



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

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

Council Members Present: 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  
Mike Meeks, Chief of Staff  
Stephanie Johnson, Dispatch Center Manager  
Carmen Randle, Chief Financial Officer  
Angela Foster-Snow, HR Director  
Jim Styers, Fire Chief  
Kyle Green, Deputy Fire Marshal  
Andrew Ackerman, Environmental Manager  
JB Brainerd, Deputy City Attorney

### **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 stated that the Environmental Protection Agency (EPA) has moved forward with the air quality re-designation from moderate to serious. She stated that Mayor Karl Kassel met with the EPA to discuss the requirements because some of the regulations have nothing to do with Fairbanks.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated he attended Fire Chief Warren Cummings' building dedication. He spoke to the need for the City to maintain fire hydrants

throughout the community for safety reasons. Mr. Turney stated he was concerned about the health, welfare and safety of one of the Council Members.

**Mr. Norum** asked Mr. Turney which Council Member he was concerns about. Mr. Turney stated he is concerned about Mr. Norum; he stated he rode in a car with him and that his driving is a danger to the community.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger spoke to the importance of fire hydrant maintenance around the City. He spoke to visibility issues at intersections throughout the City. He asked why there were red and green circles sprayed on the roads and wondered whether it was for marking potholes. He spoke to the need for public restrooms in the City.

**Mr. Norum** thanked Mr. Turney and Mr. Buberger for their testimony because they offer solutions to issues; he gave Mr. Buberger the hotline for pothole reporting. Mr. Buberger replied that he has tried calling the hotline, and it did no good.

Kelvin Lee, 253 Romans Way, Fairbanks – Mr. Lee asked for volunteers to help with the Point in Time survey event that would take place on January 25, 2017 at the JP Jones Community Center from 10:00 a.m. to 3:00 p.m.

**Ms. Rogers** asked Mr. Lee to speak to the fees charged at the homeless housing complex. Mr. Lee stated the Homeless Coalition created a permanent supportive housing project. He stated the old Ranch Motel is now a hospitality house where low-income and homeless individuals can rent rooms. Mr. Lee stated that a regular room is \$650.00 a month and an efficiency is \$750.00. He stated that people could use their vouchers to pay the rent.

**Ms. Huntington** asked whether residents could cook a meal on-site at the hotel. Mr. Lee explained that there is a community kitchen for residents to use.

Kara Carlson, 782 7th Avenue, Fairbanks – Ms. Carlson stated that there is a Point in Time survey event happening at the Stone Soup Café on January 25, 2017 from 7:00 a.m. until 10:00 a.m. She stated she is looking for volunteers.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert stated she did not think that the rooms at the old Ranch Motel could be made into an efficiency. She stated she is happy that Mr. Lee is trying to help out poor people but what she hears on the streets is that it is not a nice place. Ms. Herbert stated that after Public Works removed the snow on Lathrop Street she cracked the plastic on the bottom of her car when pulling out of her driveway. She spoke against the State giving the wives of fallen officers money because the State is broke.

**Mayor Matherly** asked Ms. Herbert if she contacted Public Works about shaving down the bump in her driveway. Ms. Herbert replied that she did not report it because she did not think they would come and fix it. **Mayor Matherly** stated he would ask Public Works to shave down her driveway.

**Mr. Norum** commended Public Works for working around the clock in cold weather in an effort to remove snow. He asked Ms. Herbert who owns the snow, and Ms. Herbert replied that the law says it is her snow if it is in her driveway.

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

**APPROVAL OF AGENDA AND CONSENT AGENDA**

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

**Mr. Cleworth** pulled Resolution No. 4779 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 November 7, 2016.  
APPROVED on the CONSENT AGENDA.
- b) Regular Meeting Minutes of November 21, 2016.  
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	Premises Address
328	Drop In Lounge	Beverage Dispensary	N & P Enterprises, LLC	1420 S. Cushman St.
4880	Friar Tuck's Hoagie House	Restaurant/Eating Place	Joshua & Stafford Roach	427 Merhar Ave., #2
2982	Carlson Community Center	Recreational Site	SMG of Alaska, Inc.	2010 Second Ave.
556	International Hotel & Bar	Beverage Dispensary	Dakota Ventures, Inc.	122 N. Turner St.
725	Midnite Mine	Beverage Dispensary	Borealis Investments, Inc.	308 Wendell Ave.
2124	McCoy's on 28th	Beverage Dispensary	636, LLC	636 28th Ave. (upstairs)

**Mr. Cleworth**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the first five liquor licenses listed.

Darlene Herbert, 906 Woodlawn Road, Fairbanks – Ms. Herbert spoke to the question she asked at the last Council Meeting relating to a bar owner having a high number of police calls to their business location. She stated that needs to be considered prior to approval.

**Ms. Therrien** asked Ms. Herbert if she was aware that the application for Hi-Jinx had been rescinded. Ms. Herbert stated she did not know that.

**Ms. Huntington** stated that due to Ms. Herbert's concerns, the Council will now take a much closer look at liquor license transfers.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE FIRST FIVE LIQUOR LICENSES LISTED AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

**Mr. Cleworth**, seconded by **Ms. Huntington**, moved to PROTEST the renewal of the McCoy's liquor license until it is in compliance with the Fire Department.

Randall Kelsch, 3254 Riverview Drive, Fairbanks – Mr. Kelsch stated he has been the owner of the McCoy's property for 17 years. He spoke to the conflict he has had with the Fire Marshal relating to a sprinkler requirement inside a walk-in cooler. He stated it is very unlikely that a fire would start inside the cooler, and that a sprinkler system would be expensive to install. Mr. Kelsch stated that the Fire Department signed off on building inspections at the location in the early 1980's. He stated that a waiver should be granted because it is not a hazardous property and that if there was anything dangerous on the property, he would address it. He stated that he is more worried about being robbed than his cooler catching on fire.

**Ms. Rogers** asked Mr. Kelsch what percentage of his building is sprinklered and how big his walk in cooler is. Mr. Kelsch replied that 90% of his building is sprinklered and that the cooler is 10' x 10'.

**Ms. Therrien** stated that the Fire Department reported the building had not been signed off on in 1977, and she asked Mr. Kelsch if he had information to prove otherwise. Mr. Kelsch read aloud historic records regarding an old fire inspection that was done on the property and stated that there is some speculation that the inspector at the time made an incorrect determination. He stated, however, that the inspections were passed. **Ms. Therrien** asked how much it would cost to put sprinklers inside the cooler, and Mr. Kelsch replied that he would guess that it would cost about \$10,000. He spoke against the City protesting his liquor license because he has not violated Title 4, which governs liquor licenses. He stated that the issue is a building code issue.

**Mr. Cleworth** stated that there are three violations reported by the Fire Department, the first being deficient components of the sprinkler system that require repair and reporting to an approved monitoring agency. Mr. Kelsch stated he would address the issue if it has not been addressed already. **Mr. Cleworth** stated the second issue cited by the Fire Department is that the sprinkler system needs to be extended to the new additions, the coolers and awnings. Mr. Kelsch stated that he built the awning over the outside stairwell to prevent ice from forming on the stairs after an employee fell down the stairs. He stated that he solved the sprinkler compliance issue

for the awning by removing it. **Mr. Cleworth** stated the third violation is deficient components in the sprinkler system. He asked Mr. Kelsch to clarify whether his problem with the Fire Department's report was in regard to installing a sprinkler system in the freezer, cooler and awning. Mr. Kelsch replied that he would not have a problem addressing the other issues presented by the Fire Department, but that he felt adding a sprinkler system to the areas Mr. Cleworth referenced was over the top. Mr. Kelsch stated he does not mind doing what is reasonable and right but he does not want to be burdened with things that are unreasonable and of no value.

**Mr. Pruhs** asked if Mr. McCoy was his business partner; Mr. Kelsch replied affirmatively. **Mr. Pruhs** asked Mr. McCoy if he would be willing to answer some questions; he also inquired about Mr. McCoy's profession.

John McCoy, 666 11th Avenue, Fairbanks – Mr. McCoy stated that he is the Mechanical Inspector for the State of Alaska. **Mr. Pruhs** asked Mr. McCoy if he thought there was a safety risk if the freezer and cooler were sprinklered. Mr. McCoy stated that he does not believe it poses a problem given the nature of the business. He stated that he has done research to try to find instances of coolers catching fire, and he was unable to find any.

**Ms. Therrien** asked Mr. McCoy whether the fire alarm system reports to an approved monitoring agency. Mr. McCoy replied that King Fire Protection was working on the issue and that he would verify that it was done.

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

**Mr. Cleworth** requested a Staff Report from Deputy Fire Marshal Kyle Green; he asked him to address the need for a sprinkler system in the coolers. Mr. Green stated the issue has been ongoing since 2000 when an addition was built onto the building. He stated that former Fire Marshal Ernie Misewicz originally documented that the addition did not meet codes and standards. Mr. Green spoke to the history of the building file and to the many notes that are documented there. He stated that the building was supposed to be built according to fire resistant construction standards or have a sprinkler system throughout; he stated that neither is the case.

**Mr. Cleworth** asked whether there is an issue with the boiler room. Mr. Green stated that there are not sprinklers in the boiler room and that the alternate system of fire suppressant in the boiler room is not acceptable by fire safety standards.

**Ms. Therrien** asked Mr. Green to address what part of the sprinkler system has deficient components that need to be replaced. Mr. Green spoke to the issues that must be addressed in order for the Fire Department to lift their protest.

**Ms. Huntington** stated the memo did not address the lack of sprinklers in the boiler room and asked Mr. Green why. Mr. Green stated he did not get too detailed in the memo, but that it was just a general overview. He stated that the full report is nine pages long and gets into technical aspects of the code.

**Ms. Therrien** asked Mr. Green if the owner had addressed the issues as of their last meeting; Mr. Green responded by saying they had not addressed all items.

**Mr. Cleworth**, seconded by **Ms. Therrien**, moved to AMEND the motion to protest until items (a) and (c) referenced in the Fire Department memo have been taken care of [item (a) reads, "Fire alarm system has deficient components that require repair or replacement, does not monitor the status of the sprinkler system, and is required to report to an approved monitoring agency"; item (c) reads, "Sprinkler system has deficient components, other than previously mentioned, that require repair or replacement"]:

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO PROTEST UNTIL ITEMS (a) AND (c) REFERENCED IN THE FIRE DEPARTMENT MEMO HAVE BEEN TAKEN CARE OF AS FOLLOWS:

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

**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Therrien** stated she is not comfortable with allowing the boiler room to remain without a sprinkler system but that she does not see a need for it in the coolers.

**Mr. Norum** asked if the current fire suppression system could be raised higher to make it more like a sprinkler system. Mr. Green replied that the current fire suppression system does not have the same effect as a sprinkler system.

**Mr. Cleworth** stated he agrees that the boiler room needs to have a sprinkler system.

**Ms. Rogers** stated she is concerned with the boiler room not being connected to the sprinkler system but that she is not concerned with the coolers. She stated she has concerns about the awning being removed because it puts the employees in a dangerous situation. She stated that there is no need for a sprinkler system to be connected to the awning.

**Ms. Therrien**, seconded by **Mr. Norum**, moved to AMEND the motion to protest by specifying that the boiler room must be sprinklered within one year.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND THE MOTION TO PROTEST BY SPECIFYING THAT THE BOILER ROOM MUST BE SPRINKLERED WITHIN ONE YEAR AS FOLLOWS:

YEAS: Norum, Cleworth, Rogers, Huntington, Therrien  
NAYS: Pruhs

**Mayor Matherly** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO PROTEST THE LIQUOR LICENSE RENEWAL UNTIL ITEMS (a) AND (c) REFERENCED IN THE FIRE DEPARTMENT MEMO HAVE BEEN TAKEN CARE OF AND SPECIFYING THAT THE BOILER ROOM MUST BE SPRINKLERED WITHIN ONE YEAR AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

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

Type: Beverage Dispensary, License #270  
To: Lavelle's Taphouse / Lavelle's Taphouse, LLC  
414 2nd Avenue, Fairbanks, Alaska  
From: Lavelle's Taphouse / Arlette Eagle-Lavelle  
414 2nd Avenue, Fairbanks, Alaska

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to WAIVE PROTEST on the Liquor License Application for Transfer of Ownership.

**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 TRANSFER OF OWNERSHIP AS FOLLOWS:

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

NAYS: None

**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 Marijuana Cultivation Facility License:

Type: Marijuana Cultivation Facility, License #10958  
DBA: Green Life Supply, LLC  
Licensee/Applicant: Green Life Supply, LLC  
Physical Location: 511 30th Avenue, Fairbanks, Alaska

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to WAIVE PROTEST on the Marijuana Cultivation Facility License.

Frank Turney, 6th Avenue, Fairbanks – Mr. Turney spoke in favor of the cultivation license for Green Life Supply. He spoke to how racist the word “marijuana” is and stated that people should call it cannabis.

Christine Nelson, 1526 Farmers Loop Road, Fairbanks – Ms. Nelson stated she is the Community Planning Director for the Fairbanks North Star Borough (FNSB) and that she is in attendance to answer any questions Council Members may have. She stated the applicant has met all the Borough zoning regulations for conditional use of the facility.

**Ms. Huntington** asked Ms. Nelson to recap the public process for conditional use of the facility. Ms. Nelson stated the buffer zone for sensitive use is 100 feet and that there are two sensitive uses to the south of the facility, but they are 400 feet away.

**Mr. Cleworth** asked Ms. Nelson if the Borough sent out letters to property owners in the area. Ms. Nelson stated that everyone within 1000 feet of the facility received a letter and that she did not hear any concerns.

**Mr. Pruhs** asked Ms. Nelson if she received a report from the Building Department on the facility. Ms. Nelson stated that the Borough does not require a report unless they know that there are problems with the facility.

Charles Lincoln, 612 30th Avenue, Fairbanks – Mr. Lincoln stated that he is the owner of Advance Printing which is two doors down from the cultivation facility. He shared his concern about the odor that might emanate from the facility.

**Ms. Huntington** asked Mr. Lincoln if he had spoken to his soon-to-be neighbor; Mr. Lincoln stated he met him at a planning and zoning meeting.

**Ms. Rogers** asked how far away the facility is from his office, and Mr. Lincoln stated it is about 500 feet away.

**Ms. Therrien** stated that according to the conditional use agreement, the owner will have to regulate the air with fans. Mr. Lincoln stated he is not protesting the license, but is only sharing his concern for the record.

Nathan Davis, 231 Slater Drive, Fairbanks – Mr. Davis stated he is the owner of Green Life Supply and that can answer questions from Council Members.

**Mr. Cleworth** asked Mr. Davis if the location has been issued a Certificate of Occupancy. Mr. Davis replied that the Building Department has approved all his plans but that he has not yet received the Certificate of Occupancy.

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

**Mayor Matherly** asked Building Official Clem Clooten to come forward for a Staff Report. Mr. Clooten stated the Building Department has not issued a Certificate of Occupancy yet because the project is still under construction.

**Mr. Pruhs** asked Mr. Clooten what will be used to regulate the odor coming from the facility; Mr. Clooten stated he did not know as the issue is uncharted territory.

Ms. Nelson stated that if neighbors complain about the odor, the Borough would ask the owner to change their air filter.

**Mr. Norum** asked if high efficiency particulate air (HEPA) filters had been considered; Ms. Nelson replied that the Borough is not regulating the types of filters used.



**Mr. Pruhs**, with the concurrence of the Second, WITHDREW the motion to WAIVE PROTEST on the Marijuana Cultivation Facility License.

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

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

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

### MAYOR'S COMMENTS AND REPORT

**Mayor Matherly** shared the City and State's pothole hotlines, and he commended Public Works for their work on snow removal. He thanked Public Works Director Jeff Jacobson for his efforts in keeping the City streets clear of snow. He stated the Police Department has hired more officers, including one lateral hire.

**Ms. Therrien** asked Mayor Matherly when the Council would receive the full report of the investigation into former Police Chief Randall Aragon. **Mayor Matherly** stated he would work with the City Attorney and have it released soon; he stated he had not yet read the full report. **Ms. Therrien** stated she should not have to wait for the Mayor to review it before she sees it.

**Mr. Norum** stated the City is at risk financially because of the Aragon scandal.

**Mayor Matherly** stated he is reviewing the report with the Attorney and it will be released soon.

**Mr. Cleworth** asked City Attorney Paul Ewers if he thought Aragon's attorney would ask that the full report not be released to the public. Mr. Ewers stated there are two public records requests for the full report, but it needs to be reviewed and possibly redacted before it is released.

**Ms. Therrien** requested an Executive Session on the Randall Aragon report.

**Mr. Cleworth** requested a five minute recess before moving on. No members objected, and **Mayor Matherly** called for a brief recess.

### UNFINISHED BUSINESS

- a) Liquor License Application for Transfer of Ownership and Name Change. POSTPONED from the Regular Meeting of January 9, 2017. Public Hearing was held on January 9, 2017.

