



FAIRBANKS CITY COUNCIL
AGENDA NO. 2020-20
REGULAR MEETING – AUGUST 24, 2020
MEETING WILL BE HELD BY TELECONFERENCE AND AT
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

It is the mission of the City of Fairbanks to provide quality essential services to all City residents to ensure Fairbanks is a vibrant place to live, work, thrive, and visit.

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.

NOTE: Due to concerns over the COVID-19 pandemic, some special procedures are being implemented for City Council Meetings. Mayor Matherly, Council Members, and the public may participate remotely during this time. Citizens may have written comments read into the record if submitted to the City Clerk in advance, or citizens may provide testimony via Zoom webinar if registered to do so in advance of the meeting (the three-minute time limit applies to all forms of public testimony). To help achieve social distancing, the seating in Council Chambers is spread out and limited. No more than 30 individuals will be allowed in the Chambers at the same time. Citizens arriving after the maximum number has been reached will be directed to wait in another area until it is their turn to speak to the Council. Meeting attendees must wear a mask or face covering, and masks will be provided to those who do not have one. We thank you for your understanding and cooperation during this time.

6. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by an asterisk (*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

*a) Regular Meeting Minutes of July 27, 2020

8. SPECIAL ORDERS

a) The Fairbanks City Council will hear interested citizens concerned with the following Marijuana License Applications for Renewal. Public Testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Address
14467	Tanana Herb Company, LLC	Standard Marijuana Cultivation Facility	Tanana Herb Company, LLC	1200 Well Street
10131	Pakalolo Supply Company, Inc.	Retail Marijuana Store	Pakalolo Supply Company, Inc.	1851 Fox Avenue
10230	Pakalolo Supply Company, Inc.	Standard Marijuana Cultivation Facility	Pakalolo Supply Company, Inc.	1851 Fox Avenue

b) The Fairbanks City Council will hear interested citizens concerned with the following Liquor License Application for Transfer of Controlling Interest. Public Testimony will be taken and limited to three minutes.

Type: Package Store, License #4076
 DBA: Brown Jug – Fairbanks
 Applicant: Liquor Stores USA North, Inc.
 559 Harold Bentley Drive, Fairbanks

c) The Fairbanks City Council will hear interested citizens concerned with the following New Liquor License Application and Restaurant Designation Permit. Public Testimony will be taken and limited to three minutes.

Type: Restaurant/Eating Place, License #5926
 DBA: FatBurger
 Applicant: Arctic Monty, LLC
 Location: 3548 Airport Way, Fairbanks

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

12. NEW BUSINESS

- *a) Resolution No. 4932 – A Resolution in Support of the Distribution of CARES Act Funding Directly to Explore Fairbanks for a COVID-19 Recovery Plan That is Remarketing the Destination. Introduced by Council Members Therrien, Rogers, and Kun.
- *b) Resolution No. 4933 – A Resolution Supporting United States Senate Bill S. 4174 Providing Emergency Appropriations to the United States Postal Service. Introduced by Council Member Therrien.
- *c) Resolution No. 4934 – A Resolution in Support of FNSB Ordinance No. 2020-28, an Ordinance Amending FNSB Code Title 4 to Delegate Certain Board of Adjustment Duties to the City of Fairbanks, and Amending Title 4 Regarding Appointments to the Planning Commission. Introduced by Mayor Matherly and Council Member Gibson.
- *d) Ordinance No. 6139 – An Ordinance Amending Fairbanks General Code Section 42-3, Retroactive Pay. Introduced by Mayor Matherly.
- *e) Ordinance No. 6140 – An Ordinance Amending FGC Section 74-67 to Increase the Alcoholic Beverage Sales Tax Rate from Five Percent to Six Percent. Introduced by Council Member Kun.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- *a) Memorandum from the CARES Act Fund Committee

15. COUNCIL MEMBERS' COMMENTS
16. CITY CLERK'S REPORT
17. CITY ATTORNEY'S REPORT
18. EXECUTIVE SESSION
19. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JULY 27, 2020
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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

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

Absent: None

Also Present: D. Danyielle Snider, City Clerk
Tish Gonzalez, Deputy City Attorney
Mike Meeks, Chief of Staff
Angela Foster-Snow, HR Director (telephonic)
Nancy Reeder, Police Chief (telephonic)
Tod Chambers, Fire Chief

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

INVOCATION

The Invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

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

CEREMONIAL MATTERS

Mayor Matherly invited Dave Vanarsdall from the Fairbanks Fire Department to come forward and thanked him for his years of service to the City of Fairbanks. **Mayor Matherly** spoke to Mr. Vanarsdall's 25-year history at the Fire Department and to some of his many accomplishments. **Mayor Matherly** read a statement written by Acting Fire Chief Tod Chambers. Mr. Chambers presented Mr. Vanarsdall with a City gold pan. Mr. Chambers stated that Mr. Vanarsdall leaves big shoes to fill and shared that he will miss working with him.

CITIZENS' COMMENTS

Randy Griffin, P.O. Box 73653, Fairbanks – Mr. Griffin shared his concern about Ordinance No. 6093 coming back before the City Council, dependent upon who is elected in the City election.

Mr. Griffin shared the importance of getting someone on the Council who does not want to make that their agenda. He stated that two conservative Council members are terming out and that someone with conservative principles needs to replace them. He spoke to the specifics of candidate filing and encouraged people to speak to the candidates who have already filed for candidacy.

David van den Berg, 332 Slater Drive, Fairbanks – Mr. van den Berg spoke to Ordinance No. 6133 and made some suggested amendments to address commercial properties.

Mr. Cleworth asked Mr. van den Berg what kind of incidents not addressed in the ordinance should be counted against larger commercial properties. Mr. van den Berg stated that, at least in the downtown area, a trespass call should be counted against the property. **Mr. Cleworth** asked whether parking lot incidents should count. Mr. van den Berg replied that the definition of “property” in the ordinance would include parking lots.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Therrien requested that Unfinished Business be addressed immediately following Approval of the Agenda. Additionally, she requested that Ordinance No. 6137 be heard first under Unfinished Business. She explained that Ms. Kun needs to leave the meeting at 7:30 p.m., and she feels it is important to have a full Council to address the ordinance.

Ms. Kun requested to be excused from the meeting at 7:30 p.m.

Mayor Matherly called for objection to Ms. Kun’s request to be excused early, and hearing none, so ORDERED.

Mr. Cleworth pulled Resolution No. 4927 from the Consent Agenda.

