



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, JUNE 29, 2020  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jim Matherly presiding and with the following Council Members in attendance:

Council Members Present: Shoshana Kun, Seat A (telephonic)  
June Rogers, Seat B (telephonic)  
Valerie Therrien, Seat C (telephonic)  
Aaron Gibson, Seat D (telephonic)  
Jerry Cleworth, Seat E  
David Pruhs, Seat F (telephonic)

Absent: None

Also Present: Margarita Bell, Chief Financial Officer  
Paul Ewers, City Attorney  
D. Danyielle Snider, City Clerk  
Jeff Jacobson, Public Works Director  
Mike Meeks, Chief of Staff  
Greg Foster, FPD Lieutenant  
Nancy Reeder, Police Chief  
Tod Chambers, Acting Fire Chief  
Mike Sanders, Housing & Homeless Coordinator  
Teal Soden, Communications Director

City Clerk Danyielle Snider read the Mission Statement of the City of Fairbanks.

### INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

### FLAG SALUTATION

Mayor Matherly asked everyone to join him in the Pledge of Allegiance.

### CEREMONIAL MATTERS

Mayor Matherly recognized Lt. Greg Foster for his 25 years of service to the City of Fairbanks and presented him with the traditional retirement gold pan. Mayor Matherly thanked Lt. Foster for his years of service and wished him well in future endeavors.

Lt. Foster spoke about his love for Fairbanks and about how it is a great place to raise a family. He stated he is dedicating himself to his family in the future. He stated that increasing funding for police officers and opening communication with the community would fix problems at the

Fairbanks Police Department (FPD). He expressed hope that Fairbanks will continue to be a good community.

**Mayor Matherly** reported that Facilities Manager Joe Cody is also retiring and wished him well.

### **CITIZENS' COMMENTS**

Victor Buberger, P.O. Box 58192, Fairbanks – Mr. Buberger stated he heard a complaint about Mr. Cleworth, Mr. Gibson, and Mr. Pruhs not attending a recent special meeting. He stated the Council appears to be reduced to the “boys against the girls.” He stated that the Fairbanks Fire Department (FFD) should allow for volunteer firefighters.

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin expressed concern that Ordinance No. 6093 would make a resurgence in the City. He spoke in support of police officer training and shared a story about a man who changed his opinion on some issues when he participated in a police training course with officers.

Clerk Snider read into the record a written comment submitted in advance from Maliko Ubl, Chena Ridge, Fairbanks who spoke in support of defunding FPD and using an outside, non-partisan agency to investigate instances of police officer brutality, misconduct, and violence.

Hearing no more requests for comment, **Mayor Matherly** declared Citizens' Comments closed.

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

**Mr. Cleworth**, seconded by **Mr. Gibson**, moved to APPROVE the Agenda and Consent Agenda.

**Mr. Cleworth** pulled Ordinance No. 6137 from the Consent Agenda.

**Mayor Matherly** called for objection to the APPROVAL of the Agenda, as Amended, 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 June 15, 2020.

APPROVED on the CONSENT AGENDA.

### **MAYOR'S COMMENTS AND REPORT**

**Mayor Matherly** stated there has been an increase in COVID-19 cases in Alaska, and he is being pressured to require citizens wear masks. He stated it would be difficult to enforce masking if the Borough did not require the same, but he encouraged citizens to wear masks when in public and take precautions against the virus. He reported there will be free COVID-19 testing at the Carlson Center by appointment only and provided a phone number, 452-1776. **Mayor Matherly** stated the application process for CARES Act funding will be released on the City website soon. He

stated the funds come with firm restrictions, and the funds will be disbursed based on federal law. He stated that City employees have kept the City going during the COVID-19 outbreak, and he commended them for a job well done.

### **COUNCIL MEMBERS' COMMENTS**

**Mr. Gibson** stated he had no comments.

**Mr. Pruhs** stated he had no comments.

**Ms. Therrien** stated she had no comments.

**Ms. Rogers** thanked the Mayor for his comments on masking and stated she wholeheartedly agrees with his statements. She thanked Public Works and other City departments for their correspondence regarding issues on the agenda.

**Ms. Kun** thanked Lt. Foster for his years of service and thanked the Mayor for recognizing him.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6131 – An Ordinance Authorizing a Lease of Space in City Hall to the Boys & Girls Club of Alaska, Inc. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Gibson**, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6131.

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

**Mayor Matherly** reported the unique situation of the City having the opportunity to house the Boys & Girls Club in City Hall.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6131 AS FOLLOWS:

YEAS: Kun, Gibson, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED and Ordinance No. 6131 ADOPTED.

- b) Ordinance No. 6132 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the AFL-CIO Crafts Council and Amending the 2020 General Fund Operating Budget. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

**Mr. Pruhs**, seconded by **Ms. Therrien**, moved to ADOPT Ordinance No. 6132.

Lake Williams, 945 Senate Loop, Fairbanks – Mr. Williams spoke in support of the ordinance and asked the Council to vote in favor of it. He stated the membership ratified the agreement on March

12, 2020, and it is time to move forward. He spoke to some specific items in the contract that were negotiated in the process. He stated he hopes the Council will support Ordinance No. 6132 because the workers really need the help.

Jeremiah Record, P.O. Box 192, Ester – Mr. Record stated he is the current Shop Foreman at Public Works and shared the reasons he supports the passage Ordinance No. 6132. He stated he hopes the contract is approved so they can retain institutional knowledge at the Public Works Department. He reported that several people have left the department because of wages.

Jayla Gentry, Fairbanks – Ms. Gentry stated that she considered emailing her comments to the Council but decided to testify in person. She stated she did not know that Council Members would not physically be present. She stated she has worked for the City for about five years, but she has been a member of the Operators Union for 16 years. She stated she will be 40 years old in December, and her wage at the City is less than that of a first-year apprentice in Local 302. She stated it is not acceptable because the services Public Works provides to the community are important. Ms. Gentry stated she loves her job, but if the contract does not pass, people will not be able to afford to continue to work at Public Works. She stated she was born and raised in Fairbanks, and she loves being a City employee. She stated she loves the job because it allows her to spend time with her family. She thanked the Council for listening to her comments.

**Ms. Therrien** stated that even though Council Members are not physically present, they can still hear comments.

**Ms. Rogers** thanked Ms. Gentry for her testimony.

Tracy Morphis, 531 Golden Leaf Drive, Fairbanks – Ms. Morphis stated she has been at the Public Works Department for 13 years, and she shared her fear about the exodus that will occur if the Council does not approve the contract. She stated temporary employees do not want to come back to work at the City because the pay is too low. She stated the City needs to retain the quality employees they have on staff currently.

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

**Mr. Cleworth** stated he received several emails regarding the AFL-CIO contract and apologized for not being able to respond to them all. He spoke about the impact the contract would have on the City's budget. He stated that, with the loss in revenue in 2020, there is no way to fund the contract. He spoke to the lack of State revenue sharing and to his concerns with the SAFER grant the City accepted. **Mr. Cleworth** stated that all the revenue from the proposed gasoline tax would have to go to funding the AFL-CIO contract, and the Fairbanks Firefighter Union (FFU) contract has not even been considered yet. He shared his concerns with front-loading contracts and stated that it often costs more to do so because of the compounding effect. **Mr. Cleworth** read aloud from the previous meetings minutes when City Attorney Paul Ewers report that front-loading a labor agreement at 5% would have an impact of 7.5% over three years. **Mr. Cleworth** stated the tourist industry and local businesses are taking a huge hit, and the public does not deserve to have to pay for 5% raises to employees. **Mr. Cleworth** stated he supports some of the increases, such as the skilled mechanic raise, but he cannot support a 5% increase across the board. He stated he also does not agree with the \$100/month bonus in the third year. He stated not every Council Member agreed on the terms of the contract. He stated that if the AFL-CIO contract is passed, all

the other unions at the City are going to want the same. **Mr. Cleworth** stated it is the duty of the Council to help the Mayor balance the budget, and he is not sure how that could be done with the contract approved. He stated the City needs to take care of its employees, but it cannot afford this contract. He apologized to the employees for the vote he will make, but it will be problematic if the Council approves the contract.

**Ms. Rogers** thanked Mr. Cleworth for his well-studied observations about a very complex issue but stated that she is not of the same mind on the issue. She stated she would like to enter into an agreement with the people that work for the City to foster trust in the relationship and do what is right by them. She stated the appearance of opposite sides needs to stop and added that she would vote in support of the ordinance.

**Mr. Gibson** thanked everyone who sent him emails or personally called him to discuss the contract. He stated this contract is unique because it was negotiated before the COVID-19 outbreak, and it is now a tough decision to make.

**Mr. Pruhs** thanked everyone who wrote letters to the Council. He shared that the contract is a complicated issue, and he cannot see a funding source to support it. He stated it is unwise to deficit spend to fund a labor contract, so he would not be voting in favor of the ordinance.

**Ms. Therrien** stated she would vote in support of the contract and shared that the gasoline tax revenue would be the funding source. She stated that employees with long-standing institutional knowledge need to be supported.

**Mayor Matherly** stated he appreciates the information Mr. Cleworth provided, but he is focused on the human factor. He stated he has advised the Council that the City needs new revenue sources, and he has been shot down each time he has presented an option. He stated all six of the Council Members voted against his effort to increase the bed tax rate. He stated nobody has brought any new revenue sources forward. **Mayor Matherly** implored the Council to support Ordinance No. 6132 because the City cannot afford to lose more employees. He stated all employees are important, but Public Works has the most publicly visible group.

**Mr. Gibson** clarified that when the bed tax increase was considered, he was not yet on the City Council. **Mayor Matherly** apologized and stated he stands corrected. **Mr. Gibson** further clarified that he introduced an amendment to the tobacco tax that would include vaping products, but the Mayor broke the tie to fail that ordinance. **Mr. Gibson** stated he would vote in favor of the ordinance but that balancing a budget in the future would be challenging. **Mayor Matherly** stated the vaping tax was complicated and would not have generated much revenue.

**Mr. Cleworth** stated that the Public Works budget needs to be adjusted each year for temporary hires. He shared that he does not think the City can afford the contract and spoke to the budget bottom line. He stated the Mayor was correct about the hotel/motel tax even though it would not have generated much revenue this year. He stated the increase may have to be brought back to the Council. He stated the Mayor will have a difficult time preparing a balanced budget for 2021.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6132 AS FOLLOWS:

YEAS: Rogers, Kun, Gibson, Therrien  
NAYS: Cleworth, Pruhs  
**Mayor Matherly** declared the MOTION CARRIED and Ordinance  
No. 6132 ADOPTED.

- c) Ordinance No. 6133 – An Ordinance Amending FGC Chapter 46, Article IV, by Enacting Division 6 Fees for Excessive Police Responses. Introduced by Council Members Gibson and Therrien. SECOND READING AND PUBLIC HEARING.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to ADOPT Ordinance No. 6133.

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

**Mr. Gibson** stated that more work needs to be done on the ordinance before the vote.

**Mr. Gibson**, seconded by **Ms. Kun**, moved to POSTPONE Ordinance No. 6133 to the next Regular Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6133 AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Gibson, Kun, Cleworth  
NAYS: None  
**Mayor Matherly** declared the MOTION CARRIED.

**Ms. Rogers** brought to the attention of the Council that there were written comments submitted in advance regarding Ordinance No. 6133 that were not read into the record.

Clerk Snider read into the record comments submitted by Maliko Ubl whose concern was with those in the community experiencing mental health crises, the poor, the homeless, and those suffering from addiction. The comments stated that the ordinance would continue placing vulnerable citizens in jail when what they need is help.

City Clerk Snider read into the record comments submitted by Sue Sprinkle of Fairbanks who questioned why the ordinance would apply only to residential properties. Ms. Sprinkle stated she has been told that an emergency response to a drug overdose would not count as a response because it is medical. She stated that is exactly why those calls should count as a response. She stated that she has made calls about nuisance properties and has been told that there is no one to respond, and she asked whether that is counted as a response. She stated that in some cases, the police just “roll by”, and she asked whether that is counted as a response. She stated that a report of gun shots should not take four phone calls to get a response from FPD. She stated she would like some assurance that FPD take reports from neighbors seriously.

City Clerk Snider read into the record comments submitted by Arleigh Hitchcock who asked the Council to consider the mental health community before passing the ordinance. She stated a task force should be formed in the wake of the killing of George Floyd that can address alternatives to policing such as the CAHOOTS model in Eugene, Oregon. She explained that is when mental health and medical professionals answer mental health calls given to them through the police

department. She stated the Mayor and City Council's response at the last City Council meeting shows that they are out of touch with community problems. Ms. Hitchcock stated that FPD needs to change the ways in which they interact with the community, and they can start by firing police officers with a violent history. She stated she was a social worker for three years and was assaulted multiple times. She stated the only time she needed to perform a physical intervention was during suicide attempts, and she stated that Fairbanks owes it to its citizens to do better.

- d) Ordinance No. 6134 – An Ordinance to Amend FGC Chapter 22 Elections by Adding New Section 22-15.1 Early Voting, Making Related Amendments, and Expanding the Requirements for Notices of Election. Introduced by Council Members Rogers, Therrien, and Kun. SECOND READING AND PUBLIC HEARING.

**Ms. Rogers**, seconded by **Ms. Kun**, moved to ADOPT Ordinance No. 6134.

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

**Ms. Rogers** spoke in support of the ordinance and stated that anything the Council can do to help get out the vote is a move forward.

**Ms. Therrien** and **Mr. Cleworth** asked Clerk Snider to comment on the ordinance. Clerk Snider stated that the ordinance would codify additional requirements for notices of election – requirements that are already being noticed. She stated that the ordinance would keep the City consistent with the Borough's proposed changes to allow for early voting. She explained that early voting differs from absentee voting in that early votes do not have to go through the canvassing process. She stated that the City's portion of the cost for the change is so insignificant that a fiscal note was not necessary. She reported that the Borough's ordinance to adopt similar changes to its code would not be addressed by the Borough Assembly until the following evening.

**Mr. Gibson** asked what would happen if the City passed the ordinance and the Borough did not pass its ordinance. Clerk Snider explained she had spoken with the Borough Clerk, and there is no indication of controversy over the ordinance at the Assembly level. She stated, however, that if the Borough's ordinance does not pass, the City will have time to revisit the ordinance.

**Mr. Cleworth** stated the only downside he sees to early voting is that candidates do not strongly campaign until right before the election, so early voters may change their minds after casting a vote.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT NO. 6134 AS FOLLOWS:

YEAS: Gibson, Cleworth, Rogers, Kun, Therrien, Pruhs

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

## **NEW BUSINESS**

- a) Resolution No. 4923 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Mental Health Trust Authority for the Fairbanks Homeless and Housing Services Coordinator. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Ordinance No. 6135 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547, and Amending the 2020 City Operating Budget. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- c) Ordinance No. 6136 – An Ordinance Amending the 2020 Operating and Capital Budgets for the Second Time. Introduced by Mayor Matherly.

ADVANCED on the CONSENT AGENDA.

- d) Ordinance No. 6137 – An Ordinance Amending Fairbanks General Code Chapter 74, Taxation, by Adding a New Article VII, Gasoline Excise Tax. Introduced by Council Members Cleworth, Therrien, Kun, and Rogers.

**Ms. Kun**, seconded by **Mr. Cleworth**, moved to ADVANCE Ordinance No. 6137.

**Mr. Cleworth** stated he had hoped that the measure would be a good tool for funding labor contracts, although half a million dollars has been spent. He wished the Mayor luck with balancing next year's budget. He stated he cannot support raising taxes on the people when the Council has not tightened its belt, and it is embarrassing to him. He stated at the next meeting he may vote against the gasoline tax. He stated he is speaking from the heart, and he needs to let the Council know where he is coming from.

**Ms. Therrien**, seconded by **Ms. Rogers**, moved to AMEND Ordinance No. 6137 by changing the effective date to January 1, 2021.

**Mr. Gibson** asked Attorney Ewers if modifying the effective date changes anything other than losing potential revenue for 2020. Mr. Ewers stated that the only effect is that no revenue would be realized in 2020. **Mr. Gibson** asked if it would reduce the amount of revenue the City could collect under the tax cap the following year. Attorney Ewers replied that it would not.

**Mr. Pruhs** stated he is glad to hear that from Attorney Ewers, and he asked if there would be a bar for 2021 if the City collected only a partial year's revenue from the tax for 2020. Attorney Ewers stated he understood that there was a discussion at a recent Finance Committee meeting about the issue, but his understanding is that it would not reduce the amount of money that could be collected in future years. **Mr. Pruhs** stated he did not want to have a low base line.

**Mayor Matherly** asked Chief Financial Officer Margarita Bell to weigh in. Ms. Bell asked to that the question be repeated. **Mr. Cleworth** asked whether the tax cap for future years would be affected if the City collected gasoline tax funds for the remainder of 2020. Ms. Bell stated it would only reduce the amount of revenue being left on the table by the City under the cap.

**Ms. Rogers** stated she understood clearly at the Finance Committee meeting, but now she is confused with the information being presented. Ms. Bell asked Ms. Rogers to refer to page five



of the Finance Committee agenda and explained more about the revenue left on the table by the City under the tax cap within the cap.

**Ms. Therrien**, with the concurrence of the Second, WITHDREW the amendment to change the effective date of Ordinance No. 6137.

**Mr. Gibson**, seconded by **Mr. Pruhs**, moved to POSTPONE the first reading of Ordinance No. 6137 to the next Regular Council Meeting.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE FIRST READING OF ORDINANCE NO. 6137 TO THE NEXT REGULAR COUNCIL MEETING AS FOLLOWS:

YEAS: Pruhs, Therrien, Kun, Cleworth, Gibson, Rogers

NAYS: None

**Mayor Matherly** declared the MOTION CARRIED.

### DISCUSSION ITEMS

a) Committee Reports

**Mayor Matherly** stated he has spoken with City Clerk Danyielle Snider about how to proceed with Board and Commission meetings during the month of July. He stated he has not finalized that decision, but he is monitoring the situation and would keep the Council updated.

FAST Planning Board of Directors – **Mr. Gibson** reported on FAST Planning projects and stated he is encouraged by all the things happening in the City of Fairbanks.

### WRITTEN COMMUNICATIONS TO COUNCIL

a) Appointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

b) Reappointment to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA

### COUNCIL MEMBERS' COMMENTS

**Mr. Gibson** stated he had no comments.

**Mr. Pruhs** recognized Mr. Cleworth for being the only Council Member physically at the meeting and for being firm in his stance on the labor contract before of a room full of employees.

**Ms. Therrien** suggested that the Fairbanks Diversity Council provide the Council with recommendations regarding racism and FPD. She thanked Lt. Foster for his years of service and for all the times he has come to the Council to speak.

**Ms. Rogers** thanked Lt. Foster for his years of service to the community. She asked if there could be a joint proclamation from local mayors regarding racism.

**Ms. Kun** stated she had no comments.

*Council Member Cleworth was not called upon to provide Council Member Comments.*

**Mr. Cleworth**, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing FFU Labor Negotiation Strategy.

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

**Mayor Matherly** called for a brief recess. The Council reconvened in Executive Session following the recess.

### EXECUTIVE SESSION

a) FFU Labor Negotiation Strategy

The City Council met in Executive Session to discuss FFU Labor Negotiation Strategy. Direction was given to the negotiating team, and no action was taken.

### ADJOURNMENT

**Mr. Pruhs**, seconded by **Mr. Gibson**, moved to ADJOURN the meeting.

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

**Mayor Matherly** declared the meeting adjourned at 8:49 p.m.



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JIM MATHERLY, MAYOR

ATTEST:



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D. DANIELLE SNIDER, MMC, CITY CLERK

Transcribed by: EB