Type: Beverage Dispensary, License #2847  
To: Hi-Jinx / ENLAK, LLC

1351 Cushman Street, Fairbanks, Alaska  
From: Bojangles / Scruff-N-Pork's, Inc.  
1351 Cushman Street, Fairbanks, Alaska

NOTE: This application was rescinded per the Alcohol & Marijuana Control Office. No action by the City Council was necessary.

- b) Resolution No. 4768 – A Resolution Adopting a City of Fairbanks Diversity Action Plan. Introduced by Mayor Matherly. POSTPONED from the Regular Meeting of November 7, 2016.

NOTE: The motion to APPROVE was made by **Mr. Norum** and seconded by **Ms. Rogers** at the Regular Meeting of November 7, 2016.

**Mr. Cleworth** asked Fairbanks Diversity Council (FDC) members to come forward; he asked what the definition of diversity means to the FDC.

Jo Ann Borges, 1130 Vicki Lane, North Pole – Ms. Borges stated that diversity means the community as a whole, regardless of sexual orientation, color, religion, age, or social status.

**Mr. Cleworth** suggested changes to the Diversity Action Plan (DAP). He stated that FDC members should not be a part of the hiring process for the Chief of Staff and the Mayor's Communications Director because those positions are appointed by the Mayor.

Kelvin Lee, 253 Romans Way, Fairbanks – Mr. Lee stated the FDC had already addressed that issue, and they only wish to be involved with the hiring of key public safety positions.

**Mr. Cleworth** asked HR Director Angela Foster-Snow to come forward.

**Mayor Matherly** read aloud the Mission Statement of the Diversity Council.

**Mr. Cleworth** asked Ms. Foster-Snow what kind of diversity training the City would be providing according to the DAP. Ms. Foster-Snow stated the City is taking suggestions from the Diversity Council to come up with diversity awareness training that would be respectful to all employees. Ms. Foster-Snow stated the training would be given to all City employees, but that they have not decided on a specific training yet. **Mr. Cleworth** stated that temporary hires should not have to participate in the training and that the training should not take away from important job duties. Ms. Foster-Snow stated that all full-time employees should take the training. She added that the training would be part of an employee's orientation, and it would not take hours and hours to complete.

**Ms. Rogers** spoke to Mr. Cleworth's comment regarding training for temporary hires. She stated that if people hear that they will be working with an agency that respects its employees and promotes diversity, they may find the job more attractive.

**Mr. Norum** stated the community can be improved by increasing and embracing diversity.

**Mr. Pruhs** thanked the FDC members for attending the Council meeting and for all of their hard work on the DAP.

**Ms. Huntington** asked if Department Heads had the opportunity to weigh in on the Plan. **Mayor Matherly** confirmed that they did. **Ms. Huntington** stated that it may be helpful to include members of the FDC in the hiring of the Chief of Staff and Communications Director. She stated that if they had been involved with a recent hiring process, it might have saved a lot of public controversy over a selection made for the Communications Director.

**Mr. Cleworth** spoke against any City Commission or Council having designated funds in the City budget.

**Mayor Matherly** spoke to the history of FDC funding per former Mayor John Eberhart. He stated that when he came into office, the account which held FDC funds at a zero balance. He stated there was nothing in writing to show how much the FDC was allocated in 2017. He stated there is much less money in that account for 2017, and he has not allocated a certain dollar amount to the FDC.

**Ms. Rogers** stated that Mayor Eberhart told the members that if they needed a banner, flyers or some materials, they would discuss it at a meeting then request the funds from the Mayor.

**Mr. Norum** stated the FDC was given a budget of \$2,000 but that they only spent \$500.

**Mr. Cleworth** stated that the current language in the DAP indicates a budgetary expectation, and he spoke against the statement.

**Ms. Rogers**, seconded by **Ms. Therrien**, moved to POSTPONE Resolution No. 4768 to the Regular Meeting of February 27, 2017.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 4768 TO THE REGULAR MEETING OF FEBRUARY 27, 2017, AS FOLLOWS:

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

**Mayor Matherly** declared the MOTION CARRIED.

- c) Ordinance No. 6038 – An Ordinance Amending Fairbanks General Code Chapter 82 and Adopting Revised Wastewater Treatment Regulations. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Mr. Norum**, moved to ADOPT Ordinance No. 6038.

**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. 6038 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6038 ADOPTED.

