



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2023-19  
**REGULAR MEETING – SEPTEMBER 25, 2023**  
MEETING WILL BE HELD VIA [ZOOM WEBINAR](#) AND AT  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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WORK SESSION

5:00 p.m. – Fairbanks Downtown Plan

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REGULAR MEETING

6:30 p.m.

1. ROLL CALL
  2. INVOCATION
  3. FLAG SALUTATION
  4. CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)
  5. CITIZENS' COMMENTS, oral communications to the City Council on any item not up for public hearing. Testimony is limited to three minutes, and the comment period will end no later than 7:30 p.m. Any person wishing to speak needs to complete the register located in the hallway. Respectful standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, please silence all cell phones and electronic devices.
  6. APPROVAL OF AGENDA AND CONSENT AGENDA
- Consent agenda items are indicated by asterisks (\*). Consent agenda items are considered together unless a council member requests that the item be returned to the general agenda. Ordinances on the approved consent agenda are automatically advanced to the next regular meeting for second reading and public hearing. All other items on the approved consent agenda are passed as final.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- \*a) Regular Meeting Minutes of August 28, 2023
- \*b) Regular Meeting Minutes of September 11, 2023

8. SPECIAL ORDERS

- a) The Fairbanks City Council will hear interested citizens concerned with the following marijuana license application for renewal. Public testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Address
15800	Baked Alaska, LLC	Marijuana Product Manufacturing Facility	Baked Alaska, LLC	2745 Hanson Road, Unit B

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6262 – An Ordinance Amending Fairbanks General Code Chapter 42 Labor Relations and Negotiations, Section 42.1 Labor Relations and Section 42.2 Labor Negotiations. Introduced by Council Member Cleworth. **SECOND READING AND PUBLIC HEARING.**

12. NEW BUSINESS

- \*a) Ordinance No. 6263 – An Ordinance Amending Fairbanks General Code Section 2-119, Order of Business. Introduced by Mayor Pruhs and Council Member Cleworth.
- \*b) Ordinance No. 6264 – An Ordinance Amending Fairbanks General Code Section 74-152 by Increasing the Tobacco Excise Tax. Introduced by Council Members Marney and Sprinkle.

13. DISCUSSION ITEMS (Information and Reports)
  - a) Committee Reports
  
14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL
  - \*a) Fairbanks Diversity Council Meeting Minutes of August 8, 2023
  - \*b) Recommendation for Appointment to the FNSB Planning Commission
  
15. COUNCIL MEMBERS' COMMENTS
  
16. CITY CLERK'S REPORT
  
17. CITY ATTORNEY'S REPORT
  
18. EXECUTIVE SESSIONS
  - a) *Roberts, et al. v. City of Fairbanks, et al.* Settlement Discussion
  - b) Litigation Update, Discussion, and Guidance
  
19. ADJOURNMENT



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, AUGUST 28, 2023  
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, following a 5:30 p.m. Work Session for a City Permanent Fund Overview, to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor pro tem Cleworth (Seat A) presiding and with the following Council Members in attendance:

Council Members Present:        June Rogers, Seat B  
    Sue Sprinkle, Seat C  
    Crystal Tidwell, Seat D  
    Lonny Marney, Seat E  
    John Ringstad, Seat F

Absent:                                 David Pruhs, Mayor (excused)

Also Present:                         Margarita Bell, Chief Financial Officer  
    D. Danyielle Snider, City Clerk  
    Thomas Chard, City Attorney  
    Michael Sanders, Chief of Staff  
    Scott Raygor, Fire Chief (remotely)  
    Kristi Meredith, Dispatch Manager (remotely)  
    Robert Pristash, City Engineer  
    Jessica Krier, Human Resources Generalist  
    Shane Crawford, Deputy City Attorney

**INVOCATION**

The invocation was given by City Clerk Danyielle Snider.

**FLAG SALUTATION**

**Mayor pro tem Cleworth** led the flag salutation.

**CITIZENS' COMMENTS**

*Clerk Note: Names of citizens who provide comments may not be spelled correctly if the citizen did not sign up for comments or if their name was illegible on the physical sign-up sheet.*

Mike Walleri, 2518 Riverview Drive, Fairbanks – M. Walleri addressed the issue of large mining vehicles operated by Black Gold Transport, the company that will be transporting ore from the Kinross Manh Choh mine. He first commended the Fairbanks Police Department's (FPD) efforts at a recent protest at the Carlson Center, where one of the vehicles was present for an event. He stated his overall concern was with the enforcement of City codes and ordinances in regard to the large vehicles. He stated that to be present at the event, the truck had to have travelled on Wilbur

Street and 2nd Avenue. He stated that the truck was 95 feet long and that anything over 29 feet without a permit is illegal. He stated that the City Engineer, upon inquiry, told him that no permit had been issued for the vehicle. He stated he does not understand why a citation was not issued and expressed concern that regulations will not be enforced in the future. M. Walleri continued by stating that another ordinance states that no loaded truck over 85 feet may operate on a City street, including truck routes, without a permit from the City Engineer. He added that the large trucks may also violate existing noise ordinances. He stated that people do not want the trucks barreling through their neighborhoods. He stated that the City needs to enforce its laws or the Council needs to amend the Code; otherwise, if an accident occurs, the City may be liable.

**Ms. Sprinkle** wondered whether a citation could be issued retroactively. M. Walleri responded that it would normally require a police officer to witness the violation. He stated it would not be a bad idea to send a message to Black Gold that they should comply with the law.

**Mr. Marney** asked M. Walleri if he noticed whether the trailers were licensed. M. Walleri stated that they were not, which should have also resulted in a citation.

**Ms. Sprinkle** asked who organized the event. M. Walleri explained that the Borough partnered with Kinross. He added that peaceful protests are allowed on public property, and no one is complaining about the protest. He stated that state law does include a provision regarding law enforcement authority when protests turn riotous. **Ms. Sprinkle** asked who called the police. M. Walleri responded that he can only speculate.

Scott McCrea, 2965 Westgate Place, President/CEO of Explore Fairbanks – S. McCrea gave an update on the visitor industry and stated that, like other areas of the state, the Fairbanks market can be described as sporadic in 2023. He stated that some weekends saw fully booked hotels while others were down from 2022, resulting in a good but inconsistent season. He reported that average daily rates are up about 9%, with a 10% impact for the City in regard to bed tax considerations and that while occupancy rates for hotels dipped slightly, increases in the short-term and vacation rental market, such as Air BnBs more than made up for it. He stated that shows a shift towards preference to that kind of lodging. S. McCrea stated that people are still making travel a priority, despite inflation increases, but it is unclear how long the market can withstand the higher costs. He reported that highway travel is up 80% from 2022 in border crossings from Canada, although it is still down from pre-COVID years. He stated that, because of the aurora borealis, Fairbanks is fortunate in that it can transition right into another tourist season while other areas of the state are winding down their tourist season. He encouraged everyone to save the date for an October 20 premier of Explore Fairbanks' new destination video, and he shared that they will be hosting the Alaska Travel Industry annual convention in late October.

**Ms. Sprinkle** asked if there had been a return of J-1 Visa workers. S. McCrea responded that they are doing well in this area. He stated there were issues with visas being issued in 2022, and worker numbers dropped; however, 2023 levels nearly returned to 2019 levels, which was helpful for hotel staffing. He stated that the primary challenge has always been that those workers return to their home countries to attend college before the end of the main tourist season, so businesses struggle with late summer staffing gaps. **Ms. Sprinkle** asked S. McCrea if he ever hears comments about a lack of Saturday breakfast options near downtown. He stated that his staff does sometimes field questions of that sort. He stated that workforce issues have somewhat improved in 2023, but

restaurants are certainly feeling the pain, and many of them are not able to be open as much as they would like to be.

**Mr. Marney** asked if labor costs have gone up with the increase of J-1 Visa workers. S. McCrea answered that the data is not available.

**Mayor pro tem Cleworth** asked if Explore Fairbanks still pressures tour companies to have visitors stay in the Fairbanks area for more than a single night. S. McCrea stated that Explore Fairbanks still works to bolster itineraries for those companies. He indicated they have more success with travel agencies, suggesting that visitors beginning their tours in Fairbanks come a couple days early or stay a little longer to see the area on their own.

Patrice Lee, Hillcrest Drive, Fairbanks – P. Lee requested that the Council ensure that local laws are enforced as they relate to the large truck issues M. Walleri highlighted. She agreed that things at the protest were civil and that the police officers involved were respectful and did the best they could. She stated that there was a broad scope of individuals at the event, which she referred to as a “public truck viewing.” She stated there was an awkward moment when an FPD officer addressed the crowd to inform protesters that Kinross had trespassed them and they needed to leave. She stated the group thought that was odd and was not sure how Kinross could do that. She explained that the officer insisted but, as he was not dressed in a police officer uniform, some people asked to see his identification, and his response was that he was not obligated to show it to them. She stated it is not her intent to get the police officer in trouble, as she knows he is an asset to the FPD, but she suggested that there may be a training gap regarding officers identifying themselves upon a reasonable request from a citizen. P. Lee stated that later a different uniformed officer appeared and directed the protestors to leave and that the Borough had trespassed them. She stated that the protestors had been having a good time, were civil, and did not want to disrupt the Kids’ Safety Day event; she clarified that their issue was with the truck. She stated that by the end of it, there were seven officers and four squad cars there and that one had driven through the parking lot at about 35-40 miles an hour. She stated that she yelled at the officer to slow down, and she considered making a citizen’s arrest. P. Lee stated that Kinross should not think that they can control what happens in the City and Borough and that laws need to be respected and enforced.

**Mayor pro tem Cleworth** called for additional testimony and, hearing none, declared public testimony closed.

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

**Mr. Ringstad**, seconded by **Ms. Sprinkle**, moved to APPROVE the Agenda and Consent Agenda.

**Mayor pro tem Cleworth** called for objection to the APPROVAL of the Agenda and Consent Agenda and, hearing none, so ORDERED.

Clerk Snider read the Consent Agenda into the record.

## APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- a) Regular Meeting Minutes of July 24, 2023

APPROVED on the CONSENT AGENDA.

## SPECIAL ORDERS

- a) The Fairbanks City Council heard interested citizens concerned with the following Liquor License applications for renewal:

Lic. #	DBA	License Type	Licensee	Address
3336	Soapy Smith's Pioneer Restaurant	Restaurant/ Eating Place	Delta Epsilon	543 2nd Avenue
4465	Roundup Steak House	Beverage Dispensary	The Last Roundup, LLC	2701 S. Cushman Street
3282	No DBA	Package Store	Holiday Alaska, LLC	No Premises
4464	Fred Meyer #224	Package Store	Fred Meyer Stores, Inc	930 Old Steese Highway
77	300 Club	Beverage Dispensary	Karen A Meadows-Sours	940 Cowles Street

**Ms. Sprinkle** indicated that she would like to consider license no. 4464 separately.

**Mr. Marney**, seconded by **Mr. Ringstad**, moved to WAIVE PROTEST on the Liquor License applications for renewal of license no.'s 3336, 4465, 3282 and 77.

**Mayor pro tem Cleworth** called for testimony and hearing none, declared Public Testimony closed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATIONS FOR RENEWAL OF LICENSE NO.'S 3336, 4465, 3282 AND 77 AS FOLLOWS:

YEAS: Marney, Ringstad, Cleworth, Sprinkle, Rogers, Tidwell

NAYS: None

**Mayor Pruhs** declared the MOTION CARRIED.

**Mr. Ringstad**, seconded by **Mr. Marney**, moved to WAIVE PROTEST on the Liquor License application for renewal of license no. 4464.

**Mayor pro tem Cleworth** called for testimony and hearing none, declared Public Testimony closed.

**Ms. Sprinkle** referred to the nine-page call report included in the packet for the Fred Meyer location. She stated that while the report is for the entire store – not just the liquor store – there still seems to be a lot of FPD time and energy devoted to the location. **Mayor pro tem Cleworth** explained that any calls that come in are on the report. He commented that many of the calls are to get people trespassed for other problems and rarely have anything to do with the liquor store.

**Ms. Sprinkle** asked if this length of report is common for other large package stores. **Mayor pro tem Cleworth** responded that from what he has seen, it is.

**Ms. Rogers** shared her thoughts about double standards in how problematic areas of town are discussed. She stated there are businesses with large parking lots that attract more police calls, yet other locations with fewer incidents are perceived in a negative light. She stated it is the responsibility of the police to keep citizens safe and to report these types of items to the Council.

**Mr. Ringstad** indicated that the call volume was surprising to him as well, but the majority of the calls appear to be related to issues in the parking lot. He stated he does not see that as a liquor license-related issue but acknowledged that it is good for the Council to be aware of.

**Mayor pro tem Cleworth**, noting that trespasses account for about 50% of the calls on the report, asked if the calls are being handled by the Emergency Services Patrol or by the FPD. Dispatch Manager Kristi Meredith stated that the report shows calls received but explained that not every call has an officer dispatched. She stated that sometimes calls are simply to report an incident, and, in other instances, the issue may be resolved before an officer is dispatched. She stated that non-FPD response units such as the ESP are often utilized; however, those actions are not reflected in the call list. She stated that the call list only shows calls that the FPD would be dispatched to. She stated that many calls are from loss-prevention individuals at stores who are being proactive by calling as soon as they identify someone on the property who has previously been trespassed.

**Mr. Marney** stated that he has participated in a few ride-alongs with officers and has witnessed these situations. He stated that officers are simply there to ensure the individual does not enter the store after being trespassed, and interactions are typically very cordial.

**Ms. Rogers** shared her support for the license renewal but added that the Council should not disregard this type of information simply because it does not pertain to the liquor license.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR RENEWAL OF LICENSE NO. 4464 AS FOLLOWS

YEAS: Tidwell, Sprinkle, Ringstad, Marney, Rogers, Cleworth

NAYS: None

**Mayor pro tem Cleworth** declared the MOTION CARRIED.

- b) The Fairbanks City Council will consider whether to veto the decision of the Fairbanks North Star Borough Platting Board to approve a request to vacate the portion of 31st Avenue located between Blocks 5 and 9 of Leasure Subdivision (VA004-23).

**Mayor pro tem Cleworth** stated that by taking no action on the item, the Council would be in agreement with the decision referenced. **Mr. Marney** requested that the Council hear from City Engineer Bob Pristash on the matter.

Engineer Pristash referenced the map included in the packet and stated that the subject property is bordered by the Old Richardson Highway, 32nd Avenue, Braddock Street, and Leasure Street. He stated the yellow area represents the current arrangement of six separate lots, and the request is to



vacate the strip of land marked in black, allowing easier access to the remaining area. He stated there is no reason, in his opinion, to hang onto the right-of-way space, given its proximity to the Old Richardson Highway. He commented on the odd shape of the lot immediately to the north and stated that the vacation would allow all the remaining space to be combined into one lot. He stated the land is to be developed by the Borough for a new animal shelter, so it is a win for everyone.

**Mr. Ringstad** asked to confirm who owns the property. Engineer Pristash stated he believes the Borough owns a portion, if not the entire area. **Mr. Ringstad** agreed that it would be silly to keep an easement there and that this plan makes sense.

*No action was taken by the Council on this item, thus giving its consent to the requested vacation.*

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

### a) Special Reports

**Mayor pro tem Cleworth** invited Aaron Lojewski, Presiding Officer of the FNSB Assembly, to give a report on any recent Assembly actions the Council may be interested in. A. Lojewski began by confirming that the property just discussed is owned by the Borough. He shared that over the last few years, the issue of taxability of properties used by non-profit organizations has been a growing topic of debate. He stated that previously, if it was determined that an organization's property was taxable, their only recourse would be to appeal to the Superior Court, and many organizations operate on limited budgets and cannot afford that process. He shared that at its last meeting, the Assembly made a change to allow another avenue for appeal through the Board of Equalization. He stated that is a more affordable route for organizations, and it can also serve as a check-and-balance for Borough assessors. A. Lojewski also shared that a resolution impacting the City was passed regarding the Borough Planning Commission. He reported that there are currently multiple vacant seats on the Commission and shared some contact information to anyone interested in applying. He stated that the recent change gave the City of Fairbanks a fourth represented seat on the Commission, and he shared that other changes were made to stagger term expiration dates.

**Mr. Marney** stated that the City will soon start compiling its priority list for the State legislature and stated he believes the priorities may be more impactful if the City and Borough combined efforts. He asked if that would be possible. A. Lojewski responded that although his term on the Assembly will soon expire, he believes there can be significant progress made with a concerted effort, phone calls, and by volunteering his energy. He shared that he has already met with one Council member regarding unified priorities, and he agrees that if both entities' goals are aligned, the chances of success with the legislature will greatly increase. He shared information about a similar local effort he researched from the 1980s called "Programs for Progress" and stated he has newspaper clippings that he can share which shows a joint effort between Fairbanks, North Pole, and the Borough to appeal for capital projects during legislative sessions. He noted that the era was a time of significant economic boom for the State with oil production near its peak and requests were often easier fulfilled than they are now. He indicated that this would be a good opportunity for the Borough and City Mayors to come together and show great leadership.

**Mayor pro tem Cleworth** asked if the Borough had resolved the case regarding Camp Li-Wa. A. Lojewski responded that he is unsure but he believes it is still in court. He stated that no one has

asked how the aforementioned change in appeal options may impact existing cases. **Mayor pro tem Cleworth** also referenced the church on College Road that was determined to be partially taxable and inquired what criteria was used for the Borough to determine such. A. Lojewski replied that there seems to be a disagreement in the interpretation of “exclusive use” language for non-profit entities that hold leases on Borough land. He stated that in this case, the issue is determining the taxability of a partially completed structure on the property of an existing church close to Beaver Sports. He explained that a portion of the land was assessed as taxable, while the portion with the church was not. He stated that disagreements have persisted regarding the appropriate way to address such situations, but now the Board of Equalization will be able to adjudicate.

**Ms. Sprinkle** asked what objections existed that led to the three votes against the resolution A. Lojewski previously referenced. A. Lojewski explained that the Borough Mayor was unable to attend the meeting. He stated that the Mayor had a potential substitute for the resolution which contained, what some believed would be, important updates. He stated that three Assemblymembers were inclined to slow the process down and wait for that potential substitute, while others felt they needed to move forward with the resolution before the body.

**Mayor pro tem Cleworth** shared that he remembers many years ago when they would have meetings with state legislators in joint session with the Borough. He stated that many people were involved, and it did not work very well. He added that priorities sometimes did not jive, everyone wanted to speak, and there was a tendency to get into the weeds on topics. He stated that is why the City began requesting a separate meeting with the Interior Delegation. **Mr. Marney** stated that he still feels there would be a benefit to having some shared goals. **Mayor pro tem Cleworth** agreed that the proper way to go about that would be for the two Mayors to discuss common needs and each share that information with the respective governing bodies.

**Ms. Rogers** spoke to her surprise when she joined the Council and learned that they did not do more to pursue joint priorities. She agreed that the City and Borough should hold some joint meetings so that there could be an Interior-focused discussion to work towards shared goals.

### **COUNCIL MEMBERS’ COMMENTS**

**Ms. Tidwell** stated that she had no comments.

**Mr. Marney** shared that he attended the Kids’ Safety Day event the previous Saturday to see the large vehicle. He stated there was a group of individuals present, most between the ages of 60 and 70 years old, and they were peaceful. He stated the group was told they could not be by the truck and had to stay by the entrance to the back lot, and he expressed disappointment that the FPD had to babysit the truck. He commented that citizens are more important than companies. He acknowledged that the issue is a contentious one and that the event was meant to focus on kids and safety. He stated that he hopes the issue will follow the overall tone of Fairbanks and stay mellow.

**Mr. Ringstad** recapped his attendance at the last Assembly meeting and shared just how difficult the non-profit property tax status issue is. He stated that no local, state, or federal law has changed, but the interpretation of the Borough Assessor has and that no other community in the state is looking to tax non-profit organizations in that way. He stated there are underlying concerns and serious, broader issues that impact the community, and he shared that one pastor testified that his

church paid \$148,000 in property taxes over the last few years. **Mayor pro tem Cleworth** clarified that some churches pay City taxes. **Mr. Ringstad**, in reference to M. Walleri's earlier comments about an ordinance that prohibits vehicles over 29 feet, stated that the Council may need to look into the issue. He stated that his own truck and snowmachine trailer setup may be in violation.

**Ms. Sprinkle** shared that she left her house that morning at 7:30 with her dogs and had a woman run to her, demanding to know what she was going to do about all the police who were at the Kinross protest. She stated the woman was indignant that five officers were sent to a peaceful, legal protest. **Ms. Sprinkle** stated she had not yet read the paper that morning and had no idea what the woman was talking about. She stated that since then she has received numerous messages from people who are displeased that the FPD would use its scarce resources in that manner. She stated that it did not look good for the City, and she was disappointed to hear what occurred.

**Ms. Rogers** thanked M. Walleri and P. Lee for their earlier comments. She spoke to the need for awareness about the City Council and stated that folks seem to think that the Council is involved with daily dispatch operations. She stated, however, that Council members should still be keenly aware of what is going on in the community. She stated she wants to hear from individuals regardless of whether she agrees or disagrees with them, and she values people's time in coming to speak at Council meetings. She thanked A. Lojewski for his report. She stated that there are many types of local non-profit organizations, not just churches, and many people are not aware of the frustrations they deal with; she added that they need support. She spoke to her experience and involvement with local organizations and all the work that goes into making programs run. She stated that their net economic impact to the City and Borough is positive, they add to the quality of life in the community, and they should not be targeted for additional tax revenue.

### **UNFINISHED BUSINESS**

- a) Ordinance No. 6259, as Amended – An Ordinance Amending the 2023 Operating and Capital Budgets for the Third Time. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

**Mr. Ringstad**, seconded by **Mr. Marney**, moved to ADOPT Ordinance No. 6259, as Amended.

**Mayor pro tem Cleworth** called for testimony and hearing none, declared Public Testimony closed.

**Mr. Ringstad**, seconded by **Mr. Marney**, moved to AMEND Ordinance No. 6259, as Amended, by substituting the amended, proposed version.

**Mayor pro tem Cleworth** called for objection on the motion to AMEND and, hearing none, so ORDERED.

**Ms. Sprinkle** expressed her frustration with the high cost of the project.

**Mr. Marney** asked for an explanation on the increase of \$60,000 to the Polaris Building project. Engineer Pristash explained that Nortech has been the City's primary environmental consultant for many years and did the initial assessment of the building. He stated it would be a good idea to keep

them on board, given their understanding of the structure and project history. He stated it is a sole-source contract, but they cannot use state or federal funds to pay. He explained that this expense is for work on the main tower, and past billing has been for the annex. **Ms. Sprinkle** asked if the number could change again. Engineer Pristash stated that it could, but they feel this is a pretty good estimate. He stated that if more air monitoring and/or testing needs done, the price could go up. He stated it may seem excessive, but it is wise to have monitors running at all times in the event they encounter any hazardous situations. He stated that not having the air quality records could potentially get the City in trouble.

**Ms. Tidwell** inquired as to whether the \$250,000 increase to the childcare center renovation project was in addition to what was already budgeted. Chief of Staff Mike Sanders explained that when this was first presented to him by the Engineering Department, then the Purchasing Agent, he said no way. He stated, however, that CFO Bell explained to him why they should move forward with the request. He indicated that the goal is to complete the project within the current year, and, with the age of the building, it is not unlikely that the cost could creep up, especially if they encounter mold, asbestos, etc. He stated they are confident they will still be able to keep the project within the \$250,000 that is allocated. He stated that any unused funds will revert to the Capital Fund, so this is a safe contingency to help them meet project goals.

**Ms. Sprinkle** expressed concern with the large increase in the roof project and wondered whether any other Council members have concerns. **Mayor pro tem Cleworth** shared that he has some questions too. He asked to confirm that the original estimate was \$350,000 and whether the plan is to just cover the surface with rubber. Engineer Pristash confirmed the original amount referenced had been provided by Public Works but clarified that they would be removing all roofing materials present and replacing it entirely. **Ms. Sprinkle** asked what kind of guarantee the City would have on the work, and Engineer Pristash stated that there would be a 20-year warranty from the roofing company. **Mayor pro tem Cleworth** asked if the award was time sensitive. Engineer Pristash responded that he would have to check the Code, but he could also talk to the contractor and convey an award contingent upon funding, if the Council wanted an extension. He commented that it could not wait too long, as materials need to be ordered for the project to be done the following summer. He stated that the cost comes to about \$70 per square foot, a fraction of the current cost of new construction. He expressed disappointment that they only received one bid but stated that there are risks with rebidding the project. **Ms. Sprinkle** asked if the contractor was local. Engineer Pristash stated that he is not sure if their home office is in Fairbanks or Anchorage, but they have an impressive list of work in the Interior for over 40 years, with hundreds of roofs of this type. He stated that they are a premier roofing company in Fairbanks for this kind of work.

**Mayor pro tem Cleworth** shared that part of him wants to put the project back out for bid, but he realizes that would be a gamble. **Ms. Sprinkle** acknowledged that they might save \$100,000 but then be another year behind. Engineer Pristash discussed the leaks they have identified over the last couple years and stated he does not know whether they could make it another winter.

**Ms. Rogers** stated that she is not on the fence and acknowledges that it needs to get done now. She stated she is confident with what she has heard about the contractor, and they have the best of circumstances to move forward. She stated that having a single bid is not necessarily a bad thing, and they should not penalize that company. She stated they have a quality bid, and they should focus on that fact.

**Mr. Ringstad** added that they could put it off for another year, but he does not see the cost coming down if they wait. He stated there is no guarantee there would be additional bids, and the same contractors who did not want to bid would be asked to reconsider submitting. He stated that that does not make sense or show good faith to the contractor who bid, and they might submit an even higher bid at that point. He stated the Council should just move forward. **Ms. Rogers** agreed and stated that anything that seems like gambling with public funds does not sit well with her. She spoke in favor of proceeding.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6259, AS AMENDED, AS FOLLOWS:

YEAS: Ringstad, Rogers, Marney, Cleworth, Tidwell

NAYS: Sprinkle

**Mayor pro tem Cleworth** declared the MOTION CARRIED and Ordinance No. 6259, as Amended, ADOPTED.

- b) Ordinance No. 6260 – An Ordinance Establishing a Hiring Incentive Bonus for a Structural Code Compliance Inspector. Introduced by Council Member Sprinkle. SECOND READING AND PUBLIC HEARING.

**Ms. Sprinkle**, seconded by **Ms. Tidwell**, moved to ADOPT Ordinance No. 6260.

**Mayor pro tem Cleworth** called for public testimony.

David van den Berg, Executive Director of Downtown Association of Fairbanks – D. van den Berg provided positive feedback on the progress of the Polaris Building demolition. He stated that it has been a long process, and many lost hope. He commented that it took years for the structure to get into such poor condition and years for the City to position itself to deal with it. He stated there are other structures in the community that are harming neighborhoods, and if the City had more capacity to address them, to uphold its own codes, it would improve things greatly. He stated the City should use whatever tools it can to staff up and increase capacity. He stated that, a year ago, the Downtown Association was shopping around for grassy lots and speaking to developers, and a common theme in the feedback they received is that the work of this generation needs to simply be to clean up the downtown area. He acknowledged that residential neighborhoods also struggle with the same issues. He spoke in favor of the City spending money to bring the necessary tools and resources on board to help address these situations for the benefit of the entire community.

**Mayor pro tem Cleworth** called for any additional testimony and, hearing none, declared Public Testimony closed.

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to AMEND the title of Ordinance No. 6260 by adding the phrase “and Relocation Bonus” after the phrase “Hiring Incentive Bonus.”

**Mayor pro tem Cleworth** called for objection on the motion to AMEND and, hearing none, so ORDERED.

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to AMEND Section 2 of Ordinance No. 6260, as Amended, by adding the words “up to” before “\$10,000” and by replacing the word “for” with “to reimburse moving.”

**Mr. Marney** questioned whether the 30-mile distance should be amended. **Ms. Sprinkle** stated that it might be worth a separate amendment. She stated that the intent of the incentive is to expand the reach to elsewhere in the state as well as the Lower 48.

**Mr. Ringstad** appreciated the prudence of the amendment before the Council. He stated that if it only costs someone \$5,000 to relocate, it does not make sense for the City to pay them \$10,000.

**Mayor pro tem Cleworth** stated that he is not in favor of the relocation bonus in addition to the hiring bonus. He stated that the position has a \$112,000 salary. He stated that going down the road of bonuses can get messy, and he encouraged the Council to focus on a singular hiring bonus and see if that works.

**Mr. Ringstad** asked if someone from HR could comment on the status of recruitment. HR Generalist Jessica Krier stated that the problem is not a lack of qualified candidates but a lack of candidates whatsoever. She stated there are hundreds of hits on the job, but zero applications are being received. She stated that the one-time bonus would hopefully get someone to fill the position and retain them. Building Official Clem Clooten explained that the position requires a structural engineer to evaluate submitted plans and go into the field to review installations for compliance. He stated that checking beams for appropriate size and placement is an important matter. He stated that residents wanting to build additions to their home can receive guidance to ensure their build meets applicable codes. He stated that this is a position that must be filled. He stated he will soon be retiring, and a new person may have zero experience in local codes, so there is a sense of urgency. He reminded the Council that when the City issues permits, they charge individuals and companies fees for inspections, and for 17 of the last 20 years, those fees have generated more revenue than the entire combined expense of his department. He stated that those paying the fees deserve a qualified person to perform inspections.

**Ms. Tidwell** asked if the \$112,000 salary is competitive for the position and if that is the package rate. C. Clooten confirmed that it is just the salary. He stated he assumes the salary is not competitive. Chief of Staff Sanders added that the recently approved IBEW contract will give the position a small increase as of January 1.

**Mr. Marney** agreed with Mayor pro tem Cleworth about potentially eliminating the relocation incentive entirely, focusing on a flat hiring bonus and seeing what they get. **Ms. Sprinkle** shared that an architect she knows shared with her that when he has to hire a structural engineer, he pays \$190/hour. She stated that the role is valuable, and the Building Department needs someone in it.

**Mayor pro tem Cleworth** asked C. Clooten who is performing the work currently. C. Clooten responded that former Structural Inspector Marty Woodrow is doing it, but he has been retired for 13 months. He stated that his family left the state, but he agreed to help and works for the City by traveling to Fairbanks on a rotating 3-week-on/off schedule. He stated that when he is not in Fairbanks, they still send him plans to review and perform calculations so they can keep projects moving, which is very important for the short building season. He stated he is concerned that at

any point M. Woodrow may decide not to continue to assist in this way and enjoy his retirement. He stated that the current arrangement was meant to be temporary. **Mayor pro tem Cleworth** asked if it would be cost-effective to simply contract the work out to the private sector. C. Clooten stated that it would not. He explained that when projects come in, they need someone internally to review plans and engage with the department. He stated that his department does send out some larger project plans for analysis, but there is a steady volume of small to medium projects that need attention. He indicated that individuals want timely answers, and it is more efficient to have someone in-house for the role.

**Mr. Marney** asked C. Clooten if he had gotten a call from the Dean of the Engineering Department at the university. C. Clooten stated that he had not, but the City contacted them in the spring requesting that the job posting be shared in hopes that recent or upcoming graduates would consider the position. He stated that the City received only one application as a result: a college sophomore who was only available to work during the summer months. **Mr. Marney** apologized and explained that he had spoken to the Dean and was told that he would call. He stated he would follow up.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND SECTION 2 OF ORDINANCE NO. 6260, AS AMENDED, BY ADDING THE WORDS “UP TO” BEFORE “\$10,000” AND BY REPLACING THE WORD “FOR” WITH “TO REIMBURSE MOVING” AS FOLLOWS:

YEAS: Sprinkle, Rogers, Ringstad, Tidwell

NAYS: Cleworth, Marney

**Mayor pro tem Cleworth** declared the MOTION CARRIED.

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to AMEND Section 3 of Ordinance No. 6260, as Amended, by replacing the word “will” with “may be required to.”

**Mr. Ringstad** spoke in favor of the amendment, given the lack of tools to enforce repayment. **Ms. Sprinkle** asked if staff could provide insight on the matter. City Attorney Tom Chard explained that the change recognizes that there are some situations when employees leave that are less black and white. He stated that the City may want the discretion to pursue reimbursement, if appropriate.

**Ms. Tidwell** stated that she disagreed and feels that if someone is terminated for cause, they should be required to repay a prorated amount. She stated she would vote against the amendment.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND SECTION 3 OF ORDINANCE NO. 6260, AS AMENDED, BY REPLACING THE WORD “WILL” WITH “MAY BE REQUIRED TO” AS FOLLOWS:

YEAS: Marney, Ringstad, Sprinkle

NAYS: Cleworth, Tidwell, Rogers

**Mayor pro tem Cleworth** declared the MOTION FAILED.

**Mr. Ringstad** returned to the issue of the 30-mile parameter that activates the relocation bonus and wondered whether that was an appropriate distance. **Mayor pro tem Cleworth** stated that he

thinks it is too small and little absurd. **Ms. Rogers** agreed that she has moved distances over 30 miles many times in her life while still working in and considering herself as living in Fairbanks. She stated the number does not seem to align with the intent of someone relocating from afar.

**Ms. Tidwell**, seconded by **Ms. Sprinkle**, moved to AMEND Section 2 of Ordinance No. 6260, as Amended, by changing 30 miles to 100 miles.

**Mr. Ringstad** questioned why 100 miles rather than another number and pointed out that Nenana and Delta Junction are less than 100 miles from Fairbanks.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND SECTION 2 OF ORDINANCE NO. 6260, AS AMENDED, BY CHANGING 30 MILES TO 100 MILES AS FOLLOWS:

YEAS: Sprinkle, Ringstad, Tidwell, Cleworth

NAYS: Rogers, Marney

**Mayor pro tem Cleworth** declared the MOTION CARRIED.

**Mayor pro tem Cleworth** moved to AMEND Ordinance No. 6260 by reducing the hiring bonus from \$20,000 to \$10,000. The motion died for lack of a second.

**Mayor pro tem Cleworth** called for any further discussion and, seeing none, called for a vote on the original motion to adopt. Clerk Snider informed the Council that if adopted, some edits would be made to the attachment to reflect the changes made by the amendments.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6260, AS AMENDED, AS FOLLOWS:

YEAS: Marney, Ringstad, Sprinkle, Rogers, Tidwell,

NAYS: Cleworth

**Mayor pro tem Cleworth** declared the MOTION CARRIED and Ordinance No. 6260, as Amended, ADOPTED.

- c) Ordinance No. 6261 – An Ordinance Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security for the FFY2023 Emergency Management Performance Grant and Amending the 2023 Operating Budget. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

**Mr. Ringstad**, seconded by **Ms. Sprinkle**, moved to ADOPT Ordinance No. 6261.

**Mayor pro tem Cleworth** called for testimony and hearing none, declared Public Testimony closed. He called for Council discussion.

**Mr. Ringstad** stated he is unsure about the ordinance, partly because he is not aware of what kind of crisis management program is currently in place.



**Ms. Sprinkle** stated that they have seen recent examples of communities near and far experiencing horrible disasters. She stated the City needs to have a plan in case something happens in Fairbanks, and it sounds like there is not a current plan. She stated she would like to know more.

**Ms. Rogers** agreed that she does not know much about what program is currently in place, if there is any at all. She stated she would like more information and would be in favor of postponement.

**Mayor pro tem Cleworth** stated that he has several questions for staff. He assured everyone that the City does have an emergency management plan; however, his notes indicate that it has not been updated since 2014. Chief of Staff Sanders added that the plan is so out of date, there may as well view it as no plan at all. He stated that he and Fire Chief Raygor are likely the only two people at the City who have taken time to familiarize themselves with what is in the 2014 plan, which was not used during the COVID pandemic. He stated that the City's plan is completely outdated, and one grant-funded, temporary position would be a perfect way to bring someone on board to update it for practical, realistic purposes. He stated that each year that position is on staff, they could continue working on next steps or updating the plan as conditions evolve.

**Mayor pro tem Cleworth** asked if the current plan was primarily drafted by former Fire Chief Cummings with input from department heads. M. Sanders stated that it was. Chief Raygor concurred that Chief Cummings' name is on it, but the only copy they have is on a CD-ROM. He stated that each department has a part to play in the logistics of an emergency. **Mayor pro tem Cleworth** asked if the grant they are considering is a short-term program and whether they have an idea of an end date for the position. Chief Raygor explained that it is a 1-year grant and that they currently already receive the grant, to the tune of about \$20,000. He stated that the funds are used to partially fund the salaries for the Fire Chief, the Assistant Fire Chief, and the Grants Administrator. He added that they are spending an unsustainable amount of time to meet the minimum requirements to continue receiving the grant funds each year, which defeats the purpose and is not an efficient approach. **Mayor pro tem Cleworth** asked if the City was out of compliance for the grant. Chief Raygor clarified that staff performs the bare minimum, with some basic planning and attending a conference but repeated the concern that they are at a point that the grant cannot continue without someone focusing on it more. **Mayor pro tem Cleworth** asked how they go about finding someone who knows enough about the intricacies of the City to properly handle that kind of program without frequent, time-consuming interactions with the Chief and others who have that knowledge. Chief Raygor explained that FEMA and other entities have robust trainings, and UAF has a degree program in Emergency Management. He stated there are a lot of people who would be well-suited for such a role and that dealing with the federal compliance components is the most challenging part. He stated that if a disaster actually hit, he and other leaders in the emergency services departments would be out in the field dealing directly with the situation.

**Mayor pro tem Cleworth** asked if the main concern is FEMA compliance. Chief Raygor clarified that the City is not out of compliance, it is just not doing things the way it should.

**Ms. Sprinkle** asked if there were any benefits the City would receive by using the grant, such as reduction of insurance rates, access to other grants, etc. Chief Raygor responded that he was not sure about insurance impacts, but it could open doors for other funding sources.

**Mr. Marney** asked if the City could apply for the grant but perhaps not accept it if awarded. Chief Raygor replied affirmatively. He stated that the deadline is soon, but the City could apply now and provide more details soon. **Mr. Marney** stated he sees no reason why the City should not move forward and put feelers out at the university to see if anyone may be interested in the work.

**Ms. Rogers** spoke to her earlier comment about postponing. She stated the information shared has been helpful, and the issue has already been postponed or ignored for years. She spoke in favor of moving forward.

**Mayor pro tem Cleworth** shared that his main concern is that this person would be coming to work for the City very green and will rely quite heavily on department heads. He stated he is not sure they would save staff much time unless the person drafts a plan without input. He asked what the position qualifications would be. Chief Raygor explained that they would have to look at national standards for an Emergency Manager role, because the City does not currently have that in place. He stated that the person would plan post-emergency recovery procedures, such as what the City would do with over 30,000 citizens in need of assistance for basic services. **Mayor pro tem Cleworth** indicated that the Borough has a similar plan which was utilized in recent years and indicated that there should be coordination between efforts. M. Sanders stated that there are other places in Alaska that receive the grant and have people performing a similar role. He stated the City could reach out to those places for more details, such as a job description.

**Mr. Ringstad** stated that it sounds like they want something, but they do not know what it is. He stated it seems like they are not ready to write a plan, draft a job description, or anything else. He commented that they could jump in, get a grant, and try and hire someone, but they are not clear about the objective. He agreed that things should be coordinated with the State and Borough.

**Ms. Tidwell** asked why they should not approve the request to apply for the grant, then get those affairs in order. She indicated she would hate to miss the opportunity.

**Mayor pro tem Cleworth** shared that another concern is clarity about the position's life cycle and asked if a one- or two-year assignment is envisioned, or whether they would like it to be a permanent position. M. Sanders explained that it could be a temporary position. He pointed out that many employees, including himself, have been hired with the understanding that their position was grant-funded and that if those funds went away, so did the job; he stated that people still apply. He stated that since the grant is year-to-year, the City would be upfront about that.

**Ms. Sprinkle** stated it would be like hiring a consultant, with contingent funds for compensation: they would come in, get the job done, then move on. **Mayor pro tem Cleworth** suggested they could use the funds for a consultant rather than an employee and asked if a consulting company like the one they used for the dispatch center planning could be used. Dispatch Manager Kristi Meredith stated that she is unsure if that company would be well-suited or interested but that she could find out. M. Sanders stated that he has information about an Alaska-based consultant.

**Mayor pro tem Cleworth** stated he feels more comfortable with what has been provided; however, once a plan is drafted, it would need to be updated over time. He stated that the plan cannot be left to collect dust like the 2014 version, and department heads would need to incorporate updates into their regular duties each year. M. Sanders spoke to the challenges of the existing

workload but stated that the act of planning has value. He stated it would be better to have a plan than not to. **Mayor pro tem Cleworth** recalled that while many things have changed over the years, the City still has department administrators and that maintaining these kinds of plans is part of their responsibility. He stated that if the City goes through with this effort, it is not unreasonable to expect upkeep.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6261 AS FOLLOWS:

YEAS: Marney, Cleworth, Rogers, Sprinkle, Ringstad, Tidwell

NAYS: None

**Mayor pro tem Cleworth** declared the MOTION CARRIED and Ordinance No. 6261 ADOPTED.

### **NEW BUSINESS**

- a) Resolution No. 5080 – A Resolution Authorizing the City of Fairbanks to Apply for the Healthy and Equitable Communities Grant. Introduced by Mayor Pruhs and Council Member Rogers.

APPROVED on the CONSENT AGENDA

- b) Resolution No. 5081 – A Resolution Awarding a Contract to Interior Alaska Roofing, Inc. to Replace Section A of City Hall Roof in the Amount of \$705,000. Introduced by Mayor Pruhs.

**Mr. Marney**, seconded by **Ms. Tidwell**, moved to APPROVE Resolution No. 5081.

**Mayor pro tem Cleworth** called for discussion and heard none.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5081 AS FOLLOWS:

YEAS: Tidwell, Cleworth, Ringstad, Marney, Rogers

NAYS: Sprinkle

**Mayor pro tem Cleworth** declared the MOTION CARRIED and Resolution No. 5081 APPROVED.

- c) Resolution No. 5082 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the Alaska Division of Homeland Security for the FFY2022 State and Local Cybersecurity Grant Program (SLCGP). Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

## **DISCUSSION ITEMS (Information and Reports) and COUNCIL MEMBER COMMENTS**

**Mayor pro tem Cleworth**, without objection from any Council members, elected to combine the Discussion Items and Council Member Comment sections of the Agenda into a single segment.

**Mr. Ringstad** reported having attended the last Borough Assembly meeting as the City representative. He stated they were receptive to and grateful for the communication, and it was interesting to hear some of the discussion and interaction regarding the items A. Lojewski reported on earlier in the evening.

**Mr. Marney** shared that he attended his first Explore Fairbanks meeting for the summer. He stated there are no hard feelings after the recent nine-month bed tax ordinance ordeal, and he commended the efforts of S. McCrea. He stated the organization does a lot of creative and efficient work and has excellent partnerships. He reminded everyone that the speed limit in residential neighborhoods is 20 mph.

**Ms. Tidwell** reported that the Fairbanks Economic Development Corporation (FEDC) is hosting the Alaska Defense Forum. She announced that forums and presentations would begin the following day at the Westmark Hotel. She stated the Transportation Advisory Committee (TAC) for the Richardson/Steese Highway corridor will meet on September 14. She stated that many comments were made earlier in the meeting pertaining to vehicles and roadways and that anyone is welcome to attend the TAC meetings; she added that public comment will be available at the next meeting. She expressed appreciation for A. Lojewski's efforts and stated that she serves on the Borough Planning Commission, although some recent meetings have not had a quorum. She stated there are several open seats, and the invitation to serve is extended to all. She reported that she was able to attend the Military Appreciation Banquet for the first time and it was a wonderful event, showing the appreciation of the community for the role of the military in the Interior.