Mr. Gibson pulled Resolution No. 4928 from the Consent Agenda.

Mayor Matherly called for objection to the APPROVAL of the Agenda, as Amended, and, hearing none, so ORDERED.

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

UNFINISHED BUSINESS

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

Clerk Snider stated there is a proposed substitute version of the ordinance sponsored by Council Member Cleworth. She explained that if the Council substitutes the amended version, another public hearing would be required.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to ADOPT Ordinance No. 6137.

Mr. Cleworth, seconded by **Mr. Gibson**, moved to SUBSTITUTE Ordinance No. 6137, as Amended, for Ordinance No. 6137.

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

Mayor Matherly asked the Council for discussion on the substitution.

Ms. Therrien spoke against the proposed substitute. She stated that it would tie the hands of future Councils, and that she does not find it appropriate.

Ms. Rogers stated she will also vote against the proposed substitute; she commented that she has struggled with the decision.

Ms. Kun stated she would not support the proposed substitute.

Mr. Pruhs stated he would vote in favor of the proposed substitute.

Mr. Cleworth stated that the substitute is to highlight the issues coming in the next budget season. He stated that this has been the costliest year for wage increases he has ever seen. He stated that the supplemental emergency medical transport (EMT) revenues would be offset by the SAFER grant, and all the revenue that the gasoline tax would generate would be spent to cover wage increases. He stated there would be no funds left at the end of the year to put into the Capital Fund. He spoke to the loss of revenue sharing and to the funds the Council has already committed. He asked the Mayor how he plans to balance the budget in the coming year.

Mayor Matherly stated he is unsure as to how he will approach the budget. He stated he would like to hear from Legal regarding the proposed substitute.

Mr. Cleworth stated that the Legal Department advised that another reading of the ordinance would be required if the substitute was accepted, because it would change the ordinance substantially. He stated that the Council is deficit spending, and he warned of problems in the future.

Mayor Matherly stated there is no doubt that much planning needs to occur in the fall, and he acknowledged that it will be difficult.

Mr. Pruhs stated it is fair to hold future Councils accountable for their fiscal actions. He spoke in support of the substitute.

Ms. Rogers stated she does not believe she can support the proposed substitute. She spoke to understanding the human side of the issue.

Ms. Kun stated the new whereas statements tie the hands of the Mayor and Council. She stated it is the future Council's responsibility to be fiscally responsible. She stated the new language undermines a future Council.

Mr. Cleworth stated the only portion of the proposed language that would be codified is Section 2. He stated that he sees the "human" element as taking care of existing employees, and he questioned what Ms. Rogers meant when she used the term "human" element. **Ms. Rogers** stated the human element that keeps being presented by the various departments is the ongoing challenge of maintaining and recruiting people. She indicated that they feel the Council is not listening to them, and the Council needs to listen to them. She stated she has difficulty voting in favor of something that may further tie the hands of City department heads. **Mr. Cleworth** asked in what way it would tie their hands. **Ms. Rogers** stated that the whereas statements are indicative of tying hands during the next budget cycle. She stated she is not comfortable going forward with something that may inhibit relationship building, and it does not feel right to her. She suggested that perhaps more work needs to be done. **Mr. Cleworth** asked Ms. Rogers whether she could support the substitute if the whereas statements were struck. **Ms. Rogers** spoke in support of postponement.

Mr. Cleworth, with the concurrence of the Second, withdrew the motion to SUBSTITUTE Ordinance No. 6137, as Amended, for Ordinance No. 6137.

Ms. Rogers, seconded by **Mr. Cleworth**, moved to POSTPONE Ordinance No. 6137 to the next Regular Council Meeting.

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

YEAS: Rogers, Therrien, Cleworth, Matherly
NAYS: Gibson, Pruhs, Kun
Mayor Matherly declared the MOTION CARRIED.

- b) Ordinance No. 6133, as Amended – An Ordinance Amending FGC Chapter 46, Article IV, by Enacting Division 6 Fees for Excessive Police Responses. Introduced by Council Members Gibson, Therrien, and Pruhs. POSTPONED from the Regular Meeting of July 13, 2020. Public hearing was held on June 29, 2020

A motion to ADOPT Ordinance No. 6133, as Amended, made by Ms. Therrien, seconded by Ms. Rogers, was on the floor from the Regular Meeting of June 29, 2020.

Mr. Gibson, seconded by **Ms. Therrien**, moved to SUBSTITUTE Ordinance No. 6133, as Amended (proposed), for Ordinance No. 6133, as Amended.

Ms. Therrien stated she has been working with Mr. Gibson and Mr. Pruhs to address the commercial property issues that have been raised during the life of the ordinance. She encouraged the Council to accept the substituted ordinance.

Mr. Pruhs stated the public will have another opportunity to review the ordinance now if the proposed version is substituted.

Mr. Gibson stated the ordinance has substantially changed, so he understands the public will have another opportunity to weigh in again. He expressed hope that the Council would adopt the ordinance after the next public hearing.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO SUBSTITUTE ORDINANCE NO. 6133, AS AMENDED (PROPOSED), FOR ORDINANCE NO. 6133, AS AMENDED AS FOLLOWS:

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

Mr. Gibson, seconded by **Ms. Therrien**, moved to ADVANCE Ordinance No. 6133, as Amended, to the next Regular Council Meeting.

Mr. Cleworth asked if a service patrol call would count against a store like Fred Meyer. Mr. Meeks stated that according to FECC Director Kristi Merideth, it would not. **Mr. Cleworth** asked whether a call would count against a box store if they were to call for help with an impaired person and the police were dispatched to the location. Mr. Meeks stated that if the police responded, it would count against the location's allowable number of calls. **Mr. Cleworth** stated that people often seek shelter in the large box stores, and he asked whether a response to one of those types of calls would count against the owner. Mr. Meeks stated that trespassing is a countable offense. He stated he is communicating via text with Ms. Merideth, and she has stated that a police response counts, but a service patrol response does not.

Mr. Pruhs suggested that a retail outlet exclusion be discussed and brought back to the next meeting.

Ms. Therrien stated that if a business owner works with the Police Chief towards corrective action, they can avoid the fine, and that solves the problem.

Ms. Rogers stated the ordinance is a work in progress, but she is happy the Council is being responsive to the community who has asked for this help.

Mr. Gibson stated the ordinance gives the Police Chief tools to solve problems without excessive call outs.

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

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

c) Ordinance No. 6138 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324, and Amending the 2020

City Operating Budget. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Mr. Pruhs**, moved to ADOPT Ordinance No. 6138.

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

Mr. Pruhs stated he would not be voting in favor of the ordinance because there are no funds to finance the increase.

Mr. Cleworth stated if the ordinance passes it will eat up all the gasoline tax revenue; he stated, however, that he would vote in favor of the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6138 AS FOLLOWS:

YEAS: Therrien, Cleworth, Gibson, Rogers

NAYS: Pruhs

ABSENT: Kun

Mayor Matherly declared the MOTION CARRIED and Ordinance No. 6138 ADOPTED.

MAYOR'S COMMENTS AND REPORT

a) Special Reports

Bill Wright, Explore Fairbanks – Mr. Wright spoke on behalf of Explore Fairbanks and reported on the marketing recovery they are working on to maintain interest in traveling to Fairbanks. He spoke about the 360-degree video clips on their website demonstrating things to do in the Interior and shared that the dog mushing video proved to be a particularly popular video. He stated Explore Fairbanks also has an “Explore Local” campaign to encourage residents to explore the various things to do within the Fairbanks area. He stated they are pushing an “Explore the Golden Heart” campaign to encourage Alaskans statewide to visit Fairbanks.

Mayor Matherly sent well wishes to the entire staff at Explore Fairbanks.

b) Update from Police Chief Reeder

Police Chief Nancy Reeder stated there have been some changes to operations at the Fairbanks Police Department (FPD) and even though the front lobby is closed, there is no change to services to the public. She stated she continues to work out of the station as does Deputy Chief Sweet and her command staff. Chief Reeder provided an update on new officer training, and she reported that two lateral officers hired in April are now working on their own. She reported that those two lateral hires were recruited from within the department, and that is proof that some of the best recruiters are City police officers. Chief Reeder stated that DC Sweet has been appointed Acting Deputy Chief while she has been on leave, and he has done a superb job. She stated she visited Pioneer Park recently due to the increase in vandalism, and she attributes it partly to the pandemic, the lack of pedestrian traffic, and juvenile boredom. She stated 11 people applied for the

Administrative Assistant/PIO position at FPD, and interviews will be held in the coming week. She stated she hopes to fill the position soon.

Ms. Therrien asked for clarification on the vacant position Chief Reeder referenced. Chief Reeder stated the PIO position has been vacant for some time. She stated she feels it is critical for the department to have a social media presence. She stated she has been trying to perform the PIO duties, but she really needs to fill the position.

Mr. Cleworth asked whether the position is one of the budgeted clerk positions. Chief Reeder stated affirmatively.

Ms. Rogers commended Chief Reeder for the innovative energy she brings to FPD and for her relationship-building efforts within the community.

Mayor Matherly spoke to the importance of masking and shared that he continues to talk to the community about it. He stated there have been a few more Fairbanks COVID-related deaths, and he wants everyone to take it very seriously. He stated things are going to be different for a while, and he would keep the Council posted. **Mayor Matherly** spoke of the homeless camp being slowly dismantled on the South side. He commended Housing and Homeless Coordinator Mike Sanders for his campaign to inform everyone living there about other housing options.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers spoke to the email she received from Mr. Salzman and shared that the issue should be dealt with. She thanked Mayor Matherly for promoting the importance of wearing a mask.

Ms. Therrien thanked Mayor Matherly for his masking efforts throughout the community.

Mr. Pruhs stated he had no comments.

Mr. Cleworth stated the traffic circles have become a maintenance nightmare for Public Works, and he acknowledged Mr. Salzman's concerns relating to that issue. He spoke to the various maintenance and snow plowing challenges the traffic circles have caused since they were built.

Ms. Rogers stated that Mr. Salzman's concern about the foliage is valid, and she hopes a better solution can be found.

Mr. Gibson stated he had no comments.

NEW BUSINESS

- a) Resolution No. 4926 – A Resolution Approving a Memorandum of Agreement with the Fairbanks North Star Borough Regarding Maintenance of Gordon Wear Park. Introduced by Mayor Matherly.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 4927 – A Resolution Approving an Agreement for Recovery of Administrative Costs for Implementation and Recovery of Emergency Medical Services and Transportation of Medicaid Patients Program. Introduced by Mayor Matherly.

Mr. Gibson, seconded by **Mr. Cleworth**, moved to APPROVE Resolution No. 4927.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to AMEND Resolution No. 4927 by striking the words “in the amount of” in the fifth whereas and replacing with the words, “of less than.”

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4927 BY STRIKING THE WORDS “IN THE AMOUNT OF” IN THE FIFTH WHEREAS AND REPLACING WITH THE WORDS, “OF LESS THAN” AS FOLLOWS:

YEAS: Gibson, Cleworth, Rogers, Therrien, Pruhs
NAYS: None
ABSENT: Kun

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4927, AS AMENDED, AS FOLLOWS:

YEAS: Therrien, Rogers, Pruhs, Gibson, Cleworth
NAYS: None
ABSENT: Kun
Mayor Matherly declared the MOTION CARRIED and Resolution No. 4927, as Amended, APPROVED.

- c) Resolution No. 4928 – A Resolution Extending for a Fourth Time the Mayor's Declaration of a Disaster Emergency, Extending the Temporary Provisions of Ordinance No. 6126 Regarding Telephonic Participation of Council Members and Conduct of Council Meetings, and Extending the Mayor's Authority Regarding the Use of City Equipment and Personnel Outside City Limits. Introduced by Mayor Matherly.

Mr. Gibson, seconded by **Ms. Rogers**, moved to APPROVE Resolution No. 4928.

Mr. Gibson stated he pulled the ordinance because he would like to direct that City Council meetings be held via an online platform.

Mr. Gibson, seconded by **Ms. Rogers**, moved to AMEND Resolution No. 4928 by adding a new “FURTHERMORE” statement after the first one to read, “FURTHERMORE, the City Council directs remote participation of City Council Members and community members using an online platform.”

Mayor Matherly stated he has spoken with the City Clerk, and if the Council goes online there will be a training piece that needs to happen to make it possible.

Ms. Rogers stated it is a good thing to work toward, but it may not be necessary presently.

Ms. Therrien asked what an online platform is. **Mr. Gibson** stated it is like Zoom meetings or something similar. He stated that it would allow people to participate in other ways besides in person. **Ms. Therrien** stated that she does not have internet service at her home, and she suggested having a phone option. **Mr. Gibson** stated that members would still be able to attend by phone, and he trusts that the Clerk and the Mayor could work out a system to accommodate the public.

Mayor Matherly asked if the word “suggest” should be used instead of “direct.” **Mr. Gibson** stated the purpose of his motion is to ensure that it is done, not just intended.

Ms. Therrien asked to hear from the City Clerk about the proposed language change. Clerk Snider reported there are a few challenges, but she believes Mr. Gibson’s motion is achievable. She indicated that everyone will need to learn how to make it work. She stated the last thing she would want is to have a meeting that did not allow for public comment or prohibited public involvement in any way. She stated that if the Council gives the directive, she will do what it takes to make it happen.

Mr. Meeks stated that Ms. Snider will most likely have to have one of her staff attend meetings to help run everything during a Council meeting. Ms. Snider confirmed that if she is directed to move meetings to an online platform, she will have a staff member attend to help.

Ms. Therrien asked about the cost of having a second staff member assist during meetings. Ms. Snider reported that it would equate to about eight additional staff hours per month. Members discussed telephonic options with the Clerk.

Mayor Matherly stated he would work closely with Ms. Snider to make sure an online platform would be made available to the public.

Ms. Rogers stated she understands the importance of the issue but suggested that it could be handled in a separate resolution due to the potential additional cost.

Mr. Cleworth stated he would be against having a second Clerk’s Office staff person present at meetings unless COVID funds could be used to cover the additional cost. Chief Financial Officer Bell confirmed that the cost would be reimbursable, and the City has until December 31, 2020 to use COVID funds.

Mayor Matherly stated he would work with Mr. Meeks, Ms. Snider, and Ms. Bell to come up with a solution.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 4928 BY ADDING A NEW “FURTHERMORE” STATEMENT AFTER THE FIRST ONE TO READ, “FURTHERMORE, THE CITY COUNCIL DIRECTS REMOTE PARTICIPATION OF CITY COUNCIL MEMBERS AND COMMUNITY MEMBERS USING AN ONLINE PLATFORM” AS FOLLOWS:

YEAS: Gibson, Therrien, Pruhs, Cleworth, Rogers

NAYS: None

ABSENT: Kun

Mayor Matherly declared the MOTION CARRIED.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 4928 AS AMENDED AS FOLLOWS:

YEAS: Rogers, Gibson, Therrien, Pruhs, Cleworth
NAYS: None
ABSENT: Kun
Mayor Matherly declared the MOTION CARRIED and Resolution No. 4928, as Amended, APPROVED.

DISCUSSION ITEMS

a) Committee Reports

Fairbanks Diversity Council – **Ms. Rogers** reported that she attended the FDC meeting via Zoom, but her mic was not working. She stated she understands that many things will need to be worked out regarding the online platform.

Permanent Fund Review Board – **Ms. Therrien** stated the Board met on July 22, and they are happy to have Jen Imus back. She stated that, as of June 30, the Fund balance was \$130 million, and she spoke briefly to the annual drawdown. She stated there have been a lot of changes in the market, and the meeting brought not all good news.

WRITTEN COMMUNICATIONS TO COUNCIL

a) Appointment of Fire Chief

Mr. Cleworth, seconded by **Ms. Rogers**, moved to APPROVE the Appointment of the Fire Chief.

Mr. Cleworth stated that Mr. Tod Chambers is an extremely balanced person who he appreciates.

Mr. Pruhs wished Mr. Chambers good luck and Godspeed, and he congratulated him.

Ms. Rogers spoke to her knowledge about Mr. Chambers. She spoke at length to all Mr. Chambers' good qualities and spoke highly of him. She stated she could not think of a more professional, fine gentleman for the position.

Ms. Therrien congratulated Mr. Chambers on his promotion and shared that she looks forward to working with him.

Mr. Chambers thanked the Council for their support and stated that he hopes to lead by serving.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE APPOINTMENT OF THE FIRE CHIEF AS FOLLOWS:

YEAS: Cleworth, Pruhs, Rogers, Gibson, Therrien
NAYS: None
ABSENT: Kun

Mayor Matherly declared the MOTION CARRIED.

- b) Memorandum Regarding Yukon Quest Property Lease

ACCEPTED on the CONSENT AGENDA.

- c) Permanent Fund Review Board Meeting Minutes of January 27, 2020

ACCEPTED on the CONSENT AGENDA.

- d) Fairbanks Diversity Council Meeting Minutes of February 11, 2020

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Ms. Rogers stated she had no comments.

Ms. Therrien stated she hopes the Council can come up with a solution to the gasoline tax issue so they can fill the gap within the tax cap.

Mr. Pruhs stated he had no comments.

Mr. Cleworth thanked Deputy City Attorney Tish Gonzalez for attending the Council meeting; he stated he enjoyed working with her the previous week. He stated he spoke with City Engineer Bob Pristash about the Minnie Street project, and it appears that notice has not gone out to residents about the project yet. He shared his concerns with some City street projects, to include the speed humps on 30th Avenue. **Mr. Cleworth** spoke about the expense of each speed hump and stated that people find different roads to travel to avoid the speed humps, which creates a problem in another neighborhood. He objected to the speed humps on 30th Avenue.

Mr. Gibson stated he had no comments.

CITY ATTORNEY'S REPORT

- a) Memorandum Regarding City Attorney's Appointment to the AMLJIA Board of Trustees

ACCEPTED on the CONSENT AGENDA.

Ms. Therrien, seconded by **Mr. Gibson**, moved to ENTER Executive Session for the purpose of discussing PSEA Fairbanks Police Command Unit (PFCU) Labor Negotiation Strategy.

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

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

EXECUTIVE SESSION

- a) PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy

The City Council met in Executive Session to discuss PSEA Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy. Direction was given to the negotiating team, and no action was taken.

ADJOURNMENT

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

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

Mayor Matherly declared the meeting adjourned at 9:18 p.m.

JIM MATHERLY, MAYOR

ATTEST:

D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: EB



MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Marijuana License Renewals

DATE: August 18, 2020

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

Lic. #	DBA	License Type	Licensee	Address
14467	Tanana Herb Company, LLC	Standard Marijuana Cultivation Facility	Tanana Herb Company, LLC	1200 Well Street
10131	Pakalolo Supply Company, Inc.	Retail Marijuana Store	Pakalolo Supply Company, Inc.	1851 Fox Avenue
10230	Pakalolo Supply Company, Inc.	Standard Marijuana Cultivation Facility	Pakalolo Supply Company, Inc.	1851 Fox Avenue

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 renewals is September 11, 2020.

Pursuant to FGC Sec. 14-215(b)(12), I have inquired about complaints filed with the Fairbanks North Star Borough (FNSB), the City of Fairbanks, and AMCO in regard to the above-listed marijuana establishments. The FNSB and AMCO reported that there have been no complaints or notices of violation filed within the past 12 months, and the City of Fairbanks has no complaints on file.

The Fairbanks Police Department has included a call report for the above-listed locations; however, there are no recommended protests by FPD. There are **no departmental objections** to the above-listed marijuana license renewal applications. Please contact me if you need any further information.

Incident / Event (Search) ✖

[Event Info](#)
[Notes](#)
[Times](#)
[R/E Log](#)
[Other](#)
[Log Entry](#)
[Ani/Al](#)
[Patients](#)
[Employee](#)
[Names](#)
[Vehicles](#)

1200 WELL ST

FPD

Rpt only

Include delayed events
 Include cancelled events

ONESolution CAD

No match found.

CITY OF FAIRBANKS PUBLIC SAFETY

PAKALOLO SUPPLY CO 1851 FOX AVE

07/21/2019-07/19/2020


Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	01/23/2020 15:44	SI -VID	1851 FOX AVE	O7	NRP	01/23/2020 15:52:09
	01/21/2020 05:59	ALARM BURGLARY -	1851 FOX AVE	O26	FAB	01/21/2020 06:28:41
	12/06/2019 02:59	ALARM BURGLARY -	1851 FOX AVE	O41	FAB	12/06/2019 03:11:46
	11/09/2019 02:56	ALARM BURGLARY -	1851 FOX AVE	O32	FAN	11/09/2019 03:07:29
	11/05/2019 01:37	ALARM BURGLARY -	1851 FOX AVE	S3	FAB	11/05/2019 01:50:55
	11/05/2019 00:00	ALARM BURGLARY -	1851 FOX AVE	S3	FAB	11/05/2019 00:11:17

Total Number of Events Listed: **6**

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly and City Council Members
FROM: D. Danyielle Snider, MMC, City Clerk 
SUBJECT: Application for Liquor License Transfer – Controlling Interest Only
DATE: August 18, 2020

An application has been received by the State Alcohol and Marijuana Control Office (AMCO) for transfer of controlling interest for the following liquor license applicant:

License Type: Package Store, License #4076
DBA: **Brown Jug - Fairbanks**
Licensee/Applicant: Liquor Stores USA North, Inc.
Physical Location: 559 Harold Bentley Drive, Fairbanks

Corp/LLC Agent:	Address	Phone	Date/State of Incorporation	Good standing?
Liquor Stores USA North, Inc. Amy J Shimek	3909 Arctic Blvd., Ste. 500 Anchorage, AK 99503	907-222-9564	08/27/2008 – AK	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Entity Ownership:	Address	Phone	Title/Shares (%)
Afognak Commercial Group, LLC	3909 Arctic Blvd., Ste 500 Anchorage, AK 99503	907-222-9564	Shareholder / 100%

This is a transfer of controlling interest only; currently, Liquor Stores USA Holdings, Inc. is 100% shareholder.

Pursuant to FCG Sec. 14-178, the Council must determine whether to protest the liquor license action after holding a public hearing.

The Fairbanks Police Department (FPD) has included a list of calls to this location within the past year (see attached); however, FPD is not recommending protest. There are **no departmental objections** to this application for transfer of controlling interest.

CITY OF FAIRBANKS PUBLIC SAFETY

BROWN JUG 559 HAROLD BENTLEY DRIVE

07-21-2019-07-19-2020

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
20001430	05/05/2020 06:17	SUPPLEMENTAL-	559 HAROLD BENTLEY	O4	NRP	05/05/2020 10:22:00
20001386	04/30/2020 20:39	THEFT FROM	559 HAROLD BENTLEY	DESK	RPT	04/30/2020 21:45:49
	04/10/2020 01:50	ALARM BURGLARY -	559 HAROLD BENTLEY	O5	FAB	04/10/2020 02:04:53
	03/07/2020 08:44	ALARM BURGLARY -	559 HAROLD BENTLEY	O9	NRP	03/07/2020 08:51:05
	01/30/2020 19:39	TRESPASS/UNWANTE	559 HAROLD BENTLEY	L3	NRP	01/30/2020 20:11:07
	01/24/2020 22:34	TRESPASS/UNWANTE	559 HAROLD BENTLEY	O54	NRP	01/24/2020 22:52:02
	01/14/2020 20:37	SUSPICIOUS PERSON	559 HAROLD BENTLEY	O34	NRP	01/14/2020 21:28:05
	01/10/2020 01:16	ALARM BURGLARY -	559 HAROLD BENTLEY	O19	FAB	01/10/2020 01:27:01
	01/09/2020 23:25	ALARM BURGLARY -	559 HAROLD BENTLEY	O5	NRP	01/10/2020 00:28:42
	01/04/2020 00:46	ALARM BURGLARY -	559 HAROLD BENTLEY	S5	FAN	01/04/2020 01:06:30
	12/28/2019 06:02	ALARM BURGLARY -	559 HAROLD BENTLEY	S11	FAB	12/28/2019 06:23:56
	12/09/2019 18:59	ROAD RAGE - DELTA	559 HAROLD BENTLEY	O53	NRP	12/09/2019 20:06:28
19004353	11/15/2019 15:20	MVC - NO INJURIES -	559 HAROLD BENTLEY	O29	RPT	11/15/2019 16:21:07
	11/10/2019 19:47	MVC - NO INJURIES -	559 HAROLD BENTLEY	I41	NRP	11/10/2019 20:19:20
	10/15/2019 19:26	DUI - PARKED -	559 HAROLD BENTLEY	O19	SUBL	10/15/2019 19:54:16
	10/09/2019 22:06	REDDI	559 HAROLD BENTLEY	O19	NRP	10/09/2019 22:17:38
19003799	09/29/2019 21:07	THEFT - DELTA	559 HAROLD BENTLEY	O29	RPT	09/29/2019 21:35:28
	09/17/2019 00:46	SUSPICIOUS	559 HAROLD BENTLEY	S11	NRP	09/17/2019 01:03:27
19003540	09/12/2019 22:00	DUI - MOVING - DELTA	559 HAROLD BENTLEY	O21	RPT	09/13/2019 01:22:15
19002767	08/06/2019 15:40	SI - FOLLOW-UP	559 HAROLD BENTLEY	O41	RPT	08/06/2019 16:16:52
19002767	07/28/2019 19:04	SI - FOLLOW-UP	559 HAROLD BENTLEY	O22	RPT	07/31/2019 14:47:27
19002767	07/22/2019 20:35	THEFT - DELTA	559 HAROLD BENTLEY	O41	RPT	07/22/2019 21:28:19