- d) Ordinance No. 6039 – An Ordinance Amending Fairbanks General Code Chapter 70-623 to Remove Right-of-Way Permit Fee Amounts and Reference the City Fee Schedule. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Mr. Norum**, moved to ADOPT Ordinance No. 6039.

**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. 6039 AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6039 ADOPTED.

- e) Ordinance No. 6040, as Amended – An Ordinance to Amend Fairbanks General Code Section 2-120, Rules of Procedure. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6040, as Amended.

Frank Turney, 6th Avenue, Fairbanks – Mr. Turney asked for clarification as to what Rules of Procedure where being addressed in the ordinance.

City Attorney Paul Ewers explained that the ordinance would add language to allow the Council to postpone an item to a date other than the next regular meeting.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6040, AS AMENDED, AS FOLLOWS:

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

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6040, as Amended, ADOPTED.

## NEW BUSINESS

- a) Resolution No. 4778 – A Resolution Authorizing Matching Funds and Execution of the Maintenance Agreement for the FMATS Sign Replacement Stage III Project. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4779 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the US Department of Homeland Security for the FFY2016 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. Introduced by Mayor Matherly.

**Ms. Therrien**, seconded by **Mr. Norum**, moved to APPROVE Resolution No. 4779.

**Mr. Cleworth** spoke against the SAFER grant because it ties the City's hands. He stated the last time the City took the grant they were faced with laying employees off at the end of the program. **Mr. Cleworth** stated there are items that may cost the City a lot of money in 2017, including labor unions and the contamination issue. He asked Chief Financial Officer Carmen Randle to speak to State revenue sharing.

Ms. Randle stated she received the revenue sharing numbers earlier in the day and it is going to be a tough budget year. She stated that the City's portion for 2017 will be \$515,405, which is over \$200,000 less than what was expected.

**Mr. Cleworth** asked Ms. Randle about snow removal and whether the 2017 budget has been exceeded. Ms. Randle stated in the first pay period of 2017, Public Works spent over \$180,000 on regular, full-time employees and \$250,000 for temporary hires. She stated that Public Works has spent 37% of its 2017 temporary labor budget. **Mr. Cleworth** stated the City does not have the luxury to hire new people when it cannot take care of existing employees. He stated he could not support Resolution No. 4779.

**Mr. Pruhs** commended Mr. Cleworth for his well-thought out fiscal presentation and expressed agreement with Mr. Cleworth.

**Mr. Norum** spoke against Mr. Cleworth's assessment and stated that the City could not afford to not apply for the SAFER grant. He spoke of a time when fifty percent of City staff had to be laid off. He stated that to not accept money given to the community is derelict.

**Ms. Therrien** asked why the numbers presented in the agenda packet were so different from the numbers provided at the Finance Committee meeting.

Fire Chief Jim Styers stated he made an error on the previous fiscal note and that he caught the mistake and corrected it prior to the Council meeting. He explained the previous number was based on a 40-hour work week and it should have been based on a 56-hour work week.

**Ms. Huntington** stated there was a good discussion at the Finance Committee meeting and expressed agreement with Mr. Cleworth. She stated the Fire Department is in good standing and that the Council does not need to fix something that is not broken.

**Ms. Rogers** stated she would not support the resolution.

**Ms. Therrien** stated that given the updated numbers, she would not support the resolution.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4779 AS FOLLOWS:

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

### DISCUSSION ITEMS

a) Committee Reports

Public Safety Commission – **Ms. Huntington** stated the Commission met and discussed efforts to recruit new officers; she shared that the department is nearly maxed out on how many new officers they can train at one time. She commended the Fairbanks Police Department (FPD) for the services they provide to the community. She spoke to Striker, FPD's soon-to-be-retired K-9 officer and discussed what the City will do to replace him.

Polaris Group – **Mr. Pruhs** reported that the Polaris Group met earlier in the day and that Ms. Rogers and Mr. Meeks were in attendance. He stated the group has received a notice of award of funding letter from the Environmental Protection Agency (EPA) to do the Brownsfield Assessment for up to \$200,000. **Mr. Pruhs** stated that the EPA reported that the Polaris Building would be the largest building they have ever done. He stated the group is working with a firm in Anchorage that will hopefully draw up the contract. He stated that Marc Marlow has not paid taxes on the building and is set for tax foreclosure on May 28, 2017. He stated that Mr. Marlow owes roughly \$30,000 in back taxes on the property.

Explore Fairbanks Board of Directors – **Mr. Norum** stated he attended his first Explore Fairbanks meeting and that it was an energy-filled group. He stated the group had a change of officers at the meeting and that they intend to come to a Council meeting with an update soon. **Mr. Norum** spoke to the booming tourist industry in the winter because of all the people traveling to see the northern lights.

Permanent Fund Review Board (PFRB) – **Ms. Therrien** stated she attended her first PFRB meeting and shared her amazement at all the institutional knowledge of board members.

### COMMUNICATIONS TO COUNCIL

a) Memorandum of Agreement for Housing/Homeless Coordinator Position

APPROVED on the CONSENT AGENDA.

- b) Clay Street Cemetery Commission Meeting Minutes of December 7, 2016

ACCEPTED on the CONSENT AGENDA.

- c) Fairbanks Diversity Council Meeting Minutes of December 13, 2016

ACCEPTED on the CONSENT AGENDA.

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Norum** stated the Council has work to do to help keep City taxpayers from paying bills that they should not have to pay. He expressed his aversion to executive sessions but stated that he understands that they are sometimes necessary. He stated there should be fewer executive sessions because they are not open to the public. He stated the City should put out more statements in the media relating to improper labor negotiations.

**Mr. Cleworth** asked Chief Styers to pass along to Ernie Misewicz how much the Council appreciates him and all the years of service he has dedicated to the City of Fairbanks. He asked who is responsible for maintaining the areas around fire hydrants inside City limits, and he asked the Mayor to look into it. He spoke to the Fairbanks Fire Department's (FFD) 2017 budget and to the possibility of the Building Department taking over some of the duties of the Assistant Fire Chief. He stated that he would like to explore the idea, although the City may run into union issues if the Building Department took over the duties.

**Mr. Pruhs** spoke highly of Ms. Aldean Kilbourn and congratulated her on becoming the Chair of the Clay Street Cemetery Commission. He stated he would rather hold Work Sessions with the FDC on an annual basis instead of biannually. He stated he was in Ms. Foster-Snow's office when she was processing the hiring paperwork for 20 temporary Public Works employees. He spoke to what a wonderful, hardworking and professional employee Ms. Foster-Snow is.

**Ms. Therrien** requested that the Mayor schedule an Executive Session on the Aragon report.

**Ms. Rogers** reported that she and Mr. Pruhs attended the FNSB Assembly meeting to speak against the ordinance proposing extended hours for the sale of alcohol. She stated that Ms. Foster-Snow is a gem and shared that her work is top-notch and always professional. **Ms. Rogers** stated it is wonderful to have such a fine-caliber person to work with leadership at the City. She shared the same sentiment of City Clerk Danyielle Snider. She asked that the pictures hanging in the hallway be moved back to the gallery hallway so they have a better presentation.

**Ms. Huntington** thanked Ms. Randle for the financial update she gave the Council. She stated that she does not agree with Mr. Norum, and she added that executive sessions have never been inappropriate and that they need to be held. She stated she will be missing the next Finance Committee meeting. **Ms. Huntington** spoke to the disturbance that took place at Spring Hill Suites and stated that two City Council members were mentioned by the culprit during the incident. She cautioned the Council to be aware of their surroundings and to remain vigilant.

**Mayor Matherly** stated he was honored to attend City Hostess Pearl Watson's birthday party the week before.

**Mr. Norum** requested information relating to the recent death of the pedestrian on Davis Road. **Mayor Matherly** stated he could not speak to the woman's death because she was released from a State agency which he has no authority over.

**Mr. Pruhs**, seconded by **Ms. Huntington**, moved to go into Executive Session for the purpose of discussing AFL-CIO Labor Negotiations.

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

**Mayor Matherly** called for a five minute recess.

### EXECUTIVE SESSION

a) AFL-CIO Labor Contract Negotiations

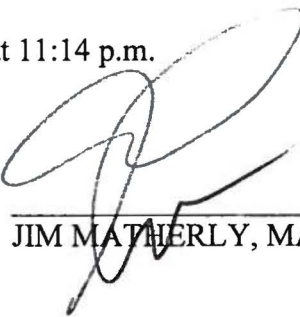
The City Council met in Executive Session to discuss AFL-CIO Labor Negotiations. Direction was given to staff and no action was taken.

### ADJOURNMENT

**Mr. Norum**, 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 11:14 p.m.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB