP). She thanked all of the citizens who came out to testify about Fairbanks being a compassionate City. She stated everyone needs to be in connection with their heart and that she would like to pursue Fairbanks becoming a sanctuary city.

Ms. Huntington echoed Ms. Rogers' appreciation for everyone who attended and spoke at the meeting. She stated some Council Members may feel it is appropriate to become a sanctuary city, and some may not. She stated she is in line with the citizens' beliefs and that it has been an inspiring meeting.

Ms. Huntington, seconded by **Mr. Pruhs**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Negotiations and Potential Litigation/Liability Regarding the Randall Aragon Investigation.

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

Mayor Matherly called for a five minute recess.

EXECUTIVE SESSION

- a) AFL-CIO Labor Negotiations
- b) Potential Litigation/Liability Regarding Randall Aragon Investigation

The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations and Potential Litigation/Liability Regarding the Randall Aragon Investigation. Direction was given to staff and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 10:20 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB