



**FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JULY 25, 2016  
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 Work Session on a Housing and Homeless Services Coordinator Position, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor John Eberhart presiding and with the following Council Members in attendance:

Council Members Present:        Joy Huntington, Seat A  
                                              June Rogers, Seat B  
                                              Bernard Gatewood, Seat C  
                                              Jim Matherly, Seat D  
                                              Jerry Cleworth, Seat E  
                                              David Pruhs, Seat F

Absent:                                None

Also Present:                        D. Danyielle Snider, City Clerk  
                                              JB Brainerd, Deputy City Attorney  
                                              Jeff Jacobson, Chief of Staff  
                                              Angela Foster-Snow, HR Director  
                                              Randall Aragon, Police Chief  
                                              Carmen Randle, Chief Financial Officer  
                                              Jim Styers, Fire Chief  
                                              Jill King, HR Administrative Assistant

**INVOCATION**

The Invocation was given by City Clerk Danyielle Snider.

**FLAG SALUTATION**

Mayor Eberhart led the Flag Salutation.

**CITIZEN'S COMMENTS**

Vivian Stiver, 1420 Moore Street #10, Fairbanks – Ms. Stiver spoke to commercialized marijuana and to the need for the City of Fairbanks to ban it. She stated that there are too many problems with alcohol to add commercial marijuana to the community. She spoke to the amount of marijuana that is being sent in the mail from other states which have legalized the substance. Ms. Stiver stated that the City should not exploit marijuana for commercial profit.

Jennifer Jolis, 3705 Quartz Road, Fairbanks – Ms. Jolis introduced Jaycee Dean and shared that she is a new Vista volunteer for the Stone Soup Café.

Allen Wilson, P.O. Box 249, Ester – Mr. Wilson spoke out against the police harassing people for no reason, and he stated that he spent 29 days in jail for doing nothing. He stated that the police have caused him to lose his license and his painting business. He indicated that he was targeted because he is old and poor.

Brittany Smart, 809 Pioneer Road, Fairbanks – Ms. Smart introduced herself to the Council and stated that she is the new Special Assistant to Fairbanks North Star Borough (FNSB) Mayor Karl Kassel. She gave an update on current projects of the FNSB, including a new recycling center.

Mark Oldmixon, 2575 Cresbard Court, Fairbanks – Mr. Oldmixon stated that he represents the Eastern Range Avalanche Center and that it is their goal to provide avalanche safety training to backcountry travellers. He spoke to the importance of the Center receiving grant funding to stay in operation.

Jerald Harrison, 723 27th Avenue, Fairbanks – Mr. Harrison spoke to his disappointment in politicians and in the current political system. He spoke to how people react to anger and to how much worse it becomes when drugs or alcohol is combined with the anger.

Kevin Nelson, P.O. Box 58664, Fairbanks – Mr. Nelson spoke on behalf of the Fairbanks Firefighters Union (FFU); he stated that low pay is a driving force as to why the fire department is understaffed. He shared his concern that the FFU contract has not been approved and stated it is causing morale issues within the fire department. He stated that the Fairbanks Fire Department (FFD) has the second highest call volume in the state and that the pay is not competitive with other fire departments.

**Ms. Huntington** asked if there are other reasons for a decline in morale.

Mr. Nelson stated that Anchorage and Juneau both pay more than Fairbanks and that those jobs are becoming attractive to people around the state. He stated that the State's Public Employees Retirement System (PERS) Tier IV benefits are another reason for low morale.

**Mr. Cleworth** asked how the City could fix the PERS issue.

Mr. Nelson stated that the City should ask the State go back to the Tier II or Tier III system.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney stated that he intends to file for candidacy for City Mayor, and that he is running for conscious awareness. He stated that the Chief of Police should be an elected position, not appointed by the Mayor. He stated that City residents should bring back a City Manager form of government. He spoke to the 2016 Clay Street Cemetery maintenance contract award.

Joe Zimmerman, P.O. Box 65, Salcha – Mr. Zimmerman spoke to the prohibition of marijuana and compared it to the prohibition of alcohol. He stated that firemen and police should be the highest paid employees in the State.

Lee Despain, 325 Driveway Street, Fairbanks – Mr. Despain stated that he was fired from the City of Fairbanks when Mayor Eberhart became the City Attorney some years ago. He spoke to past

Alaska Public Offices Commission (APOC) violations and spoke to emails that were accessed by two former City employees.

Mark Davis, 3230 Van Horn Road, Fairbanks – Mr. Davis stated that his company has contracted with the City of Fairbanks to tow vehicles. He spoke to the loss of police officers at the Police Department and stated that if something catastrophic happened there are not enough officers to keep the peace. He stated that the City has a foundation problem and stated that it will crumble if the problem is not fixed.

**Mr. Pruhs** asked Mr. Davis if he had seen the list of employee pay and benefits. He added that the foundation of a house is important, but that budgetary restrictions limit the number of employees the City can hire.

Mr. Davis suggested that the City hire a magistrate to preside over traffic citations and cut the State Court out of the process. He stated that creating a magistrate position would generate a huge amount of revenue for the City.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger spoke to the potholes in City streets. He spoke to fire trucks being dispatched to take care of incapacitated persons in the downtown area. He spoke unfavorably to unions.

Jerry Norum, 945 McGown Street, #2, Fairbanks – Mr. Norum spoke to the smell of coffee in the air in Fairbanks in the morning. He spoke to political issues and to the FOCUS homeschool zoning issue; he stated that a school does not belong in that neighborhood. He stated that having women on the City Council is a breath of fresh air.

Floyd Terry, P.O. Box 73074, Fairbanks – Mr. Terry spoke to the historical roller skating rink that was in the Eagle Theater on 4th Avenue in 1907. He spoke to the history of roller skating rinks within the City of Fairbanks.

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

#### **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Mr. Gatewood**, seconded by **Ms. Rogers**, moved to APPROVE the Agenda and Consent Agenda.

**Mr. Pruhs** pulled Ordinance No. 6028 from the Consent Agenda.

**Mr. Cleworth** pulled the Memo of Recommendation to the FNSB Planning Commission from the Consent Agenda.

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

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

## APPROVAL OF PREVIOUS MINUTES

- a) Regular Meeting Minutes of April 25, 2016.

APPROVED on the CONSENT AGENDA.

- b) Regular Meeting Minutes of May 9, 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 Application for a New (Duplicate) Beverage Dispensary License:

Type: Beverage Dispensary (Duplicate), License #5504  
DBA: Mayan Palace  
Licensee/Applicant: Taco Azteca, Inc.  
Physical Location: 3403 Airport Way, Fairbanks, Alaska

**Mr. Gatewood**, seconded by **Mr. Cleworth**, moved to WAIVE PROTEST on the Application for a New (Duplicate) Beverage Dispensary License.

**Mayor Eberhart** 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 APPLICATION FOR A NEW (DUPLICATE) BEVERAGE DISPENSARY LICENSE AS FOLLOWS:

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington, Cleworth  
NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

- b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the following Application for a Transfer of Ownership, Location, Name Change and Restaurant Designation Permit:

Type: Beverage Dispensary, License #1377  
DBA: Grizzli's  
Licensee/Applicant: Wildeberry, LLC  
Physical Location: 44 College Road, Suite B, Fairbanks, Alaska

**Mr. Gatewood**, seconded by **Ms. Huntington**, moved to WAIVE PROTEST on the Application for a Transfer of Ownership, Location, Name Change and Restaurant Designation Permit.

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

YEAS: Matherly, Cleworth, Rogers, Huntington, Gatewood, Pruhs

NAYS: None

**Mayor Eberhart** 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 #10279  
DBA: GoodSinse, LLC  
Licensee/Applicant: GoodSinse, LLC  
Physical Location: 2604 Davis Road, Fairbanks, Alaska

**Ms. Huntington**, seconded by **Ms. Rogers**, moved to PROTEST the Application for a New Marijuana Cultivation Facility License until a Certificate of Occupancy is issued.

**Mayor Eberhart** called for Public Testimony

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke in favor of GoodSinse receiving a marijuana cultivation facility license and shared his hope that the Council approves the license.

Kevin Pomeroy, 2740 Davis Road, Fairbanks – Mr. Pomeroy spoke on behalf of the Laborers Local 942 Training School and stated that the union does not support a new marijuana facility on the property next to the school.

Sean Reilly, 1507 C 21st Avenue, Fairbanks – Mr. Reilly spoke against GoodSinse receiving the marijuana cultivation facility license because of its close proximity to a daycare. He stated that the license should not be issued because the marijuana facility does not meet the requirements of the Fairbanks North Star Borough (FNSB) buffer zones.

Daniel Peters, 2604 Davis Road, Fairbanks – Mr. Peters stated that he is the owner of GoodSinse and that his business has been cleared by the FNSB to have their cultivation facility on the property next to the Laborers Local 942 Union.

**Mr. Cleworth** asked Mr. Peters if he intends to allow patrons of his business to consume commercial marijuana onsite.

Mr. Peters stated that he had no plans to allow onsite consumption at his marijuana facility. He stated that the traffic pattern near his facility would not allow for safe onsite consumption.

**Mr. Pruhs** stated his intent to postpone GoodSinse's marijuana cultivation facility license until Mr. Peters provided the Council with all of the required documentation.

**Mr. Matherly** stated that he has been in contact with Zion Lutheran Church; he shared their concerns in having a marijuana cultivation facility so near to their daycare facility. He asked Mr. Peters to explain what he knows about the distance of his facility to the church.

Mr. Peters stated that the church people and the Council are afraid of the commercial marijuana industry and that there is nothing to be afraid of. He stated that he has Borough approval for his business at the Davis Road location. He stated that he is 900 feet away based on a pedestrian path, not as the crow flies.

Joe Zimmerman, P.O. Box 65, Salcha – Mr. Zimmerman stated that the Council should allow adults to consume marijuana if and when they choose to.

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

**Ms. Huntington** stated that she would like to put the consideration of the license on hold until the Council obtains the Borough zoning information.

**Mr. Gatewood** stated that he would like to add a stipulation on the license that no marijuana consumption be allowed on site.

**Mr. Cleworth** stated that there is confusion as to the definition of a “school” in State law, and that he would like to research it more due to the training facility next door to GoodSense.

**Mr. Gatewood** stated that he is not convinced that the training facility next door should be considered a school.

**Mr. Cleworth**, seconded by **Mr. Gatewood**, moved to AMEND the motion to PROTEST by adding a restriction that no onsite consumption be allowed.

**Mr. Pruhs** asked why a consumption restriction would be attached to a cultivation license because a cultivation license does not allow for retail business.

**Ms. Huntington** stated that it is a stretch to consider the training facility next door a school building. She stated she is concerned with the applicant’s calculation of distance from his facility to the daycare.

**Mr. Matherly** echoed Mr. Pruhs’ thoughts on putting a restriction on a cultivation license. He stated that he would like the City Attorney’s Office to research the buffer zone issue.

**Mr. Cleworth** stated that he was not comfortable with the Borough’s assessment of the buffer zone in the area of the cultivation facility. **Mr. Cleworth**, with concurrence of the second, moved to WITHDRAW the motion to AMEND the main motion in regard to onsite consumption.

**Mr. Gatewood** stated he was not convinced that the training facility should fall under the veil of a school.

**Ms. Rogers** stated that she would like to review all information prior to voting.

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to POSTPONE the Application for a New Marijuana Cultivation Facility License until the next Regular Council Meeting so the Attorney’s Office can review the buffer zones and provide clarification on the definition of a school.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE APPLICATION FOR A NEW MARIJUANA CULTIVATION FACILITY LICENSE UNTIL THE NEXT REGULAR COUNCIL MEETING SO THE ATTORNEY'S OFFICE CAN REVIEW THE BUFFER ZONES AND PROVIDE CLARIFICATION ON THE DEFINITION OF A SCHOOL AS FOLLOWS:

YEAS: Cleworth, Rogers, Huntington, Matherly

NAYS: Pruhs, Gatewood

**Mayor Eberhart** declared the MOTION CARRIED.

- d) 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 #10112

DBA: Great Alaskan Bud Company (GABCO)

Licensee/Applicant: SP&C Enterprises, LLC

Physical Location: 1905 Livengood Avenue, Fairbanks, Alaska

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

**Mayor Eberhart** called for Public Testimony.

Sean Coyle, 1990 E. Athena Court, Fairbanks – Mr. Coyle stated that he is the owner of GABCO and that there are only a few items left to complete before they can pass a final inspection. He stated that he owns the building and that he has made it a very secure location. He spoke to the sale of illegal marijuana and to the dangers of smoking unregulated marijuana.

Mark Knapp, 1971 Fox Avenue, Fairbanks – Mr. Knapp stated that he lives near the GABCO site and that he also owns a business near it. He shared his concerns with the commercial marijuana industry. He stated that he is not too concerned about cultivation facilities but that he is worried about having a retail site and a consumption facility in his neighborhood. He spoke to the dangers of driving under the influence of marijuana.

**Mr. Pruhs** stated that the Alaska Railroad has their own security office; he suggested that Mr. Knapp contact them to request increased security checks.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke in support of GABCO and stated that people driving under the influence of alcohol is much more dangerous than when they are under the influence of marijuana. He stated that there is a vodka distillery in the old City Hall downtown and that it is right next to Ms. Rogers' coffee shop.

Greg Wakefield, Anchorage resident – Mr. Wakefield stated that while he does not live in Fairbanks, he does have a business near the proposed GABCO facility. He stated that he has security concerns about his business and wondered whether he would need to increase his business' security.

Sandy Coleman, 228 Wood Ridge, Fairbanks – Ms. Coleman stated that she has business in the railroad industrial area and hires most of her staff out of the halfway house. She stated that many of them have a history relating to drugs. She stated that having a retail marijuana dispensary in close proximity to her business would be a temptation to her employees.

**Ms. Huntington** asked Ms. Coleman if she was aware that there is a distillery, a liquor store and a bar right next door to the halfway house.

Ms. Coleman stated that she is aware and that she understands she is responsible for keeping an eye on the individuals when she signs them out. She stated that while they are at the halfway house, the staff there is responsible for them.

Daniel Peters, 2604 Davis Road, Fairbanks – Mr. Peters stated that it is hypocritical to allow bars in Fairbanks where people consume alcohol but to not allow the same for marijuana.

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated that he has smoked pot and has operated all sorts of vehicles under the influence without incident.

John Christian, Fairbanks – Mr. Christian stated that he is an employee of GABCO. He stated that GABCO is only requesting a cultivation license at this time, and that the comments have gone off-topic talking about consumption.

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

**Mr. Cleworth** stated that he is hesitant to allow for a consumption license but that he does not take an issue with the cultivation license.

**Mr. Pruhs** stated that for now the only issue on the table is that of the cultivation license; he commented that down the road the Council may weigh in on retail and consumption licenses.

**Ms. Huntington** stated that some members of the public who testified against the cultivation license may fear an increase in crime. She expressed her opinion that the Railroad industrial area is a good place to have a cultivation facility.

**Mr. Cleworth** echoed Ms. Huntington's thoughts on the location being a better site for a marijuana cultivations facility.

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

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington Cleworth

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

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



## MAYOR'S COMMENTS AND REPORT

**Mayor Eberhart** spoke to the Work Session that took place earlier in the evening on Housing and Homeless Services. He stated that the issue would be brought back up in a Finance Committee Meeting. He asked Human Resources (HR) Director Angela Foster-Snow to come forward to speak to HR procedures.

Ms. Foster-Snow stated that exit interviews are confidential and that she compiled information from the interviews; a data spreadsheet was distributed to Council Members. She read over the statistics and pointed out that, in large part, employees did not think that their health insurance premium was competitive enough to remain employed with the City.

**Mr. Gatewood** asked Ms. Foster-Snow why she collects the information.

Ms. Foster-Snow stated that she collects information to identify areas that need improvement by the City.

**Mr. Cleworth** stated that the IBEW members keep allocating their package increases to wages and do not allocate any increases toward health insurance. He stated he worked with City employees for three years, and that many of the department heads he worked with have left the City. He stated that many of them have given him very different reasons why they left.

**Ms. Huntington** expressed appreciation for the information provided by Ms. Foster-Snow.

**Mr. Pruhs** encouraged the administration to focus on communication since it appeared to be an issue on employees' exit interviews.

**Ms. Rogers** thanked Ms. Foster-Snow for the pertinent information.

**Mayor Eberhart** asked Ms. Foster-Snow to speak to the exit interview process.

Ms. Foster-Snow stated that there was not a process for exit interviews when she began working at the City, and that she has created a formal process. She stated that everyone who leaves the City is offered an exit interview, but that the interview is not a requirement.

**Mayor Eberhart** asked about the percentage of employees that participate in exit interviews.

Ms. Foster-Snow stated that about 65% of employees who have left gave an exit interview.

**Mr. Cleworth** asked Ms. Foster-Snow if she could provide data for the five years prior to her hire date.

Ms. Foster-Snow stated that she could only search back to 2010 for exit interview data. She spoke City's aging workforce and invited all Council Members to visit her office.

**Mr. Matherly** stated that there are many reasons employees are leaving and that respect from the top is number one.

**Mayor Eberhart** stated that the high cost of healthcare is a reason why so many have left.

**Mayor Eberhart** spoke to the many activities of his office since the last Regular Council Meeting. He spoke to the disturbances that have been occurring at Weeks Field, and stated that many officers have been called out to that area to deal with issues. He stated that he has asked Chief Aragon, a certified security expert, go visit the location and make some suggestions. He encouraged community members to run for public office in the upcoming election.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6022, as Amended – An Ordinance Amending Fairbanks General Code Section 14-178 to Clarify the City’s Requirements for Downtown Liquor License Approvals. Introduced by Council Member Cleworth. Advanced from the Regular Meeting of June 6, 2016. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly** seconded by **Mr. Gatewood**, moved to adopt Ordinance No. 6022, as Amended.

**Mr. Gatewood**, seconded by **Mr. Matherly**, moved to SUBSTITUTE a proposed version of Ordinance No. 6022, as Amended.

**Mayor Eberhart** called for objection to the SUBSTITUTION and, hearing none, so ORDERED.

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

**Mr. Cleworth** stated that he met with Mr. Pruhs, and that he believes the proposed changes are agreeable.

**Mr. Pruhs** seconded by **Ms. Huntington**, moved to AMEND Ordinance No. 6022, as Amended, by striking paragraph Sec. 14-178(b)(4).

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO 6022 BY STRIKING PARAGRAPH SEC. 14-178(b)(4) AS FOLLOWS:

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

A CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6022, AS AMENDED, AS FOLLOWS:

YEAS:           Matherly, Cleworth Rogers, Gatewood  
NAYS:           Huntington, Pruhs

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 6022, as Amended, ADOPTED.

- b) Ordinance No. 6024 – An Ordinance to Place Before City Voters the Question of Amending Charter Section 11.3, Elections: Candidates, Filing, and Charter Section 2.2, Council: Qualification of Members, Vacancies, to Coordinate Candidate Filing Dates with the Fairbanks North Star Borough and to Correct Residency Requirements. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

**Mr. Gatewood**, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 6024.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6024 AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Huntington, Matherly, Gatewood  
NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 6024 ADOPTED.

- c) Ordinance No. 6025 – An Ordinance Amending Fairbanks General Code Section 22-9, Declaration of Candidacy by Affidavit, to Align the Filing Deadlines with Those of the Fairbanks North Star Borough. Introduced by Mayor Eberhart. SECOND READING AND PUBLIC HEARING.

**Ms. Huntington**, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 6025.

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6025 AS FOLLOWS:

YEAS: Pruhs, Gatewood, Huntington, Cleworth, Matherly, Rogers  
NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 6025 ADOPTED.

- d) Ordinance No. 6026 – An Ordinance to Place Before City Voters the Question of Amending Charter Section 8.7, Independent Audit, to Allow Flexibility for the Due Date. Introduced by Council Member Cleworth. SECOND READING AND PUBLIC HEARING.

**Mr. Matherly**, seconded by **Ms. Rogers**, moved to ADOPT Ordinance No. 6026.

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

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to AMEND Ordinance No. 6026 by REPLACING the "Information" paragraph of Proposition C with the following language:

*The Governmental Accounting Standards Board now requires information provided by the State of Alaska to be included in the City's annual audit. Unfortunately, some of the information cannot be provided to the City until after the City audit deadline, making it impossible to complete within the 180 days.*

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO 6026 AS FOLLOWS:

YEAS: Matherly, Cleworth, Rogers, Huntington, Gatewood, Pruhs

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6026, AS AMENDED, AS FOLLOWS:

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington, Cleworth

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 6026, as Amended, ADOPTED.

- e) Ordinance No. 6027 – An Ordinance to Place Before City Voters the Question of Granting the City Council the Authority to Increase the Rate of Sales Tax Levy by One Percent on Marijuana if the Borough Increases Its Levy by a Like Amount. Introduced by Council Member Cleworth. SECOND READING AND PUBLIC HEARING.

**Mr. Gatewood**, seconded by **Ms. Huntington**, moved to ADOPT Ordinance No. 6027.

**Mayor Eberhart** called for Public Testimony.

Frank Turney, 329 6th Avenue, Fairbanks – Mr. Turney spoke to the racist name of marijuana, and stated that the correct term is cannabis. He spoke against raising taxes on marijuana. He stated that by increasing taxes, it forces people to go to the free market.

**Mr. Cleworth** explained that he does not want to raise taxes; he clarified that if the Borough is going to raise marijuana taxes to 6%, the extra tax dollars should come back to the City.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO 6027 AS FOLLOWS:

YEAS: Rogers, Matherly, Gatewood, Cleworth, Huntington

NAYS: Pruhs

**Mayor Eberhart** declared the MOTION CARRIED and Ordinance No. 6027 ADOPTED.

## NEW BUSINESS

- a) Ordinance No. 6028 – An Ordinance Authorizing the Sale of City Real Property to Tanana Chiefs Conference to Facilitate Expansion of the Chief Andrew Isaac Health Center. Introduced by Mayor Eberhart.

**Mr. Matherly**, seconded by **Ms. Huntington**, moved to ADVANCE Ordinance No. 6028.

**Mr. Matherly**, seconded by **Ms. Huntington**, moved to SUBSTITUTE Ordinance No. 6028, as Amended, for Ordinance No. 6028.

**Mayor Eberhart** called for objection to the SUBSTITUTION and, hearing none, so ORDERED.

**Mr. Pruhs** shared his concern with the construction of the expansion because it may cause the City to lose a much needed snow dump site.

**Ms. Huntington** spoke in support of the advancement of the ordinance.

**Ms. Rogers** spoke in support of holding off on voting on the issue because it does not need to be passed immediately.

**Mr. Cleworth** stated that he was surprised to see the item on the agenda because the City cannot afford to lose one of the snow dumps the City has. He stated that if the City sells the site they may have to find new locations for a snow dump. He spoke to the importance of keeping that specific location as a City snow dump site.

**Mr. Pruhs** suggested postponing the issue until more information can be provided on the sale.

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to ADVANCE Ordinance No. 6028 to the Regular Meeting of August 22, 2016.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6028, AS AMENDED, TO THE REGULAR MEETING OF AUGUST 22, 2016 AS FOLLOWS:

YEAS:           Huntington, Matherly, Gatewood, Pruhs, Cleworth, Rogers

NAYS:           None

**Mayor Eberhart** declared the MOTION CARRIED.

## DISCUSSION ITEMS

Permanent Fund Review Board – **Mr. Gatewood** spoke to the recent activities of the Permanent Fund Review Board.

FMATS Policy Committee – **Mr. Pruhs** stated that the Committee recently met, and that there are some concerns about the Environmental Protection Agency (EPA). He stated that proposed changes to the aging Minnie Street Bridge were discussed.

Public Safety Commission – **Ms. Huntington** stated that the major discussion of the Committee was the low staffing levels at the Police Department. Police Chief Randall Aragon stated at the meeting that the department gets a lot of nationwide interest but that people lose interest when they are given the compensation package information.

### COMMUNICATIONS TO COUNCIL

a) Public Safety Commission Meeting Minutes of October 13, 2015

ACCEPTED on the CONSENT AGENDA

b) Public Safety Commission Meeting Minutes of January 12, 2016

ACCEPTED on the CONSENT AGENDA

c) Public Safety Commission Meeting Minutes of April 12, 2016

ACCEPTED on the CONSENT AGENDA

d) Permanent Fund Review Board Meeting Minutes of April 21, 2016

ACCEPTED on the CONSENT AGENDA

e) Permanent Fund Review Board Meeting Minutes of June 28 & 30, 2016

ACCEPTED on the CONSENT AGENDA

f) Chena Riverfront Commission Meeting Minutes of June 8, 2016

ACCEPTED on the CONSENT AGENDA

g) Fairbanks Diversity Council Meeting Minutes of June 14, 2016

ACCEPTED on the CONSENT AGENDA

h) Memo of Recommendation to the FNSB Planning Commission

**Mr. Matherly**, seconded by **Mr. Cleworth**, moved to APPROVE the Memo of Recommendation to the FNSB Planning Commission.

**Mr. Cleworth** asked why Ms. O'Neill's application was not included in the Council packet.

City Clerk Danyielle Snider explained that Ms. O'Neill is already serving on the Planning Commission as a Borough representative, but that she is qualified to fill a City-represented seat.

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to STRIKE Ms. O'Neill's from the memo.

**Ms. Rogers** stated that Ms. O’Neill should not be removed from the list that the Council sends over because she has not been informed of it.

Clerk Snider explained that the Borough appointed her to the seat and that that the Borough may move her to the City-represented seat. She stated that she would request Ms. O’Neill’s application information.

**Mr. Cleworth**, with the concurrence of the second, WITHDREW his motion to strike Ms. O’Neill from the memo.

**Mr. Cleworth**, seconded by **Mr. Matherly**, moved to POSTPONE the memo to the next Regular Council Meeting.

YEAS: Gatewood, Rogers, Pruhs, Matherly, Huntington, Cleworth

NAYS: None

**Mayor Eberhart** declared the MOTION CARRIED.

i) Appointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA

j) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA

### COUNCIL MEMBERS’ COMMENTS

**Mr. Gatewood** requested to be excused from the Regular Council Meeting of August 8, 2016.

**Mayor Eberhart** called for objection to Mr. Gatewood’s request to be excused on August 8 and, hearing none, so ORDERED.

**Mr. Gatewood** spoke to the potential challenges with the marijuana industry but commented that the growing industry will provide a good opportunity to learn something new. He spoke to the citizen initiative to ban commercial marijuana within City limits.

**Ms. Rogers** spoke in support to the Clerk’s memo/request to make meeting minutes briefer; she asked Clerk Snider to speak to the issue.

Clerk Snider explained how much time meeting minutes take to transcribe and to the difference between action minutes and summary minutes.

**Ms. Rogers** stated the electronic audio recording is always available on the website.

**Mr. Gatewood** stated he would advocate for action minutes.

**Mr. Cleworth** stated he would like to see a type of hybrid minutes that condensed public comment, but still provided discussion of Council Members prior to a vote.

**Ms. Huntington** thanked the public members who stayed through the long meeting. She spoke to the marijuana industry and stated that she did not want the Council to disregard the negative impacts of commercial marijuana. She spoke to the experiences she has had with her brothers regarding marijuana.

**Mr. Matherly** stated he has had a long, emotional day and that he had no comments.

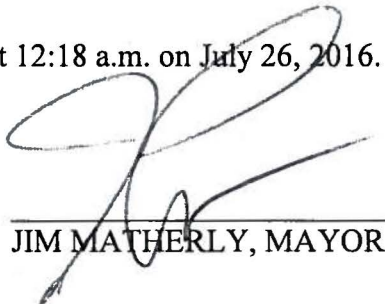
**Mr. Cleworth** spoke to the restoration of City Hall and asked that the topic be placed on the next Finance Committee Meeting agenda. He spoke to issues at City Hall and stated that he is open to speaking with any employee at any time if they are having issues. He asked the Mayor to provide information on the Police and Fire Department labor contracts so he could compare those packages to the IBEW package.

**Mr. Pruhs** stated that people leave City employment for many reasons. He encouraged all Council Members to attend the upcoming Borough Assembly meeting because the Assembly will be discussing Planning and Zoning issues that will impact the City of Fairbanks.

#### ADJOURNMENT

**Mayor Eberhart** called for objection to ADJOURNING and, hearing none, so ORDERED.

**Mayor Eberhart** declared the meeting adjourned at 12:18 a.m. on July 26, 2016.



JIM MATHERLY, MAYOR

ATTEST:



D. DANYIELLE SNIDER, CMC, CITY CLERK

Transcribed by: EB