**Ms. Sprinkle** shared that she attended a Chena Riverfront Commission meeting for the first time since the Borough reduced the meeting frequency. She stated there is still some confusion regarding the essential functions of the group, as anything occurring within 100 feet of the river is supposed to be conveyed to the Commission for input. She stated the group does not feel that meeting quarterly is sufficient. She shared that she serves on the Borough working group for the Downtown Plan, which is being resurrected and that something will soon go out for public comment. She stated it has been in the words for five years, and she looks forward to progress.

**Ms. Rogers** spoke about the Alaska Housing and Homeless Coalition and stated it is a wonderful group of people working statewide on real issues that serious impacts. She stated she sees a change in how people are working together and that more coalitions are happening. She stated she credits M. Sanders for starting that conversation. She expressed appreciation for the opportunity to have meaningful debate for the benefit of the community and the Council itself. She added to Mr. Marney's comment about speed limits a reminder about parking lots at shopping centers.

**Mayor pro tem Cleworth** stated that when the Downtown Plan is published, it will require Council approval and that the Council could make changes. He commented that all Council members and department heads should read the plan, so there can be discussion about anything objectionable. He shared that a light pole is missing on 2nd Avenue; he stated he is unsure what

happened to it, but if it is lost, they need to get the bolts pulled before winter. He spoke to earlier comments regarding the incident at the Carlson Center with the police and stated that the Council should hear all sides of a story before making judgements or suggestions. He stated he is not aware who made the decision to trespass people and whether people were simply standing or whether they were getting in or under the truck. He stated that the police did what they were supposed to do, and they did an admirable job. He added that he learned long ago to seek the other side of the story and to keep an open mind. Regarding taxation of non-profit organizations, **Mr. Cleworth** stated the City has always taken the stance to not allow exemptions for anyone other than those covered under the State, such as churches, and the City has remained consistent with that policy. He stated that the Borough grants some exemptions on a case-by-case basis, which seems to sometimes get them in hot water. He stated that years ago the City had an old AS-400 IBM computer system, and they could not figure out how to extract some vital information. He stated that one of the administrative assistants at the Fire Department called him and offered to take on the project, if approved for the overtime. He stated that project was very much worth the cost. He expressed hope that something similar could be done with the emergency management tasks.

**Mr. Marney** added that Officer Van den Berg was leaving the FPD and moving to Valdez to work for the department there. He commended Ofc. Van den Berg's service and stated he will be missed. **Ms. Rogers** thanked Chief Dupee for informing the Council when such personnel changes occur.

#### **WRITTEN COMMUNICATIONS TO THE CITY COUNCIL**

- a) Reappointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- b) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- c) Appointments to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

- d) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

#### **CITY CLERK'S REPORT**

Clerk Snider reported that she has been working with Mayor Pruhs to fill board and commission vacancies.

**CITY ATTORNEY’S REPORT**

Attorney Chard stated he was thrilled to share that the Deputy City Attorney position has been filled by Shane Crawford. He stated that S. Crawford hails from Massachusetts and took the bar exam over the summer. He encouraged everyone to stop by the office and say hello.

**EXECUTIVE SESSION**

**Mr. Ringstad**, seconded by **Ms. Tidwell**, moved to ENTER an Executive Session to discuss *Roberts, et al. v. City of Fairbanks, et al.*, Settlement Discussion.

**Mayor pro tem Cleworth** called for objection and hearing none, so ORDERED.

**Mayor pro tem Cleworth** called for a brief recess, after which the Council reconvened in Executive Session.

- a) *Roberts, et al. v. City of Fairbanks, et al.*, Settlement Discussion (entered at 9:07 p.m.)

The City Council met in Executive Sessions to discuss the above item and provide direction to legal counsel, but no action was taken. The regular meeting resumed at 9:30 p.m.

**ADJOURNMENT**

**Mr. Marney**, seconded by **Ms. Sprinkle**, moved to ADJOURN the meeting.

Hearing no objection, **Mayor pro tem Cleworth** declared the meeting adjourned at 9:31 p.m.

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DAVID PRUHS, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC



FAIRBANKS CITY COUNCIL  
REGULAR MEETING MINUTES, SEPTEMBER 11, 2023  
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 via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Pruhs presiding and the following Councilmembers in attendance:

- Councilmembers Present: Jerry Cleworth, Seat A  
June Rogers, Seat B  
Sue Sprinkle, Seat C  
Crystal Tidwell, Seat D  
Lonny Marney, Seat E  
John Ringstad, Seat F
- Absent: None
- Also Present: Margarita Bell, Chief Financial Officer  
D. Danyielle Snider, City Clerk  
Thomas Chard, City Attorney  
Michael Sanders, Chief of Staff  
Rick Sweet, Deputy Police Chief  
Scott Raygor, Fire Chief  
Andrew Cocco, Assistant Fire Chief  
Jeff Jacobson, Public Works Director  
Jeremiah Cotter, Street Foreman  
Kristi Meredith, Dispatch Manager (remotely)  
Brenda McFarlane, Crisis Now Coordinator (remotely)

**INVOCATION**

The invocation was given by City Clerk Danyielle Snider.

**FLAG SALUTATION**

Mayor Pruhs asked Fire Chief Raygor to lead the flag salutation.

**CITIZENS' COMMENTS**

*[Clerk Note: Names of citizens who provide comments may not be spelled correctly if the citizen did not sign up for comments or if their name was illegible on the physical sign-up sheet.]*

Charity Gadapee, Director of Visitor Services and Partnership Development, Explore Fairbanks – C. Gadapee gave an update on summer visitor statistics. She reported that the Morris Thompson Cultural and Visitors Center saw 63,912 visitors from May to August, a 20% increase from 2022. She stated that while many statistics are still down from the last pre-COVID summer, things are in better shape than they were one year ago. She shared that August was the first time since 2019

that they broke 19,000 visitors in a single month. C. Gadapee stated that email, phone traffic, and in-person interactions have increased, as more people are arriving in Fairbanks without planned activities. She shared that Explore Fairbanks will host its political candidate forum on September 22 and hold a viewing party to debut the new destination marketing video on October 20. She thanked the Council for their continued investment in the visitor industry through bed tax funds.

**Ms. Rogers** asked if Explore Fairbanks still hosts events for the military on Friday mornings. C. Gadapee confirmed that they do give tours of the City to groups ranging from 20-40 individuals.

Zeb Mabie, co-owner of Lat 65 Brewery – Z. Mabie explained that after a recent conversation with Alcohol and Marijuana Control Office (AMCO) staff, he is considering purchasing a beverage dispensary license that is outside the city. He stated that his business currently has a brewery license and a winery license, which has limitations on serving hours, drink sizes, etc. He stated it is not his intent to change his business model and serve alcohol until 2 a.m., but he understands there is a process whereby a borough license can be transferred to the city. He stated his is trying to determine whether that makes sense for his business. Z. Mabie stated that the transfer would require approval from AMCO, the FNSB and the City. He indicated that he would like to get a general sense of how the Council would view such a transfer before he puts too much effort into pursuing the purchase of the license.

**Mr. Ringstad** stated that initially he does not have any issue with it. He stated that his judgment would be reserved more for how the business is operated. He commented that sometimes the Council gets requests for license transfers involving locations that have known problems.

**Mr. Marney** indicated that in the three years he has served on the Council, he cannot recall someone asking about this type of situation. He spoke favorably of any business that is compliant and running a positive operation and stated he would be happy to see Z. Mabie's business grow.

**Ms. Sprinkle** asked for more information on the difference between the two types of licenses. Z. Mabie explained that the main difference people consider is that more beverages can be consumed with a beverage dispensary license than with a brewery license. He stated, however, that that is not his primary goal. He stated that local customers understand the limitations on servings, but tourists are often surprised and disappointed with the limits. He stated that his staff constantly has to explain the constraints. Z. Mabie stated that more important than being able to sell someone more alcohol is the matter of the business's environment. He stated he would love to have entertainment, bands, shuffleboard, cornhole, and more, but those activities are prohibited with a brewery license.

**Ms. Rogers** recalled many conversations, more at the state level, pertaining to the rise in alternative-style alcohol establishments. She stated that, in the beginning, there was a wide acceptance of new businesses, but off-the-cuff conversations of late have given the impression that there is too much duplication of the same type of business. She stated that it all comes down to a solid business plan. Z. Mabie reiterated that does not want his business to become just another bar serving unlimited drinks, open until two in the morning. He explained that he would like to stay open a little later than their current license allows on the weekends, but the entertainment piece is the biggest factor. **Ms. Rogers** shared her experience with the local music scene, having been involved for over 45 years. She stated that business owners tend to not sufficiently compensate performers. Z. Mabie thanked Ms. Rogers for the input.



**Mr. Cleworth** asked for clarification on the type of license Z. Mabie currently has and is hoping to transfer. Z. Mabie clarified that he currently holds a brewery and winery license in the City, but he has the opportunity to purchase an existing borough beverage dispensary license. **Mr. Cleworth** stated that the potential hangup he foresees is that there are limits on the number liquor licenses allowed in the city. He invited Z. Mabie to stick around, as the issue may be more appropriately addressed under Council Members' Comments.

**Ms. Tidwell** commented that she was not aware of the restrictions on things like entertainment for breweries. She recalled past discussions regarding limits on licenses within the city but stated that Z. Mabie's business is established and well-run. She indicated her support for the effort.

**Mayor Pruhs** called attention to the fact that Z. Mabie took a building that had been vacant for over eight years and rehabilitated it. He stated that his business operation has been clean and sound, with no known complaints from the surrounding neighbors. He recalled that there was a license transfer from the City of Fairbanks to the City of North Pole several years ago. He stated that he could encourage Z. Mabie to explore the opportunity, so long as the City Clerk believes there will not be issues with such a transfer. He stated he believes the Council would be very welcoming.

Randy Griffin, PO Box 73653, Fairbanks – R. Griffin indicated that earlier in the day, he left copies of a letter for all Councilmembers. He alerted everyone to House Bill 99 currently being considered in the State Legislature, a bill that he considers bad legislation. He stated that it is an anti-discrimination bill pertaining to LGBT considerations, and it is sneaky because it proposes to change the interpretation of the term "sex" from that of gender (male or female) to a behavior-related definition based on what occurs in one's bedroom. He stated that the bill would impact a lot of existing legislation that contains the word "sex." He recalled when the Council passed a massive, multi-faceted anti-discrimination ordinance in 2019, which he considered destructive. He stated it was a smorgasbord for predatory lawyers and disgruntled employees to cause trouble and force settlements. R. Griffin stated that Fairbanks businesses have enough to worry about without adding these kinds of issues. He stated he has no negative feelings towards gay individuals, but he is opposed to any anti-discrimination laws because of how they are used; he added that they do more harm than good and affect the freedom to choose.

**Mayor Pruhs**, hearing no requests for additional comments, declared Citizen's Comments closed.

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

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to APPROVE the Agenda and Consent Agenda.

**Ms. Sprinkle** pulled Ordinance No. 6262, item 12(a) of New Business, from the Consent Agenda.

**Mayor Pruhs** 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 MINUTES OF PREVIOUS MEETINGS**

- a) Regular Meeting Minutes of August 14, 2023

APPROVED on the CONSENT AGENDA.

**SPECIAL ORDERS**

- a) The Fairbanks City Council heard interested citizens concerned with the following liquor license applications for renewal:

Lic. #	DBA	License Type	Licensee	Address
426	The Bakery Restaurant	Beverage Dispensary	The Bakery Restaurant, Inc.	44 College Road, Ste. A
1966	Loyal Order of Moose #1392	Club	Fairbanks Lodge #1392	98 Tenth Avenue

**Ms. Sprinkle**, seconded by **Mr. Marney**, moved to WAIVE PROTEST on the Liquor License applications for renewal.

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

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

YEAS: Cleworth, Marney, Tidwell, Ringstad, Sprinkle, Rogers  
NAYS: None

**Mayor Pruhs** declared the MOTION CARRIED.

- b) The Fairbanks City Council heard interested citizens concerned with the following liquor license application for transfer of ownership and Restaurant Designation Permit:

Type/License: Beverage Dispensary, License #4465  
DBA: Roundup Steak House  
Applicant: Com1, LLC  
Location: 2701 South Cushman Street, Fairbanks  
From Owner: The Last Roundup, LLC  
From DBA: Roundup Steak House  
From Location: 2701 South Cushman Street, Fairbanks

**Mr. Marney**, seconded by **Ms. Sprinkle**, moved to WAIVE PROTEST on the liquor license application for transfer of ownership and Restaurant Designation Permit.

**Mayor Pruhs** called for 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 AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Marney, Ringstad, Cleworth, Sprinkle, Rogers, Tidwell  
NAYS: None  
**Mayor Pruhs** declared the MOTION CARRIED.

- c) The Fairbanks City Council heard interested citizens concerned with the following liquor license application for transfer of ownership and Restaurant Designation Permit.

Type/License: Beverage Dispensary (Duplicate), License #5291  
DBA: The Attic  
Applicant: Com1, LLC  
Location: 2701 South Cushman Street, Fairbanks  
From Owner: The Last Roundup, LLC  
From DBA: The Attic  
From Location: 2701 South Cushman Street, Fairbanks

**Mr. Marney**, seconded by **Ms. Sprinkle**, moved to WAIVE PROTEST on the liquor license application for transfer of ownership and Restaurant Designation Permit.

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

**Ms. Sprinkle** stated that she would have liked to have heard from the new owner in regard to the transfer of ownership applications. **Ms. Rogers** concurred.

Clerk Snider indicated that a representative of the new ownership entity was present. **Mayor Pruhs** invited Greg Wagner to come forward to introduce himself, and he did.

**Ms. Sprinkle** thanked G. Wagner for attending and asked if there were any plans to change current operations. G. Wagner stated there was not. **Ms. Rogers** echoed her appreciation of putting a face to a name and commented on the nature of relationships between business owners and the Council.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE LIQUOR LICENSE APPLICATION FOR TRANSFER OF OWNERSHIP AND RESTAURANT DESIGNATION PERMIT AS FOLLOWS:

YEAS: Tidwell, Sprinkle, Ringstad, Marney, Rogers, Cleworth  
NAYS: None  
**Mayor Pruhs** declared the MOTION CARRIED.

- d) The Fairbanks City Council heard interested citizens concerned with the following new liquor license application.