Total Number of Events Listed: **22**

MEMORANDUM

City of Fairbanks Clerk's Office

D. Danyielle Snider, City Clerk

TO: Mayor Jim Matherly & City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Application for New Restaurant/Eating Place Liquor License and Restaurant Designation Permit

DATE: August 18, 2020

An application has been received from the State of Alaska Alcohol and Marijuana Control Office (AMCO) for the following new Restaurant/Eating Place liquor license and Restaurant Designation Permit:

License #: **5926**
License Type: Restaurant/Eating Place
D.B.A.: **FatBurger**
Licensee/Applicant: Arctic Monty, LLC
Physical Location: 3548 Airport Way, Fairbanks, Alaska

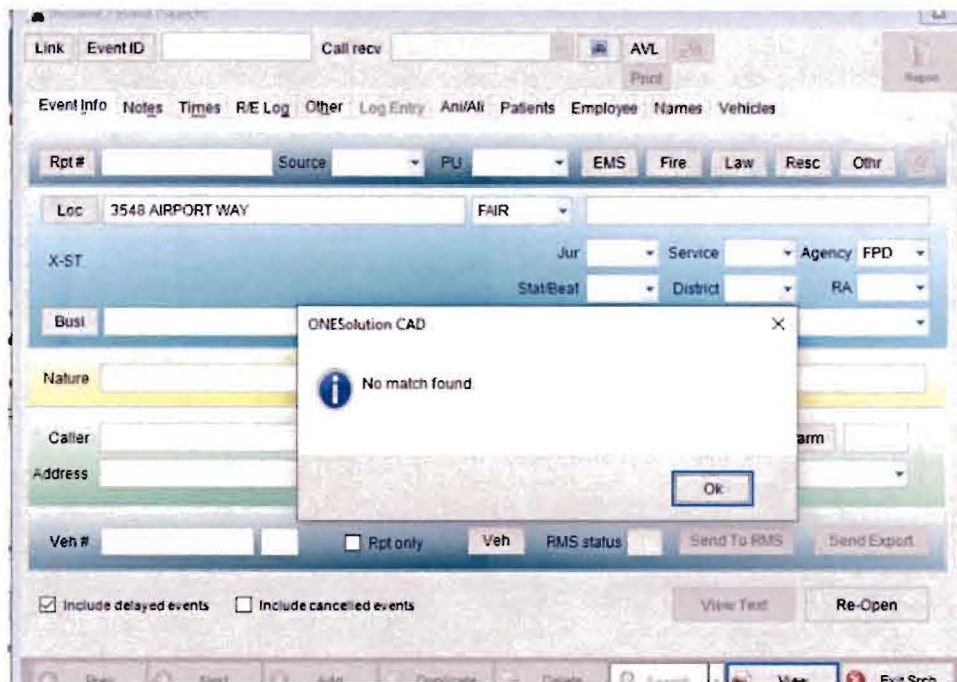
Corp/LLC Agent:	Mailing Address	Date/State of Ltd/Corp	Good standing?
Arctic Monty, LLC. Andrew C. Mitton	405 W. 36th Avenue, Ste. 200 Anchorage, AK 99503	11/13/2018 – AK	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	Address	Phone	Title/Shares (%)
Robert Monteith	1133 North Star Drive North Pole, AK 99705	907-388-5024	Member / 30%
Dala Thomas	1133 North Star Drive North Pole, AK 99705	907-388-4386	Member / 30%
Evyn Ysais	2835 Marathon Way, #1 North Pole, AK 99705	907-687-3724	Member / 20%
Christopher Brenner	2835 Marathon Way, #1 North Pole, AK 99705	907-750-6266	Member / 20%

Pursuant to FCG Sec. 14-178, the City Council may determine whether to protest or waive protest on the liquor license application after holding a public hearing; the public notice requirements of FGC Sec. 14-168(a)(2) have been met.

The Fairbanks Police Department (FPD) has included a call report for the location at 3548 Airport Way, but they are not recommending protest of the license. There are **no departmental objections** to the issuance of this license and Restaurant Designation Permit.





Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

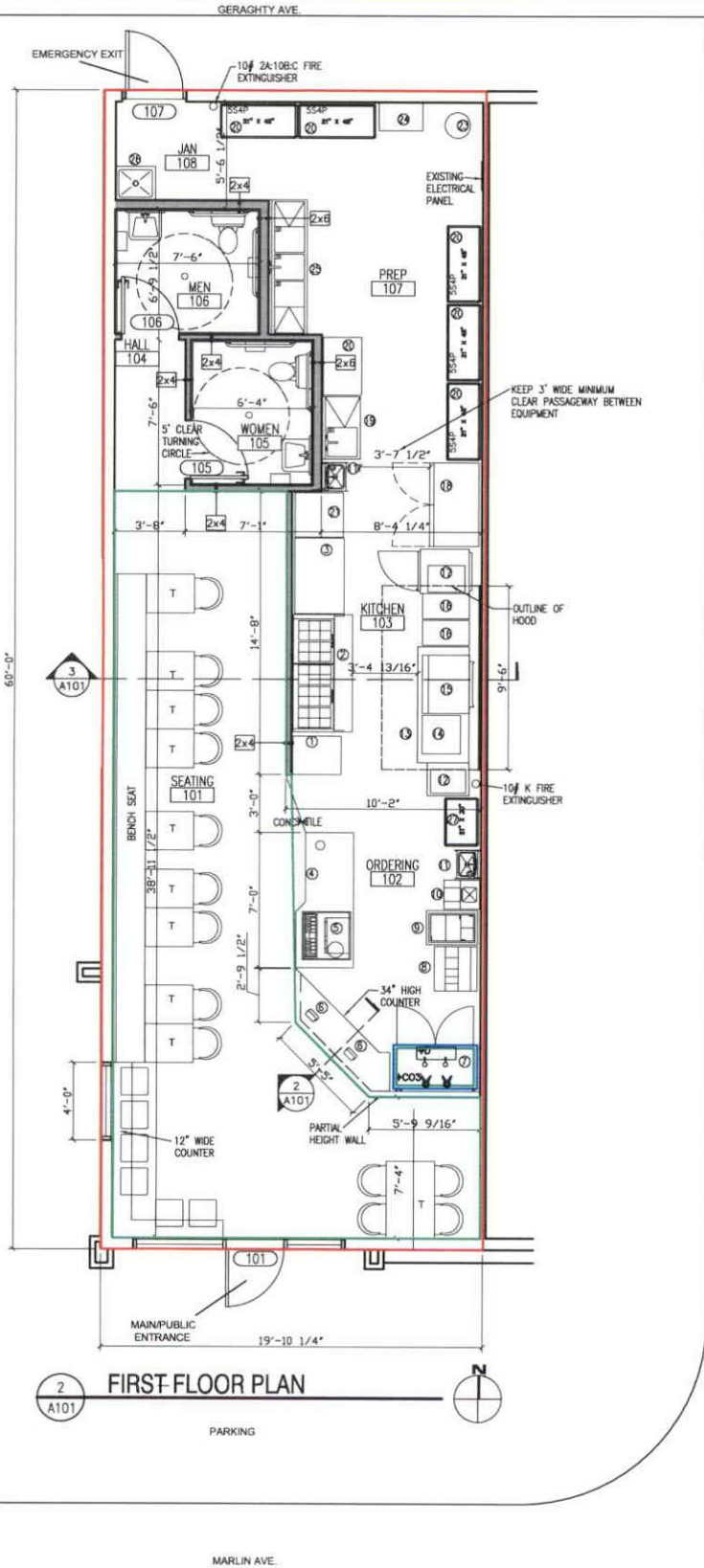
Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Arctic Monty, LLC	License Number:	
License Type:	Restaurant Eating Place		
Doing Business As:	FatBurger		
Premises Address:	3548 Airport Way		
City:	Fairbanks	State:	AK
		ZIP:	99709



GENERAL NOTES:

- 1. — SERVICE/CONSUMPTION
- 2. — STORAGE
- 3. — PREMISES
- 4. T CUSTOMER TABLE

EQUIPMENT LIST

1. STAINLESS TABLE
24"W X 30"D
2. SANDWICH STATION
3. STAINLESS TABLE
4. BEVERAGE COUNTER
5. SODA DISPENSER
6. P.O.S.
7. KEG COOLER
8. FOUNTAINETTE
9. ICE CREAM FREEZER
10. SHAKE DUMP SINK
18"W X 23"D
11. HAND WASH SINK
12. ADVANCE TABCO
PR10-3WT WITH BUN
TOASTER ON TOP
13. REFRIGERATED BASE
14. 2' GAS GRIDDLE
15. 3' GRIDDLE
16. FRYERS
17. WINSTON CVAP W/
FRY DUMP ABOVE
18. UPRIGHT 2 DOOR
FREEZER
19. PREP SINK
20. 4' METRO SHELVING
21. UNDERCOUNTER
FRIDGE MUR-28-N
22. STAINLESS TABLE
23. CO2
24. BAG IN BOX SODA
RACK 8 VALVE
25. 3 COMPARTMENT SINK
WITH DRAIN BOARDS
26. JANITOR SINK
27. METRO SHELVING
21"X30"

FAT BURGER
3548 AIRPORT WAY
FAIRBANKS ALASKA 99709

AMCO

JUL 13 2020

Introduced by: Council Members Therrien, Rogers, and Kun
Finance Committee Review: August 18, 2020
Introduced: August 24, 2020

RESOLUTION NO. 4932

A RESOLUTION IN SUPPORT OF THE DISTRIBUTION OF CARES ACT FUNDING DIRECTLY TO EXPLORE FAIRBANKS FOR A COVID-19 RECOVERY PLAN THAT IS REMARKETING THE DESTINATION

WHEREAS, according to the United States Travel Association, while the overall economy is in a recession, the travel industry is in a depression — at 51%, travel industry unemployment is double the worst year of the Great Depression (25% in 1933); and

WHEREAS, the Alaska Department of Labor and Workforce Development stated: “Every major industry was down from last June. Leisure and hospitality lost the most, numerically and in percent terms, dropping 32.4 percent from June 2019 (-13,800)”; and

WHEREAS, the Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments funding allows payments to remarket the recipient’s convention facilities and tourism industry if the costs of such remarketing expenses incurred publicize the resumption of activities and steps taken to ensure a safe experience needed due to the public health emergency; and

WHEREAS, Explore Fairbanks serves an economic driver in the Fairbanks region by marketing to potential visitors and optimizing the visitor experience; and

WHEREAS, the CARES Act funding is designed to assist small businesses with the cost impact of business interruption and Explore Fairbanks works on the behalf of businesses with 83% having 26 employees or less and 56% having five or fewer employees; and

WHEREAS, Explore Fairbanks has launched a multiprong marketing campaign targeted to the traveling public that informs them on how to travel responsibly in our community within this pandemic environment, informs about the steps that local tourism businesses have taken to address a guest’s safety, provides access to the state mandates for travelers, and invites them to our community when they’re ready to travel; and

WHEREAS, the City of Fairbanks has a 41-year funding history that supports Explore Fairbanks as the marketing arm of the City.

NOW, THEREFORE, BE IT RESOLVED, by the Fairbanks City Council that the City of Fairbanks will distribute up to \$860,000 of its CARES Act funding directly to Explore Fairbanks for expenses incurred through November 30, 2020 to remarket the destination of Fairbanks.

PASSED and APPROVED this 24th Day of August 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

RESOLUTION NO. 4933

**A RESOLUTION SUPPORTING UNITED STATES SENATE BILL S. 4174
PROVIDING EMERGENCY APPROPRIATIONS TO THE UNITED STATES
POSTAL SERVICE**

WHEREAS, Article I of the United States Constitution, Section 8, Clause 7, grants Congress the power to “establish Post Offices and post Roads”; and

WHEREAS, by law, the United States Postal Service (USPS) operates as a basic and fundamental service provided to the people by the Government of the United States and must serve rural, suburban, and urban areas throughout the United States; and

WHEREAS, the USPS is a lifeline for businesses and consumers across the United States, especially those in remote and rural areas of the country; and

WHEREAS, perhaps nowhere is the USPS more essential than in Alaska; and

WHEREAS, a bipartisan group of United States Senators is pushing for emergency funding for the USPS through Senate Bill S. 4174, which would provide \$25 billion to the USPS on the condition the funds be used to cover COVID-19 related losses and expenses and would require the USPS to develop a plan to ensure the long-term solvency of the agency; and

WHEREAS, it is critical to Fairbanks and the entire State of Alaska that Alaska’s United States Senate delegation strongly support Senate Bill S. 4174.

NOW, THEREFORE, the City Council of the City of Fairbanks urges Senator Lisa Murkowski and Senator Dan Sullivan to join in passing Senate Bill S. 4147; and

BE IT FURTHER RESOLVED that the City Clerk is directed to send a copy of this Resolution to Senators Murkowski and Sullivan.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

RESOLUTION NO. 4934

**A RESOLUTION SUPPORTING FNSB ORDINANCE NO. 2020-28, AN
ORDINANCE AMENDING TITLE 4 TO DELEGATE CERTAIN BOARD OF
ADJUSTMENT DUTIES TO THE CITY OF FAIRBANKS, AND AMENDING
TITLE 4 REGARDING APPOINTMENTS TO THE PLANNING
COMMISSION**

WHEREAS, in the coming weeks, the Fairbanks North Star Borough Assembly will consider Ordinance No. 2020-28, which would reestablish the Fairbanks City Council as the board of adjustment for decisions regarding land within the City of Fairbanks; and

WHEREAS, throughout the City's history, the City Council has served as the board of adjustment, but that changed when the Borough Assembly adopted Ordinance No. 2016-36, an ordinance that revoked the Council's authority to sit as the board of adjustment; and

WHEREAS, on February 10, 2020, the City Council passed Resolution No. 4903, A Resolution Requesting the Borough Assembly to Reestablish the City Council as the Board of Adjustment for Appeals Involving Property Located Within the City of Fairbanks; and

WHEREAS, the City Council sincerely believes that appeals involving land use decisions for land located within the corporate boundaries of the City of Fairbanks are best decided by the City Council, the officials elected by the people most affected by such land use decisions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fairbanks urges the Borough Assembly to adopt Ordinance No. 2020-28 and reestablish the Fairbanks City Council as board of adjustment for decisions regarding land within the City of Fairbanks; and

BE IT FURTHER RESOLVED that the City Clerk is directed to provide the Borough Clerk an executed copy of this Resolution for distribution to members of the Borough Assembly.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

ORDINANCE NO. 6139

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE
SECTION 42-3, RETROACTIVE PAY**

WHEREAS, certain City collective bargaining agreements contain complex pay schedules that make processing retroactive wage increases extremely time consuming; and

WHEREAS, the City of Fairbanks has spent administrative time and additional funds, including overtime pay, processing retroactive wage increases; and

WHEREAS, in a recent case, the City of Fairbanks was unable to meet the contractual deadline for processing retroactive pay.

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

Section 1. That Fairbanks General Code Section 42-3. Retroactive Pay, is hereby repealed and reenacted as follows [repealed version shown in ~~striketrough~~ font; reenacted version shown in **bold/underline** font:

~~Sec. 42-3. Retroactive pay.~~

~~It is the policy of the city not to pay retroactive pay in one fiscal year for a previous fiscal year. If the city is negotiating a contract which would call for retroactive pay, and if negotiations will not be completed in the fiscal year in which they were begun, and if it appears approval of the contract will not happen until the next fiscal year, the parties will negotiate a separate agreement on retroactive pay and submit it to the city council no later than the second to the last meeting of the year. If the city council does not approve retroactive pay before the end of the fiscal year, no retroactive pay will be paid for that fiscal year.~~

Sec. 42-3. Retroactive pay.

The City of Fairbanks adopts the following policies regarding retroactive pay:

- (a) To not pay retroactive pay in one fiscal year for a previous fiscal year.**
- (b) To pay negotiated wage increases prospectively.**
- (c) If appropriate, to negotiate retroactive payment of increases to the city's share of the cost of employee benefits.**

Section 2. That the effective date of this Ordinance shall be the 19th day of September 2020.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

ORDINANCE NO. 6140

AN ORDINANCE AMENDING FGC SECTION 74-67 TO INCREASE THE ALCOHOLIC BEVERAGE SALES TAX RATE FROM FIVE PERCENT TO SIX PERCENT

WHEREAS, the alcoholic beverage tax rate has not changed in thirty-five years;
and

WHEREAS, the original ordinance enacting the tax recognized that a great deal of the work of the Fairbanks Police Department is related to the abuse of alcohol; and

WHEREAS, any increase in the tax collected under this section is subject to the provisions of Charter Section 6.5 (tax cap), which would require a reduction in the property tax rate to the extent that the amount of tax collected exceeds the tax cap limit.

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

SECTION 1. That Chapter 74, Article III, Section 74-67 is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 74-67. Alcoholic beverage sales tax levy.

There is levied within the corporate limits of the city a tax equal to ~~six~~**five** percent of the sales price upon all retail sales of alcoholic beverages made within the corporate limits of the city.

SECTION 2. That the effective date of the ordinance shall be the 4th day of January 2021.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6140

Abbreviated Title: ALCOHOL SALES TAX

Department(s): ALL DEPARTMENTS

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 NOTE 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:

PROJECTS:	TOTAL
GENERAL FUND EXPENDITURES	\$467,660
TOTAL	\$467,660

FUNDING SOURCE:	TOTAL
GENERAL FUND REVENUE - ALCOHOL SALES TAX	\$467,660
TOTAL	\$467,660

Effective January 4, 2021, this ordinance would increase alcohol sales tax from 5% to 6%. The amount presented is based on a three-year average. The alcohol sales tax is subject to the provisions of Charter Section 6.5 (tax cap), which would require a reduction in the property tax rate to the extent that the amount of tax collected exceeds the tax cap limit.

Reviewed by Finance Department: Initial mb Date 8/18/2020



800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6788
Fax (907)459-6722

DATE: August 19, 2020
TO: Council Members
THROUGH: Mayor Matherly
FROM: CARES Act Fund Committee
SUBJECT: Direct Funding

The Council charged the CARES Act Fund Committee with the task of allocating and distributing CARES Funds. The committee made recommendations for allocations and created an application process for medical facilities, businesses/non-profits, and individuals/families. This application process was advertised to the public and ensures that the City is spending funds in accordance with the Federal guidelines.

The committee is recommending that direct grants not be awarded for the following reasons:

- It creates a new application process that was not advertised to the public;
- It increases the liability for the City, since the City would have to return funds that are not expended in accordance with Federal guidelines; and
- It increases the workload of staff, since the City would be required to monitor the activities of the grantee until an audit is completed in 2021.

The Committee believes that the changes in Phase II (removing the limit of \$100,000) will allow businesses and non-profits an opportunity to have additional costs reimbursed.