Type/License: Beverage Dispensary – Tourism / License #6156  
DBA: Lavelle’s Bistro  
Applicant: Café de Paris Catering Company  
Location: 575 First Avenue, Fairbanks

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to WAIVE PROTEST on the new liquor license application.

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

**Ms. Sprinkle** indicated that she would have liked to hear from either of the owners and asked for more information on the tourism designation. Clerk Snider stated that she spoke with the owner when she received the application. She explained that there is an existing beverage dispensary license at the location; however, the owner had been under the impression that they did not qualify for a tourism license. She stated that a beverage dispensary tourism license has specific allowances and restrictions, such as being attached to a hotel with a certain minimum occupancy level. She stated that the owner indicated that this license would eventually replace the existing license at the location. **Mayor Pruhs** added that this kind of license is only for liquor establishments attached to a hotel with a large number of rooms. He stated that by getting this license, the owner would be able to sell or transfer the existing beverage dispensary license to another location.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE NEW LIQUOR LICENSE APPLICATION AS FOLLOWS:

YEAS: Ringstad, Rogers, Marney, Sprinkle, Cleworth, Tidwell

NAYS: None

**Mayor Pruhs** declared the MOTION CARRIED.

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

a) Special Reports

Upon invitation from **Mayor Pruhs**, Elena Sudduth, Deputy General Manager for Interior Gas Utility (IGU), gave a report on the topic of security of supply. She stated IGU has a mission to provide clean-burning natural gas to the Interior and has been in operation for 25 years. She stated they have over 150 miles of installed lines in the area and local storage facilities with a combined capacity of 5.5 million gallons and that their primary supply source, Hilcorp, in the Cook Inlet area, can satisfy their needs through 2032. She stated that IGU also owns TITAN, a liquefaction facility in Port MacKenzie. She explained that from there, gas is trucked to Fairbanks in specialized trucks capable of maintaining a temperature of -260 degrees. E. Sudduth explained that in April 2022, Hilcorp informed its customers that they may not be able to guarantee future supply. She stated that they communicated that they could supply for current contracts, but there was uncertainty beyond that, which was of significant concern to many utilities within the state. She explained that prior to that announcement, the IGU Board was ready to approve a \$60MM investment in TITAN, due to its growing needs and expansion. She stated that with so much recent press about the uncertainty of supply from the Cook Inlet area, IGU has been lumped into the conversation; she confirmed that concerns about liquid natural gas (LNG) availability in Alaska do not impact IGU. E. Sudduth explained that Alaska has significant reserves of natural gas, with an estimated 40 trillion cubic feet in the North Slope region, and IGU's annual consumption for 2023 will be ~1.3 billion cubic feet (bcf); she added that daily production on the North Slope is 8.9 bcf. She shared information regarding two other contracts IGU has with North Slope LNG parties: Hilcorp North Slope, LLC and Harvest Midstream. She stated that Harvest is the company

that purchased most of BP's assets and has a 50% ownership in the Alyeska Pipeline. She added that both contracts are for a 20-year term with two 5-year renewals, which is longer than the terms of most contracts in the industry. She stated that Harvest will construct a facility to serve the IGU's needs, and there is an option to request up to two more new facilities based on demand. She stated that IGU will be Harvest's priority customer. E. Sudduth added that IGU is close to finalizing a trucking contract. She stated that if Harvest changes direction with their business, IGU has first right-of-refusal to purchase the facility and operate it directly. She shared information about contingency plans in place and other relationships the IGU maintains with other industry companies. She stated that the Cook Inlet Utility Group, formed after Hilcorp's announcement regarding uncertainty, is committed to finding solutions to meet IGU's needs and that IGU may benefit from opportunities that arise from that effort. She shared that there are federal efforts underway to support the construction of a natural gas pipeline that would pass within 30 miles of Fairbanks. She concluded with a summary of IGU operations, long-term supply security, and price stability and stated that they are proud of the solutions they have secured for the future.

**Ms. Sprinkle** asked E. Sudduth if Harvest is a standalone company or if it is a branch of Hilcorp. E. Sudduth explained that the two companies share the same owner, but each has a separate CEO and Board of Directors. She further explained that they are affiliated but have no business together unless through contracts. **Ms. Sprinkle** asked whether the Canadian gas mentioned in the report was simply owned by a Canadian company or whether deliveries would come over the border. E. Sudduth clarified that these smaller purchases are on an as-needed basis and involve deliveries that come over the border. **Ms. Sprinkle** stated she would like to see more options in the downtown area for natural gas. E. Sudduth shared that anytime someone inquires about service at a location where no lines have been installed, the person is asked to complete a non-committal service request form; then IGU puts a dot on a map. She explained that whenever investment decisions are made for expansion of the main line, they analyze the dots on the map to identify concentrated areas of consumer interest. **Ms. Rogers** commended E. Sudduth for the report and encouraged her to share the information more frequently.

**Mayor Pruhs** thanked E. Sudduth for the report and congratulated Dan Britton, the current General Manager who will retire soon. He stated that D. Britton is closing out a long, successful career and has served as a guiding light through many years of change. He also commended Board Chair Gary Wilken for his leadership and stated that IGU is in good hands.

**Mayor Pruhs** invited Public Works (PW) Director Jeff Jacobson and Street Foreman Jeremiah Cotter to give a report on snow removal plans for the coming winter.

J. Jacobson began with an explanation that no two Fairbanks winters are alike and that a successful snow removal season requires key elements: equipment, skilled labor, and funding. He stated that the City loses many laborers during the heavy construction season each summer. He thanked the Council for action taken in the spring when additional funding was needed to address the backlog of projects, as it provided a window of opportunity to tackle loose ends. He explained that early in the summer they made significant progress on road repair, which involved the employ of night crews, and he added that essential work was performed on the City's storm drainage system. He stated that recent heavy rainfall revealed some problems, and there was remaining damage from freezing rain incidents in past years.

J. Cotter shared information about storm drain projects performed over the summer. He stated that new drainage was installed near the end of Hanson Road in the Aurora area, and a larger project was completed on Bridgewater Drive to install several new cans and improve the flow of draining water across several properties. He added that another 20 cans were repaired or uncovered. He stated that he hopes that crews can open more drainage across the City with the time remaining in the season. Shifting to the topic of snow removal, he highlighted various challenging scenarios experienced in his 15 years. He reviewed the last five years' snowfall data by month to forecast staffing needs for temporary labor and stated he aims to be fully staffed with a crew of 24 workers split into day and night shifts the first week of December. J. Cotter stated they have increased service to the downtown core area in recent years as part of the City's commitment to do better for residents and businesses. He gave a summary of estimated labor costs through April 2024 and stated that following their operational plan, without overtime, the projected minimum labor cost for the winter is \$810,214. He referenced the handout which showed various statistics of snowfall, labor costs, and City-owned assets that are used in the winter and shared that the City has 48 total pieces of snow removal equipment plus attachments to modify other machines to assist. He stated that the PW shop has been working diligently to prepare for winter, but they are short one permanent and one temporary mechanic, causing delays in maintenance. J. Cotter stated that the major challenge will be filling skilled positions, and he referenced the wage comparisons for operators and mechanics in the handout, which included local union work. He stated that the City falls short in comparison, although the City offers higher wages than the Department of Transportation (DOT), which has had 14 vacant positions for the last two years. He stated that the lack of applicants coupled with the City not being competitive causes him concern about staffing over the winter. He mentioned that another challenge is training workers only to see them leave to work elsewhere for higher pay.

J. Jacobson acknowledged the increases in the current union contract. He stated that PW is now overwhelmed by other forces, causing worry about what will be left for the City in the labor pool, considering the wage issue. He stated that they have a plan, but they cannot guarantee who will show up to work; he added that less experienced workers can create production issues. He stated that the last two permanent positions were given to apprentices, rather than well-seasoned, skilled journeymen, as was common before. J. Jacobson stated it is hard to meet the expectations of service to residents and business owners of the City. He shared some positive news relating to streamlining operations: a survey to residents to gauge their willingness to accept nighttime snow clearing in residential areas. He explained that night crews typically work only on main roads, but there may be times they are available to clear smaller streets. He stated they usually avoid doing so due to potential noise disturbances. He stated that to show citizens their willingness to adjust operations and improve efficiencies, they want feedback. He expressed appreciation for the Council's support.

**Ms. Sprinkle** stated she thinks the survey is a great idea but asked how they will proceed if there is mixed feedback. J. Jacobson explained they would review the data and use discretion, but he clarified that it would not be regular – maybe once all winter for each neighborhood. He stated that some areas must be posted with notice so that would be taken into consideration. He stated that neighborhoods with mixed feedback may be put off until later in the winter when there is more snow build-up. He reiterated that areas with on-street parking would likely not be done at night.

**Mr. Cleworth** commended PW on an excellent job last winter. He stated that summer road patching and downtown snow removal last winter was the best he has ever seen. He stated that

people need to understand the City's limitations when it comes to equipment and personnel, and sometimes delays cannot be helped. He stated all things considered, the City should be proud.

**Mr. Marney** expressed appreciation for PW's performance and thanked staff for thinking outside the box and creating the survey.

**Ms. Rogers** stated that most citizens who express dissatisfaction are not aware of the massive scope of work undertaken by the PW department, nor the challenges they frequently face. She stated that these are stories that need to be shared to increase understanding and support. J. Jacobson acknowledged the partnership with the public.

**Mayor Pruhs** discussed his efforts to coordinate with J. Cotter each winter to keep the public informed about snow clearing. He stated that he also keeps an eye on monthly financial reports to ensure that necessary overtime for snow clearing is approved. He stated the PW department has virtually no overtime during other times of the year, which is commendable.

**Mayor Pruhs** invited Chief of Staff Mike Sanders to give a report his recent ride-along with the Fairbanks Fire Department (FFD). M. Sanders shared that he has enjoyed many ride-alongs over the years, but this was his first one since the addition of the third ambulance. He stated that previous experiences were hectic and chaotic, and the department was slammed the entire time, which was unsustainable. He stated that calls would stack up, and staff could never catch up. He stated that the difference he witnessed this time was incredible. He stated that the department stayed busy but nearly always back to the station before being dispatched again. He stated that, overall, the investment in a third ambulance has produced significant improvements. M. Sanders praised the Mobile Crisis Team (MCT) and explained that one call he rode along on was in response to an individual needing to go to the emergency room (ER); he added that the individual was also experiencing serious grief due to personal loss and had not gotten help. He shared that the paramedic called the MCT, who arrived within minutes to provide support, and a member of the MCT helped the individual overcome apprehensions towards treatment and even stayed with the individual at the ER. He stated it was a great example of a City service operating as intended. M. Sanders also reported that the new budget simulator application, available online to the public, has had over 500 visits, with 11 instances of individuals successfully balancing the budget. He stated that data so far shows that most unsuccessful attempts are a result of individuals trying to eliminate property taxes, adding funds to preferred services or departments, only to realize it cannot be done.

**Mayor Pruhs** shared that City Hall will host trick-or-treating on Tuesday, October 31, 3 – 6 p.m.

### **COUNCILMEMBERS' COMMENTS**

**Ms. Sprinkle** reported having visited with staff at the public library and stated she received a request for pothole repair on Margaret Avenue. She thanked PW for all the work they do.

**Ms. Rogers** expressed appreciation for all those who provided reports at the meeting and added that the positive changes in the community are evident. She stated that most people do not understand the specific logistics and challenges of snow clearing and stated that the ingenuity of the PW department is beyond fantastic.

**Mr. Cleworth** asked Clerk Snider for an updated list of current liquor licenses and questioned whether the City was at its limit in any category. Clerk Snider shared that the limit on beverage dispensary licenses, per population-based State regulations, is 11, and there are currently 39 active licenses of that type. *[Clerk's Note: The City's over-limit status for this type of license is due to existing licenses being grandfathered by the State.]*

**Ms. Tidwell** shared that there was an outstanding turnout at the Labor Day parade and thanked FPD for helping with the event. She also thanked IGU for the report.

**Mr. Marney** and **Mr. Ringstad** each stated that they had no comments.

### **UNFINISHED BUSINESS**

- a) Resolution No. 5076 – A Resolution Amending the City Schedule of Fees and Charges for Services by Adding a Service Fee for Annual Technical Fire Inspections and Increasing the Fee for Fire Inspection, Investigation, and Technical Services. Introduced by Mayor Pruhs. POSTPONED from the Regular Meeting of August 14, 2023.

*At the July 24 regular City Council meeting, Mr. Cleworth, seconded by Ms. Sprinkle, moved to APPROVE Resolution No. 5076. The motion remained on the floor.*

**Mr. Marney**, seconded by **Ms. Sprinkle**, moved to AMEND Resolution No. 5076 by substituting the amended, proposed version.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 5076 BY SUBSTITUTING THE AMENDED, PROPOSED VERSION AS FOLLOWS:

YEAS: Marney, Ringstad, Sprinkle, Rogers, Tidwell

NAYS: Cleworth

**Mayor Pruhs** declared the MOTION CARRIED.

**Mr. Marney** asked if Assistant Chief Andrew Cocco could provide more details about the *Schedule of Fees and Charges for Services*. Referencing ambulance services, AC Cocco stated that there has not yet been any guidance from national sources regarding base rates and mileage fees for 2024, so they opted to leave them as-is; he stated that the data may come in November.

**Ms. Sprinkle** asked for clarification on the edit of “life assist” to “lift assist.” AC Cocco explained that this was likely a past typo and that these are calls where the FFD is asked to assist someone with mobility issues at a residence. **Mayor Pruhs** pointed out that this fee only applies after five visits in a twelve-week period. **Ms. Sprinkle** acknowledged that the fee is primarily to deter abuse. **Mr. Ringstad** asked how often that fee has been charged. AC Cocco stated he is not aware of it ever being charged. He explained that if an individual calls more than once, the department is proactive and helps the individual make connections with local organizations that can assist. Fire Chief Scott Raygor added that they do get two to three lift assist calls per day, but there is not abuse of the system regarding that item.



**Ms. Sprinkle** asked for the reasoning behind the increases to fees for the use of the Fire Training Center (FTC) facilities. **Mr. Marney** explained that the fees need to be increased to offset cost. He added that they want to keep the increase minimal so the facility would continue to be used.

**Mr. Marney** shared that the \$50 discount for City residents for ambulance services used to be \$200, but it was reduced in 2019. He stated he would like the discount increased more once they get 2024 rate information from national sources. He stated that the other changes are fairly routine. Chief Raygor added that the increases are meant to keep up with inflation and economic changes.

**Mr. Cleworth** asked what alternative training facilities are available for outside organizations to use. Chief Raygor stated that many agencies have installed smaller training structures at their own locations due to concerns about being too far away when emergency calls come in. **Mr. Cleworth** asked if the FTC construction was grant funded. Chief Raygor stated he is unsure. **Mr. Cleworth** wondered how the City ended up being responsible for the facility in perpetuity. Chief Raygor indicated that he would need to do some research but that has been the situation since he began at the FFD. He stated that the State rented an office from the City for their regional trainer until five years ago when those positions were consolidated in Anchorage.

**Ms. Tidwell** asked why the “Emergency Fire Equipment Response to Motor Vehicle Accident” fee was being eliminated. AC Cocco explained that when they reviewed reports of the various fees, that fee was rarely charged, and the time and effort to enforce it was not worthwhile.

**Ms. Sprinkle** asked if the rates for the FTC were per hour, or for a four-hour block. AC Cocco indicated that the fees listed are for a 4-hour block. **Ms. Sprinkle** commented that the rate seemed low. Chief Raygor stated the hope is that by keeping rates affordable, more agencies will use the facility; he added that the rates are comparable to other classroom and meeting room spaces. M. Sanders added that last year, the JP Jones Community Center had expressed frustration at being undercut in meeting room rental rates, but the City was not the culprit. He stated they kept that in mind when working on the proposed changes.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5076, AS AMENDED, AS FOLLOWS:

YEAS: Tidwell, Marney, Ringstad, Sprinkle, Rogers,  
NAYS: Cleworth

**Mayor Pruhs** declared the MOTION CARRIED and Resolution No. 5076 APPROVED.

## **NEW BUSINESS**

- a) Ordinance No. 6262 – An Ordinance Amending Fairbanks General Code Chapter 42 Labor Relations and Negotiations, Section 42.1 Labor Relations and Section 42.2 Labor Negotiations. Introduced by Council Member Cleworth.

**Ms. Sprinkle**, seconded by **Mr. Ringstad**, moved to ADVANCE Ordinance No. 6262.

**Ms. Sprinkle** indicated that she would like more information about the intent and implications of the ordinance. She stated she believes the ordinance is a result of the recent issues with the FPD contract, and she would like to know more about the changes.

**Mr. Cleworth** explained that several situations arose where the existing language was not clear. He stated that he and City Attorney Chard had lengthy discussions where multiple interpretations of the Code could be argued. He stated that indicated that the Code needed more clarity in order to prevent those types of situations.

Attorney Chard stated that he believes Mr. Cleworth's intent is to clarify Code language so that everyone would understand the procedures to amend an existing collective bargaining agreement (CBA). He stated that the intent of the existing language appears to provide guidance for the negotiation of an entire CBA. He stated that the language was clunky regarding process and defined roles. He expressed hope that the proposed ordinance would provide clear guidance on the process for updating a CBA outside of the normal schedule. **Mayor Pruhs** shared he felt this was the right time for the ordinance. He added that Mr. Cleworth was an excellent person to review the language and process with Attorney Chard.

**Ms. Tidwell** asked to confirm that nothing in the proposal would inhibit the Council from going about things the way it just did. Attorney Chard confirmed and stated that it will provide guidance on when modifications can happen, what processes are in place once a consideration is underway, and the parameters should the Council accept or reject a modification. He stated that everything the Council is accustomed to doing will remain the same.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6262 AS FOLLOWS:

YEAS: Ringstad, Tidwell, Rogers, Sprinkle, Marney, Cleworth

NAYS: None

**Mayor Pruhs** declared the MOTION CARRIED and Ordinance No. 6262 ADVANCED.

### **DISCUSSION ITEMS (Information and Reports)**

**Ms. Rogers** reported that the last few meetings of the Reentry Coalition have been very productive, with innovative discussion and an increase in in-person attendance. She stated that has made the conversations even more positive, and folks are following through with commitments.

**Ms. Tidwell** reminded everyone that early voting starts on September 18.

**Ms. Sprinkle** reported that she met with the Chena Riverfront Commission, but there were technology issues and they struggled a quorum. She stated she will have more to share next time.

**Mr. Marney, Mr. Cleworth, and Mr. Ringstad** each stated they did not have any reports.

**Mayor Pruhs** shared that the Polaris Working Group will meet September 14.

## WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Memorandum to Approve the Appointment of 2023 Election Officials

APPROVED on the CONSENT AGENDA.

- b) Memorandum Regarding Fire Department Clerk Position

APPROVED on the CONSENT AGENDA.

- c) Chena Riverfront Commission Meeting Minutes of May 24, 2023

ACCEPTED on the CONSENT AGENDA.

## COUNCILMEMBER COMMENTS

**Ms. Tidwell** and **Mr. Ringstad** each stated that they had no comments.

**Mr. Marney** shared that he will be participating on a ride-along with FPD later in the week.

**Ms. Sprinkle** expressed sentiment to those who lost their lives, and their loved ones, as a result of the attacks on September 11, 2001. She stated that was a sad day in history, and she hopes it never happens again.

**Ms. Rogers** shared similar thoughts of that terrible day. She stated that memories of those events translate personally and inform how City police and fire departments approach the danger in their jobs. She stated that can help strengthen connections with local first responders and stated that the service first responders provide in the community cannot be forgotten. She thanked Clerk Snider for the invocations she prepares for City Council meetings.

**Mr. Cleworth** spoke to item 14(b) on the agenda and stated that it is a memo from the Fire Department noting an adjustment to a vacant position's classification that will result in a savings of \$7,400. He stated that while it may seem like a small amount in the big picture, he commends the effort to save money. He expressed concern about Resolution No. 5076, primarily one component: charging businesses for a service that should already be provided through existing property taxes and license fees. He stated he has a problem with mandating that a business owner let FFD enter their premises to perform an inspection which they may or may not want, then charging for that service. **Mr. Cleworth** stated that the City has gotten away with it for a long time simply because the inspections were not being performed, but the City will get complaints when the inspections ramp things up. He stated that a former City fire official recommended eliminating the fee as it gives the City a black eye and results in numerous complaints. He stated that if the City is going to provide the service, it should be covered by the taxes and fees businesses already pay. He posed the question of what the City would do if someone refused to allow an inspection or wanted to appeal the fee; he questioned how often inspections would occur. **Mr. Cleworth** stated that mandates under the guise of security run against the idea of liberty. He stated the fee is an example of the saying that "The natural progress of things is for liberty to yield and government to gain." He acknowledged being on the losing end of the vote but reminded the Council that the

City exists to provide services that the private sector cannot reasonably provide for itself. **Mr. Cleworth** also shared that he received a call from a citizen who claimed to have heard that Anchorage is starting to send homeless individuals to Fairbanks; he asked whether anyone had more information. M. Sanders responded that that is something which has always happened to a certain degree. He stated that when he was over the Housing and Homeless Coalition, he had access to information on the location of previous services for many individuals. He stated there have never been huge waves of what Mr. Cleworth was referring to, and it is nothing new. **Mr. Cleworth** referenced an earlier comment from Mayor Pruhs about combining Committee Reports and the second round of Council Members' Comments into a single agenda item and stated that it would require an ordinance. He stated that if others agree, it would be prudent to make the change. He also mentioned seeing an obituary recently for Philip Cole, who was a mover and a shaker, involved heavily in the downtown core area, and stated that it is sad to learn of his passing. He stated he fondly recalls many discussions with him over the years on making the City better. He stated that P. Cole ran the Co-Op Diner as long as his health allowed. He concluded by referencing the emails the Council sometimes receives from the Police Chief to announce officer resignations. He stated that while there are usually multiple reasons for a resignation, forced overtime is often the reason. He stated that resignations only exacerbate the forced overtime situation, making it worse for others in the department. He expressed hope that the incentives recently enacted will help alleviate the problem, but in the meantime, the Council should be mindful of the issue.

### **CITY CLERK'S REPORT**

Clerk Snider asked to confirm if Mayor Pruhs, who originally introduced Resolution No. 5076, and Mr. Marney, who provided the substituted version, would both like to be listed as sponsors of the resolution, to which they each concurred. She reiterated details about upcoming early and absentee voting. She shared that a very informative Candidate Pamphlet has been produced, with physical copies available in the Clerk's Office and a digital version online.

### **CITY ATTORNEY'S REPORT**

Attorney Chard expressed his appreciation for the Council's service to the community.

### **EXECUTIVE SESSION**

**Mr. Cleworth**, seconded by **Ms. Sprinkle**, moved to ENTER an Executive Session to discuss *Roberts, et al. v. City of Fairbanks, et al.*, Settlement Discussion.

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

**Mayor Pruhs** called for a brief recess, after which the Council reconvened in Executive Session.

- a) *Roberts, et al. v. City of Fairbanks, et al.*, Settlement Discussion. (Entered at 8:40 p.m. Present were all Councilmembers, Mayor Pruhs, the Chief Financial Officer, Chief of Staff, Attorney, and Clerk, as well as outside council Matt Singer and Michael Farnell.)

The City Council met in Executive Session to discuss the above item and provide direction to legal counsel, but no action was taken. The regular meeting resumed at 9:38 p.m.

**Ms. Rogers**, seconded by **Mr. Cleworth**, moved to RECONSIDER Resolution No. 5076, as Amended.

**Ms. Rogers** stated that upon further reflection and discussion with Mr. Cleworth, she believes there is more that should have been considered in their previous dialogue regarding valid concerns.

**Mr. Ringstad** asked for clarification on the timing of the process for reconsideration. **Mr. Cleworth** explained that a successful vote for such would return the Council to the original motion, meaning they would resume discussion as if the roll call vote for approval had not taken place. He stated they could debate matters further, vote on the issue again without changes, make amendments, postpone it, etc., but a motion to reconsider must be approved before that can happen.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO RECONSIDER RESOLUTION NO. 5076, AS AMENDED, AS FOLLOWS:

YEAS: Marney, Tidwell, Sprinkle  
NAYS: Cleworth, Ringstad, Rogers

*Clerk Snider read from the Fairbanks General Code, which states that motions for reconsideration require the affirmative vote of four members of the Council, excluding the Mayor, so Mayor Pruhs was not called in the roll call.*

**Mayor Pruhs** declared the MOTION FAILED.

### ADJOURNMENT

**Ms. Tidwell**, seconded by **Ms. Sprinkle**, moved to ADJOURN the meeting.

Hearing no objection, **Mayor Pruhs** declared the meeting adjourned at 9:42 p.m.

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DAVID PRUHS, MAYOR

ATTEST:

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D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC



# MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Pruhs and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Marijuana License Renewal

DATE: September 20, 2023

Notice has been received from the State Alcohol & Marijuana Control Office (AMCO) for the following marijuana license renewal:

Lic. #	DBA	License Type	Licensee	Address
15800	Baked Alaska, LLC	Marijuana Product Manufacturing Facility	Baked Alaska, LLC	2745 Hanson Road, Unit B

Pursuant to FGC Sec. 14-214 and 3 AAC 306.060, the Council may determine whether to protest marijuana license renewals after holding a public hearing. The 60-day deadline for response to AMCO on the above-listed renewal is October 13, 2023.

Pursuant to FGC Sec. 14-215(b)(12), I have inquired about complaints filed within the past 12 months with the Fairbanks North Star Borough (FNSB) and AMCO in regard to the above-listed marijuana establishment. Both entities indicated that there are no complaints or violations to report for license no. 15800.

The Fairbanks Police Department has included a call report for the above-listed location. There are **no departmental objections** to this marijuana license renewal application. Please contact me if you need further information.

**CITY OF FAIRBANKS PUBLIC SAFETY**

**Event List with Report Numbers**

Baked Alaska

<b>Report #</b>	<b>Call Time</b>	<b>Nature</b>	<b>Location</b>	<b>Prime Unit</b>	<b>Disp.</b>	<b>Close Time</b>
	03/03/2023 17:25:16	PAST TRAFFIC	2745 HANSON RD	S11	NRP	03/03/2023 18:33:06

Total Number of Events Listed: 1

**ORDINANCE NO. 6262**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
CHAPTER 42 LABOR RELATIONS AND NEGOTIATIONS,  
SECTION 42-1 LABOR RELATIONS AND SECTION 42-2  
LABOR NEGOTIATIONS**

**WHEREAS**, Fairbanks General Code (FGC) Chapter 42 Labor Relations and Negotiations currently provides guidance on the procedures to negotiate a replacement collective bargaining agreement (CBA) when the current CBA is about to expire; and

**WHEREAS**, current CBAs acknowledge there are times when it would be advantageous to both bargaining parties and the City to modify an agreement during the term of the agreement without necessarily reopening the entire agreement to renegotiation; and

**WHEREAS**, parties attempting to modify an existing CBA have relied on the procedures used to replace a CBA, and all parties would benefit from additional guidance specifically tailored to modifying an existing agreement.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

**Section 1.** FGC Sections 42-1 and 42-2 are amended as follows [new text in **bold/underline** font; deleted text in ~~strike through~~ font]:

**Sec. 42-1. Labor relations.**

- (a) The mayor shall have the basic responsibility for labor relations as set forth in this chapter. The mayor will be the lead spokesperson for the city in negotiations with employee organizations representing city employees for the purpose of negotiating collective bargaining agreements as to wages, benefits, and terms and conditions of employment. The mayor may designate an alternate spokesperson. **Before the alternate spokesperson is designated, the mayor will notify the city council.**
- (b) The city council may select a different lead spokesperson for labor negotiations. The council also may delegate a qualified individual to be a member of the city's negotiating team without negating the authority of the mayor to act as the lead spokesperson for negotiations.



- (c) All substantive labor negotiations shall be conducted in open sessions.
- (d) The city's basic goal in labor negotiations will be to treat city employees in a similar manner, as much as is appropriate, and to pay similar wages for similar work.
- (e) The mayor will look for a common policy on boiler plate language which will be consistent in all contracts.
- (f) The city council is committed to the following goals:
  - (1) Rewarding superior employees with merit pay increases in lieu of increases based solely on longevity.
  - (2) Fair and reasonable deductibles in medical insurance.
  - (3) Limiting personal leave to reasonable levels.
  - (4) Consistency between bargaining units, as well as between union and non-union employees.
  - (5) Negotiating contracts with annual wage and benefit reopeners if future sources of funding are not identified and secured **to ensure multiyear contracts are in compliance with FGC section 2-655.**
  - (6) Seeking to eliminate terms with complex pay premiums, work rules that reduce productivity, or other terms that impede accountability.
- (g) The provisions of FGC section 50-83 regarding the one-year ineligibility period for employment of former city council members must be included in all collective bargaining agreements.
- ~~(h) All collective bargaining agreements must be ratified by an ordinance enacted by the city council. Amendments to labor contracts negotiated during the life of the contract are not effective until approved by council ordinance.~~

\* \* \* \* \*

**Sec. 42-2. Labor negotiations.**

- (a) The **sole purpose of the eCity's** negotiating team**(s)** shall be solely embodied to negotiate on behalf of the eCity **of Fairbanks**. Individual

members of the city council shall not enter into separate negotiations with any union representative or union member. ~~From the date of the mayor's transmittal as provided for in section 42-2(b)(1) until ratification of a collective bargaining agreement all~~ **During the periods described in subsections (1) and (2) below**, all communication, **both written and oral**, from ~~the~~ **a union engaged in negotiation** regarding issues in negotiations, ~~both written and oral,~~ must be addressed to members of the cCity's **respective** negotiating team and not to individual council members.

**(1) From the date of the mayor's transmittal as provided for in section 42-2(b)(1) until ratification of the collective bargaining agreement, or**

**(2) From the start of negotiations as provided for in section 42-2(b)(2) until either ratification of an amendment to the collective bargaining agreement or notice to council of termination of the negotiations to amend the collective bargaining agreement.**

(b) Labor negotiations will be conducted in the following manner:

**(1) For the replacement of an expiring collective bargaining agreement**, ~~At~~ at least one month prior to the start of negotiations for a replacement collective bargaining agreement (CBA), the mayor shall present a copy of the expiring CBA to the council, along with proposed terms for the replacement agreement.

**(2) For an amendment to a collective bargaining agreement negotiated during the effective dates of the agreement, the mayor shall present a copy of the proposed amendment to the council before negotiations commence.**

**(23) For both (b)(1) and (b)(2) above:**

**a.** The mayor shall provide to the council detailed cost estimates, prepared by the chief financial officer, for all economic proposals.

~~(3)~~**b.** The council shall meet and discuss the proposals for the replacement CBA. The council shall provide discernable direction to the negotiating team concerning strategies, goals, and objectives and

provide discernable monetary limits for economic proposals.

~~(4)c.~~ The mayor will commence negotiations and, if possible, reach tentative agreements on economic and non-economic ~~bargaining~~ proposals. The mayor will provide the council with periodic reports on the status of negotiations, ~~and~~ on contract terms proposed by union negotiators, ~~and~~ on offers or counter-offers contemplated by the city's negotiators.

~~(5)d.~~ The ~~mayor~~ **bargaining team** may not offer or tentatively agree to any economic proposal that exceeds the ~~substantially deviates from the~~ monetary limits provided by the council without seeking further guidance ~~from the council~~. The ~~mayor must provide~~ **council must be provided** with updated cost estimates, prepared by the chief financial officer, when seeking further guidance from the council on economic proposals.

~~(6)e.~~ Before an ordinance ratifying a CBA **or ratifying any amendment to an existing CBA** is introduced, a comprehensive list of the proposed changes ~~to the CBA~~, along with the CFO's fiscal note for the ~~contract~~**CBA's** duration, will be given to the council for **its** review, **final instructions, and authorization to proceed**. Multiyear contracts must be in compliance with section 2-655 of the Code.

**(4) All collective bargaining agreements must be ratified by an ordinance enacted by the city council. Amendments to collective bargaining agreement negotiated during the life of the agreement are not effective unless and until approved by council ordinance.**

**Section 2.** That the effective date of this Ordinance shall be five days after adoption.

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David Pruhs, Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Thomas A. Chard II, City Attorney

**ORDINANCE NO. 6263**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL  
CODE SECTION 2-119, ORDER OF BUSINESS**

**WHEREAS**, the Fairbanks City Council aims to hold efficient and effective meetings; and

**WHEREAS**, combining the second section of Council members' comments and the information and reports (committee reports) section of the agenda will save time and increase meeting efficiency.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

**Section 1.** That FGC Sec. 2-119(a), Order of business; citizens addressing city council, is hereby amended as follows [new text in **underlined bold** font; deleted text in ~~strikethrough~~ font]:

**Sec. 2-119. Order of business; citizens addressing city council.**

(a) At every regular meeting of the city council, the order of business shall be as follows:

- (1) Roll call.
- (2) Invocation.
- (3) Flag salutation.
- (4) Ceremonial matters (proclamations, introductions, recognitions, and awards).
- (5) Citizens' comments (oral communications to the city council on any item not up for public hearing). The comment period will end no later than 7:30 p.m.
- (6) Approval of agenda and consent agenda. Consent agenda items are indicated by asterisks (\*). Consent agenda items are considered together unless a council member requests that the item be returned to the general agenda. Ordinances on the approved consent agenda are automatically advanced to the next regular meeting for second reading and public hearing. All other items on the approved consent agenda are passed as final.
- (7) Approval of minutes of previous meetings.
- (8) Special orders.
- (9) Mayor's comments and report.
- (10) Council members' comments.
- (11) Unfinished business.

- (12) New business.
- ~~(13) Discussion items (information and reports).~~
- (134) Written communication to the city council.
- (145) **Committee reports and** Council members' comments.
- (156) City clerk's report.
- (167) City attorney's report.
- (178) Executive session (if necessary).
- (189) Adjournment.

\* \* \* \* \*

**Section 2.** That the effective date of this Ordinance is five days after adoption.

\_\_\_\_\_  
**David Pruhs, Mayor**

AYES:  
 NAYS:  
 ABSENT:  
 ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
 D. Danyielle Snider, MMC, City Clerk

\_\_\_\_\_  
 Thomas A. Chard II, City Attorney

**ORDINANCE NO. 6264**

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE  
SEC. 74-152 BY INCREASING THE TOBACCO EXCISE TAX**

**WHEREAS**, Fairbanks General Code Sec. 74-152 levies an excise tax on the distribution of tobacco products brought into the city; and

**WHEREAS**, the City Council would like to increase the excise tax from eight percent times the wholesale price to twenty percent times the wholesale price; and

**WHEREAS**, this change will provide lower taxes for property owners.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, as follows:

**SECTION 1.** Fairbanks General Code Sec. 74-152 is hereby amended as follows [new text in **bold/underlined** font; deleted text in ~~striketrough~~ font]:

**Sec. 74-152. Tobacco products excise tax and collection.**

(a) The city hereby levies an excise tax on the distribution of tobacco products brought into the city, measured at the rate of ~~eight~~**twenty** percent times the wholesale price of such tobacco products.

\*\*\*\*\*

**SECTION 2.** The effective date of this ordinance is January 1, 2024.

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**David Pruhs, Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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D. Danyielle Snider, MMC, City Clerk

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Thomas A. Chard II, City Attorney

**CITY OF FAIRBANKS**  
**FISCAL NOTE**

**I. REQUEST:**

Ordinance or Resolution No: 6263

Abbreviated Title: ORDINANCE INCREASING TOBACCO EXCISE TAX

Department(s): GENERAL

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes \_\_\_\_\_ No X

2) additional support or maintenance costs? Yes \_\_\_\_\_ No X

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes \_\_\_\_\_ No X

If yes, how many positions? \_\_\_\_\_

If yes, type of positions? \_\_\_\_\_ (F - Full Time, P - Part Time, T - Temporary)

**II. FINANCIAL DETAIL:**

EXPENDITURES:	2024+
<b>TOTAL</b>	<b>\$0</b>

FUNDING SOURCE:	2024+
GENERAL FUND (TOBACCO TAXES)	\$1,510,000
GENERAL FUND (PROPERTY TAXES)	-\$1,510,000
<b>TOTAL</b>	<b>\$0</b>

Based on tobacco excise tax receipts of \$12.8 million, an increase from 8% to 20% in tobacco excise tax will reduce property taxes by \$1,510,000. Based on the current assessed value, this will reduce the mill levy from 6.178 to 5.683 (\$49.50 per \$100,000 assessed value).

Reviewed by Finance Department: Initial mb Date 8/31/2023



**TOBACCO EXCISE TAX  
MUNICIPALITIES IN ALASKA  
TAX INCREASE FROM 8.0% TO 20.0%**

Location	Cigarettes	Other Tobacco Products	Other Noncombustible Products	Notes	Pack	Tobacco	E-Vaps
City of Fairbanks (Proposed)	20.0%	20.0%	20.0%	Wholesale Price	\$2.48	\$0.40	\$2.20
City of Fairbanks (Current)	8.0%	8.0%	8.0%	Wholesale Price	\$0.99	\$0.16	\$0.88
Fairbanks North Star Borough	8.0%	8.0%	N/A	Wholesale Price	\$0.99	\$0.16	\$0.00
Matanuska Borough	.110 per cigarette	55.0%	55.0%	Per Cigarette & Wholesale Price	\$2.20	\$1.10	\$6.05
Juneau City & Borough	\$3 per pack	45.0%	45.0%	Per Pack & Wholesale Price	\$3.00	\$0.90	\$4.95
Anchorage Municipality	.1261 per cigarette	55.0%	55.0%	Per Cigarette (adjusted annually) & Wholesale Price	\$2.52	\$1.10	\$6.05

**Additional reduction in property taxes by \$1,510,000. Reduce mill levy from 6.178 to 5.683 (\$49.50 per \$100,000 assessed value).**

**TOBACCO EXCISE TAX  
MUNICIPALITIES IN ALASKA  
15% INCREASE**

Location	Cigarettes	Other Tobacco Products	Other Noncombustible Products	Notes	Pack	Tobacco	E-Vaps
City of Fairbanks	15.0%	15.0%	15.0%	Wholesale Price	\$1.86	\$0.30	\$1.65
Fairbanks North Star Borough	8.0%	8.0%	N/A	Wholesale Price	\$0.99	\$0.16	\$0.00
Matanuska Borough	.110 per cigarette	55.0%	55.0%	Per Cigarette & Wholesale Price	\$2.20	\$1.10	\$6.05
Juneau City & Borough	\$3 per pack	45.0%	45.0%	Per Pack & Wholesale Price	\$3.00	\$0.90	\$4.95
Anchorage Municipality	.1261 per cigarette	55.0%	55.0%	Per Cigarette (adjusted annually) & Wholesale Price	\$2.52	\$1.10	\$6.05

**Additional taxes with 15% - \$880,000**

**TOBACCO EXCISE TAX  
MUNICIPALITIES IN ALASKA  
20% INCREASE**

Location	Cigarettes	Other Tobacco Products	Other Noncombustible Products	Notes	Pack	Tobacco	E-Vaps
City of Fairbanks	20.0%	20.0%	20.0%	Wholesale Price	\$2.48	\$0.40	\$2.20
Fairbanks North Star Borough	8.0%	8.0%	N/A	Wholesale Price	\$0.99	\$0.16	\$0.00
Matanuska Borough	.110 per cigarette	55.0%	55.0%	Per Cigarette & Wholesale Price	\$2.20	\$1.10	\$6.05
Juneau City & Borough	\$3 per pack	45.0%	45.0%	Per Pack & Wholesale Price	\$3.00	\$0.90	\$4.95
Anchorage Municipality	.1261 per cigarette	55.0%	55.0%	Per Cigarette (adjusted annually) & Wholesale Price	\$2.52	\$1.10	\$6.05

**Additional taxes with 20% - \$1,510,000**

**TOBACCO EXCISE TAX  
MUNICIPALITIES IN ALASKA  
25% INCREASE**

Location	Cigarettes	Other Tobacco Products	Other Noncombustible Products	Notes	Pack	Tobacco	E-Vaps
City of Fairbanks	25.0%	25.0%	25.0%	Wholesale Price	\$3.10	\$0.50	\$2.75
Fairbanks North Star Borough	8.0%	8.0%	N/A	Wholesale Price	\$0.99	\$0.16	\$0.00
Matanuska Borough	.110 per cigarette	55.0%	55.0%	Per Cigarette & Wholesale Price	\$2.20	\$1.10	\$6.05
Juneau City & Borough	\$3 per pack	45.0%	45.0%	Per Pack & Wholesale Price	\$3.00	\$0.90	\$4.95
Anchorage Municipality	.1261 per cigarette	55.0%	55.0%	Per Cigarette (adjusted annually) & Wholesale Price	\$2.52	\$1.10	\$6.05

**Additional taxes with 25% - \$2,140,000**



FAIRBANKS DIVERSITY COUNCIL  
REGULAR MEETING MINUTES  
AUGUST 8, 2023, 5:30 – 7:00 P.M.  
HELD VIA [ZOOM WEBINAR](#) AND AT  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA



The **Fairbanks Diversity Council** (FDC) met at 5:30 p.m. on the above date to conduct a Regular Meeting via Zoom Webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska. **Chair Dorothy Shockley** (Seat F) was present (P), and the following members were also in attendance [Z = Zoom; P = In Person]:

Members Present: (P) Timothy Ledna, Seat A (P) Roscoe Britton, Seat J  
(Z) Juanita Webb, Seat D (Z) Rachael Kvapil, Seat K  
(Z) Karen Blackburn, Seat I (at 5:40 p.m.) (P) June Rogers, Council Member

Members Absent: *Vacant*, Seat B *Vacant*, Seat H  
*Vacant*, Seat C Angela Foster-Snow, HR Director  
Shelissa Thomas, Seat E David Pruhs, Mayor (excused)  
*Vacant*, Seat G

Also Present: (P) D. Danyielle Snider, City Clerk

**CALL TO ORDER** (reading of mission statement and land acknowledgement)

**Chair Shockley** led the group in the Pledge of Allegiance, read the FDC mission statement, and gave the land acknowledgement.

**APPROVAL OF AGENDA**

**T. Ledna**, seconded by **R. Britton**, moved to APPROVE the Agenda.

**Chair Shockley** called for objection to the APPROVAL of the Agenda and, hearing none, so ORDERED.

*K. Blackburn joined the meeting at 5:40 p.m.*

**APPROVAL OF PREVIOUS MINUTES**

a) Regular Meeting Minutes of May 9, 2023

**Chair Shockley** asked for clarification on whether the mention of the “FGC” on page three of the minutes was intended to be “FDC.” Clerk Snider stated that the “FGC” refers to the Fairbanks General Code. She stated that she could spell it out in the minutes to be clearer.

**T. Ledna**, seconded by **J. Webb**, moved to APPROVE the meeting minutes with the clarification referenced above.

**Chair Shockley** called for objection to the APPROVAL of the meeting minutes and, hearing none, so ORDERED.



## REPORT FROM THE CHAIR

**Chair Shockley** stated she is glad there is a quorum. She shared that she reached out to Kris Capps with the Fairbanks Daily News Miner to see if she would like to do a piece on the FDC. She stated that she also tried contacting Billie Sundgren to see about a tv news story. She stated that she has not heard back from either person. **R. Britton** stated that he also reached out to local media, but he had not heard back yet either.

## UNFINISHED BUSINESS

### a) FDC Updated Calendar of Events

**Chair Shockley** stated that many of the events went by the wayside since the FDC did not have a quorum in June and July. She stated that most members felt it was not a good idea to have a table at events since the group was struggling to maintain members.

**J. Rogers** shared that International Friendship Day (IFD) will be October 21, with setup in the morning. She described how the event is set up with various vendors and exhibitors. **R. Kvapil** stated that she will be unable to attend. **R. Britton** stated that he would be able to attend, as did **Chair Shockley**. **J. Rogers** stated that Rosalind Kan is the event organizer and that she could contact her; she stated that if there is a fee, it would be minimal. She shared that it will be at the Pioneer Park Exhibit Hall, and the FDC would be on the mezzanine. **T. Ledna** stated that the event was from 1 – 5 p.m. the prior year, and he suggested that one FDC member take the lead. **Chair Shockley** realized that the IFD event would be the same week as the Alaska Federation of Natives (AFN) Convention; she stated she will check on whether she will need to attend that event.

### b) FDC Rack Card and Other Event Materials

**Chair Shockley** thanked the Clerk's Office for creating and printing the rack cards and asked whether more could be made. She also asked about getting a FDC small banner for a table. **J. Rogers** stated that the FDC had those things at one time and wondered where the items were.

Clerk Snider stated that she would check with A. Foster-Snow about the FDC banner. The FDC directed Clerk Snider to look into getting a banner if the existing one could not be found, create nametags for FDC members to wear at events, print 50-75 more rack cards.

The group discussed options for clothing and accessory items with the FDC name and logo. **J. Rogers** stated she feels uncomfortable creating items when the FDC does not have people to attend events. She stated there is a problem with getting members committed to activities of the group. She spoke against event "swag" and stated that she has seen those types of things go to waste.

**Chair Shockley** stated it would be good to have applications to serve available at the FDC table.

## NEW BUSINESS

### a) Chair Vacancy

**Chair Shockley** stated that her term as Chair ended in June.

**J. Webb** stated she would like to nominate herself for consideration as Chair. No other members were nominated.

**Chair Shockley** took a voice vote on whether to APPOINT J. Webb as the FDC Chair. All members voted in favor.

b) Vice Chair Vacancy

**T. Ledna** nominated R. Britton to serve as Vice Chair. **R. Britton** stated that being new to the group, he is trying to get up to speed. He accepted the nomination, but he also nominated D. Shockley as Vice Chair. **D. Shockley** accepted the nomination. **T. Ledna**, with the concurrence of R. Britton, withdrew his nomination of R. Britton. **R. Britton** spoke to the need for cohesiveness in FDC leadership. **J. Webb** expressed appreciation to D. Shockley for stepping up and stated that would help with cohesiveness.

A voice vote was taken on whether to APPOINT D. Shockley as the FDC Vice Chair. All members voted in favor.

c) Meeting Frequency

**Chair Shockley** suggested changing the FDC meeting frequency to bimonthly since the group has had difficulty making a quorum.

**R. Britton** stated he feels the group needs to stick with monthly meetings in order to gain momentum and possibly revisit the issue in six months. He pointed out that it is harder for people to attend meetings during the summer. **J. Webb** agreed with R. Britton and stated that the FDC needs to show the community that the FDC is present, strong, and moving forward.

**Chair Shockley** asked if it was appropriate for FDC members to attend other meetings, such as Fairbanks Native Association (FNA) meetings, as a representative of the FDC. She spoke to the need to have a presence at meetings in the community and wondered about ways to make the FDC more visible. **J. Rogers** spoke to the need for the FDC to be more than an ethnic diversity council.

**T. Ledna** stated that he has a long history of attending a lot of meetings. He stated he assumes that FDC members attend a lot of community meetings but do not say anything about being a member of the FDC. He suggested prioritizing certain meetings and requesting that Mayor Pruhs ask for a spot for FDC members within various groups. **J. Rogers** and **R. Britton** listed various committees they serve on, and **R. Britton** asked whether FDC members are allowed to represent the FDC at events and meetings. **T. Ledna** stated that is allowed and commented that the FDC is missing an awareness opportunity. He stated that the community is so unaware of the FDC, and he stated that he could let people in other groups know that he is a member of the FDC.

**J. Webb** suggested that each member submit a list of all the groups they are a part of so that the FDC could see where there is representation.



**Chair Shockley** asked whether information about the FDC is shared with the Borough; **J. Rogers** replied that she shares information with the Borough. **Chair Shockley** stated that she needs to get some rack cards and applications to hand out to people.

**J. Rogers** spoke to how the FDC used to host talking circles or have various groups come to speak, and those seemed to be the most successful exchanges. She spoke in support of reestablishing those things.

**R. Britton** commented that nearly every committee he is involved with is focused on a strategic plan, and he asked whether the FDC has one. **T. Ledna** stated that the FDC has a Diversity Action Plan (DAP), and last year it was revised to be more reflective of what the FDC does. He stated that the FDC's main mandate is to advise the City Council and the Borough Assembly. He commented that, compared to other areas in the nation, Fairbanks does not have a lot of big news about diversity issues, although there may be some underlying issues. He stated that if there were issues of that sort, the FDC would be very involved.

**Chair Shockley** stated that Fairbanks has been quiet for a while, but things are happening under the radar more. She stated it is very important for people to know there is a diversity council they can come to. **R. Britton** stated that he has not been to a City Council meeting in a while and spoke about partnering more with the City Council. **J. Rogers** stated that the FDC has a structure to abide by. She stated there are many assumptions in the community about what the FDC is able to do, and she indicated that it is not as simple as going before the City Council and demanding change. She stated that in order to affect change, each member needs to be involved, and she spoke to individual responsibility. She referred again to the talking circles hosted by the FDC and stated that one of the fallacies was that just talking about things was all that was needed in order to make change; she stated that much more needs to be done. Members again spoke about their attendance at meetings in the community.

**Chair Shockley** stated that the FDC will continue to meet on a monthly basis.

### **FDC MEMBERS' COMMENTS**

**T. Ledna** volunteered to buy four FDC custom-designed hats for \$34. **Chair Shockley** matched T. Ledna's offer to purchase four hats.

**R. Britton** stated that this has been his second FDC meeting, and he is seeing a reset for the group. He stated that he tends to be an observer, and he likes what he sees. He encouraged FDC members to join together to make a commitment to be a "family of one for others." He stated that this is his second time to live in Fairbanks, and it no longer has the same feel as it did the first time he lived in Fairbanks. He stated he feels the FDC can help getting the "golden heart" back into the *Golden Heart City*. He stated that the FDC should try delving into why people feel the way they do and help fix it so that people will become more involved.

**J. Rogers** stated that would be a great topic for a talking circle. **R. Britton** stated that it is an honor and a pleasure to be a part of the FDC, and **Chair Shockley** encouraged R. Britton to keep speaking up.



**Chair Shockley** recalled the second or third AFN Convention as a time when she felt that Fairbanks really came together and showed its golden heart. She stated that it gave her goosebumps to see how well the community came together for Indigenous people. She stated that she, too, feels disconnected at times, and she believes the pandemic had a lot to do with that. She stated it is scary how people in the nation feel that it is okay to make racist remarks or be a racist. She stated that the FDS needs to be more visible and not let those things be okay in the Fairbanks community. She stated it is important to address things like that that are not wanted in the community. **R. Kvapil** agreed with Chair Shockley but pointed out that there is a nuanced way to handle those types of things. She stated that she does not agree with racism, but there is a way to deal with it without causing people to dig in their heels. She agreed that racism should not be tolerated, but there needs to be an understanding that people like that are still a part of the community, and they still want to be heard no matter whether their opinions are valid. **R. Britton** agreed. He stated that over the years he has had to change the way he deals with people, especially in his work. He stated that he cannot change what someone believes, and they have a right to their opinion. He talked about using communication tactics to promote civil conversation and stated that he has had to change his perspective over the years. **J. Webb** stated that it is about starting the conversation, and the FDC has not done that in a while. She stated that people need to know how others feel, so conversations have to happen first.

**Chair Shockley** stated that people are told to say what they want, and she tries to do that instead of saying what she does not want. She spoke about a study she recently heard about showing that people of color – particularly men – have higher blood pressure when they go out into public because of what they face. She stated that she was struck by that, and it made her think of how she treats others.

**J. Rogers** stated that how people treat each other is the crux of how to solve problems. She stated it is too bad that there is still so much “separateness” in the community. She mentioned the “human condition” and spoke to people treating one another as family; she stated that until people start thinking that way the hurt will continue. She spoke briefly to the alcohol issues in the community and stated that everyone needs to help in some way or another.

**K. Blackburn** stated she had no comments.

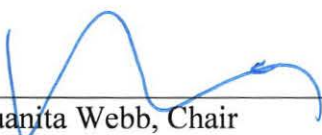
### MEETING DATES


- a) Next Regular Meeting Date, September 12, 2023

**Chair Shockley** stated that she may be moose hunting on the date of the next meeting.

### ADJOURNMENT

**Chair Shockley** adjourned the meeting at 6:59 p.m.

  
\_\_\_\_\_  
Juanita Webb, Chair


  
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D. Danyielle Snider, MMC, City Clerk

Transcribed by: DS

*City of Fairbanks*



**MEMORANDUM**

To: City Council Members  
From: D. Danyielle Snider, City Clerk   
Through: Mayor David Pruhs  
Subject: Recommendation for Appointment to the FNSB Planning Commission  
Date: September 20, 2023

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Two of the four City-represented seats on the FNSB Planning Commission are currently vacant.

FNSB Code of Ordinances Section 4.80.010A states:

*The appointments of members from the cities shall be selected from a list of recommendations submitted to the Borough Mayor by the city councils.*

By approving this memorandum, the Council recommends to the Borough Mayor the appointment of Mr. Walker Ringstad to Seat A of the FNSB Planning Commission with a term to expire on December 31, 2025.

Mr. Ringstad's application and resume are attached.

Thank you.




## Board Details

The powers and duties of the Fairbanks North Star Borough (FNSB) Planning Commission are as outlined in FNSBC Chapter 4.80.

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## Overview

 **Size** 4 Seats

 **Term Length** 3 Years

 **Term Limit** N/A

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## Additional

### **Board/Commission Characteristics**

The FNSB Planning Commission shall consist of 11 members. Commission membership shall be apportioned so that the number of members from the cities of Fairbanks and North Pole reflects the proportion of the Borough population residing within those cities as determined by the Borough Assembly from time to time. Members shall be appointed by the Borough Mayor, subject to confirmation by the Assembly. The appointments of members from the cities shall be selected from a list of recommendations submitted to the Borough Mayor by the City Councils. Members appointed from outside the cities shall be as presentative of the various geographic areas of the Borough as practical. The Borough Mayor, Planning Director and Engineer shall be ex officio members of the Commission with privilege of the floor but shall have no vote on any matter. In addition to the eligibility and qualifications requirements in FNSBC 4.04.040, the assembly shall not confirm the appointment or selection of a local elected official serving on the assembly or a mayor. Any sitting planning commissioner who is elected or appointed as an assembly member or mayor shall resign as a planning commissioner on or prior to being sworn in to the new position.

### **Meetings**

Planning Commission meetings are held the second and fourth Tuesdays of every month or as scheduled by the clerk. The Commission shall annually elect from its membership a chairman and vice chairman and shall adopt rules for the conduct of its meetings. Robert's Rules of Order (newly revised) shall apply unless different rules are adopted by the Commission and approved by the Assembly. Meetings of the Commission are public in accordance with AS 44.62 and minutes shall be kept. Minutes of the Commission shall be filed with the Borough Clerk. Records of the Commission shall be retained as public records within the Planning Department. Six members of the Commission shall constitute a quorum. All Commission actions shall be by vote of a majority of the Commission's membership who are present and voting.

### **Enacting Legislation**

FNSBC 4.80.010 - 4.80.060

### **Enacting Legislation Website**

<http://bit.ly/2A7yw11>

### **Joint Commission Details**

The Planning Commission is a FNSB Commission with appointments from multiple jurisdictions. Only City-recommended seats are listed on the City's membership roster. If there is a vacancy for one of the three City-recommended seats, you may apply through this website. For a complete member listing, visit the Fairbanks North Star Borough website at <https://bit.ly/3j3DSnz>.

### **Email the Commission Members**

N/A

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## Profile

Walker

First Name

Ringstad

Last Name

Email Address

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### Are you a City of Fairbanks resident? \*

Yes

Home:

Primary Phone

Alternate Phone

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### Which Boards would you like to apply for?

FNSB - Planning Commission: Submitted

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## Interests and Experiences

### Why are you interested in serving on a City board or commission? What experiences can you contribute to the benefit of the board or commission?

I am interested in serving my community while at the same time using this as a learning opportunity in the planning and development process. I would like as a young resident to have input towards future decision making in a community that my family has been in for many generations and to up with current planning issues.

### Please provide a brief personal biography in the space below, or attach a resume.

See Resume

Upload a Resume

### List any professional licenses or training you believe are relevant to the seat you are applying for.

Certified Residential Real Estate Appraiser

# Walker Ringstad

<b>Objective</b>	To obtain a position on the Planning Committee with an ultimate goal of becoming a valuable resource and member of the Fairbanks community.
<b>Attributes</b>	<ul style="list-style-type: none"><li>• Fair and Open Minded</li><li>• Good Listener with a patient and calm demeanor</li><li>• Eager to Learn</li><li>• Detail Oriented</li></ul>
<b>Education</b>	<b>Certified Real Estate Appraisal Licensing qualifying courses 2021-2023</b> <b>Licensed in April 2023</b>  <b>University of Alaska- Fairbanks- Business Administration Degree</b> <b>August 2016- December 2020</b>
<b>Work Experience</b>	<b>Hage &amp; Associates Real Estate Appraisers- 2021-Current</b> <b>Real Estate Appraiser Associate</b> <ul style="list-style-type: none"><li>• Appraise residential home values.</li><li>• Appraisal of vacant land values</li><li>• Appraisal of Multi-family homes</li><li>• Experience with zoning related items</li><li>• Experience researching properties, plats, tax lots and information pertaining to the appraised property.</li><li>• Working with financial institutions</li><li>• Knowledgeable in building materials and construction methods</li></ul>
<b>Volunteer</b>	<ul style="list-style-type: none"><li>• Business Leader of the Year Award Ceremony-Presenter and Preparation</li><li>• Kiwanis Club Fairbanks – Christmas Tree Sales</li><li>• Tired Iron Charity Event - Helped as and where needed</li></ul>
<b>Additional</b>	<ul style="list-style-type: none"><li>• UAF Classes in Real Estate</li><li>• Leadership Academy- Voluntary through Riverboat Discovery</li><li>• Several years of working through college working with the public</li><li>• Worked in family business for years with light construction</li></ul>