



FAIRBANKS CITY COUNCIL
AGENDA NO. 2021-10
REGULAR MEETING – MAY 10, 2021
MEETING WILL BE HELD VIA ZOOM WEBINAR AND AT
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

WORK SESSION

5:30 p.m. – Emergency Response Standards

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, special procedures are being implemented for City Council Meetings. The Mayor, 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 (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

8. SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
2847	Goldie's AK	Beverage Dispensary	Nash Holland, LLC	659 5th Avenue
2982	Carlson Community Center	Recreational Site	SMG of Alaska, Inc.	2010 Second Avenue
5585	Jazz Bistro on 4th	Restaurant/ Eating Place	Bluenote Create, Inc.	527 4th Avenue, Suite B

9. MAYOR'S COMMENTS AND REPORT

- a) Special Reports

10. COUNCIL MEMBERS' COMMENTS

11. UNFINISHED BUSINESS

- a) Ordinance No. 6164 – An Ordinance Authorizing Conveyance of an Easement Over a Portion of the Right-of-Way Bordering 410 Cushman Street. Introduced by Mayor Matherly. POSTPONED from the Regular Meeting of April 26, 2021; public hearing was held at that time.
- b) Ordinance No. 6165 – An Ordinance Amending the 2021 Operating and Capital Budgets for the Second Time. Introduced by Mayor Matherly. SECOND READING AND PUBLIC HEARING.

- c) Ordinance No. 6167 – An Ordinance Amending Fairbanks General Code Sec. 46-80 Drinking in Public to Exempt Certain Outdoor Recreational Facilities. Introduced by Council Member Gibson. SECOND READING AND PUBLIC HEARING.

12. NEW BUSINESS

- *a) Resolution No. 4969 – A Resolution Awarding a Contract to Richard Stanton Construction for the Fire Training Center Stairwells Replacement Project in the Amount of \$315,040. Introduced by Mayor Matherly.
- *b) Ordinance No. 6168 – An Ordinance to Amend FGC Sec. 74-151 to Include E-Cigarettes and Vaping Devices in the Definition of Tobacco Products Subject to Taxation Under Article V of Chapter 74. Introduced by Council Members Gibson, Therrien, and Rogers.

13. DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

14. WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

15. COUNCIL MEMBERS' COMMENTS

16. CITY CLERK'S REPORT

17. CITY ATTORNEY'S REPORT

18. EXECUTIVE SESSION

- a) Fairbanks Firefighters Union Labor Negotiation Strategy
- b) Fairbanks Police Command Unit (FPCU) Labor Negotiation Strategy

19. ADJOURNMENT



800 Cushman Street
Fairbanks, AK 99701

Telephone (907)459-6702
Fax (907)459-6710

MEMORANDUM

TO: Mayor Matherly and City Council Members

FROM: D. Danyielle Snider, MMC, City Clerk 

SUBJECT: Liquor License Renewals

DATE: May 5, 2021

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

Lic. #	DBA	License Type	Licensee	Address
2847	Goldie's AK	Beverage Dispensary	Nash Holland, LLC	659 5th Avenue
2982	Carlson Community Center	Recreational Site	SMG of Alaska, Inc.	2010 Second Avenue
5585	Jazz Bistro on 4th	Restaurant/ Eating Place	Bluenote Create, Inc.	527 4th Avenue, Suite B

Pursuant to FGC Sec. 14-178 the Council must determine whether to protest liquor license renewal applications after holding a public hearing.

Per the Council's request, the Police Department has included a call report for the locations listed.

There are no department-recommended protests to the above-listed liquor license renewals.

CITY OF FAIRBANKS PUBLIC SAFETY

Goldie`s AK 659 Fifth Avenue

04/03/2020 - 04/01/2021

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
20003446	09/15/2020 12:38	FOUND PROPERTY -	659 FIFTH AVE	O13	RPT	09/15/2020 13:35:17

Total Number of Events Listed: 1

CITY OF FAIRBANKS PUBLIC SAFETY

Carlson Center 2010 Second Avenue

04/03/2020 - 04/01/2021

Report #	Call Time	Nature	Location	Prime Unit	Disp.	Close Time
	03/23/2021 13:10	MINOR TRAF	2010 SECOND AVE	O12	NRP	03/23/2021 13:23:53
21000875	03/10/2021 09:10	SI - FOLLOW-UP	2010 SECOND AVE	O7	RPT	03/10/2021 10:26:19
	02/08/2021 10:45	THREAT SUSP NOT	2010 SECOND AVE	O7	NRP	02/08/2021 12:11:21
	01/14/2021 21:26	SI - SECURITY CHECK	2010 SECOND AVE	VIP1	NRP	01/14/2021 21:31:56
	01/02/2021 02:52	10-36	2010 SECOND AVE	O19	NRP	01/02/2021 02:57:52
	11/08/2020 05:09	10-36	2010 SECOND AVE	O53	NRP	11/08/2020 05:26:06
	11/08/2020 04:31	SI - FIELD CONTACT	2010 SECOND AVE	S3	NRP	11/08/2020 06:17:03
	10/24/2020 01:40	SI - FIELD CONTACT	2010 SECOND AVE	O19	NRP	10/24/2020 01:53:07
	10/23/2020 17:41	MINOR TRAF	2010 SECOND AVE	O9	NRP	10/23/2020 17:55:56
	10/09/2020 11:19	SUSP	2010 SECOND AVE	O50	NRP	10/09/2020 11:53:50
	09/26/2020 04:05	SI - FIELD CONTACT	2010 SECOND AVE	O56	NRP	09/26/2020 04:08:08
20003386	09/12/2020 15:56	TRAFF VIO/COMP	2010 SECOND AVE	O19	RPT	09/12/2020 17:39:58
20003363	09/11/2020 17:28	WANTED VEHICLE -	2010 SECOND AVE	O13	RPT	09/11/2020 19:53:28
20003340	09/09/2020 10:35	DAMAGE/VANDALISM	2010 SECOND AVE	DESK	RPT	09/09/2020 11:15:48
	08/29/2020 02:12	SI - FIELD CONTACT	2010 SECOND AVE	O55	NRP	08/29/2020 02:15:26
	08/05/2020 03:58	SI - FIELD CONTACT	2010 SECOND AVE	S11	NRP	08/05/2020 04:03:21
	08/02/2020 19:46	MINOR TRAF	2010 SECOND AVE	O2	NRP	08/02/2020 22:00:30
	07/09/2020 23:00	SHOTS FIRED -	2010 SECOND AVE	O41	NRP	07/10/2020 01:38:25
	07/08/2020 21:23	TRAFF VIO/COMP	2010 SECOND AVE	L6	NRP	07/08/2020 22:53:49
	06/06/2020 09:28	FOUND PROPERTY -	2010 SECOND AVE	O54	NRP	06/06/2020 10:42:05
	05/21/2020 17:34	ROAD RAGE - DELTA	2010 SECOND AVE	O54	NRP	05/21/2020 17:53:02
20001589	05/18/2020 09:33	PAST BURGLARY -	2010 SECOND AVE	O13	RPT	05/18/2020 10:51:36
	04/25/2020 22:10	SI - SECURITY CHECK	2010 SECOND AVE	S5	NRP	04/25/2020 22:12:35

Total Number of Events Listed: 23

Incident / Event (Search) Σ

Link Event ID Call recv AVL Report

Print

Event Info **Notes** Times R/E Log Other Log Entry Ani/Ali Patients Employee Names Vehicles

Rpt# Source PU EMS Fire Law Resc Othr 🔍

Loc 527 FOURTH AVE FAIR

X-ST Jur Service Agency FPD

Stat/Beat District RA

Busi JAZZ BISTRO ON 4TH AVE Ph# () - Call group

Nature QA

Caller Alarm


Address OS

Veh # o RMS Send Export

Include delayed events Include cancelled events View Text Re-Open

⏪ Prev
⏩ Next
➕ Add
📄 Duplicate
🗑 Delete
🔍 Search
👁 View
🚫 Exit Srch

ONESolution CAD Σ

 No match found.

Ok

ORDINANCE NO. 6164

**AN ORDINANCE AUTHORIZING CONVEYANCE OF AN EASEMENT
OVER A PORTION OF THE RIGHT-OF-WAY BORDERING 410
CUSHMAN STREET**

WHEREAS, in 2014, pursuant to Ordinance No. 5885, as Amended (7/23/2012) and Resolution No. 4633 (6/9/2014), the City sold the building then known as Old City Hall, 410 Cushman Street, comprising a portion of Lot 4, Block 66A, to Patrick Levy, d/b/a Fairbanks Distilling Company; and

WHEREAS, Fairbanks Distilling Company wishes to establish an outside seating area on the east side of the business (Cushman Street side) and in drawing up plans for the area discovered that the dividing line between its property and the adjacent City right-of-way bisects the building's front steps and flower beds, thus not allowing room for the proposed outside seating area (see Exhibit A-1); and

WHEREAS, as an interim measure, the Fairbanks Distilling Company has requested that the City grant it an easement over a portion of the right-of-way (see Exhibit A-2 and A-3) so that the outside seating area can be put in place in time for the 2021 summer season, while giving the parties time to negotiate a full transfer of this parcel; and

WHEREAS, the Council believes that this easement is an appropriate interim step as it would allow for the expansion of this downtown business enterprise while giving the parties time to develop a possible long-term solution.

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

SECTION 1. That the Mayor is authorized to execute the conveyance of easement in a form substantially similar to Exhibit B hereto.

SECTION 2. That the effective date of this ordinance is the _____ day of May 2021.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

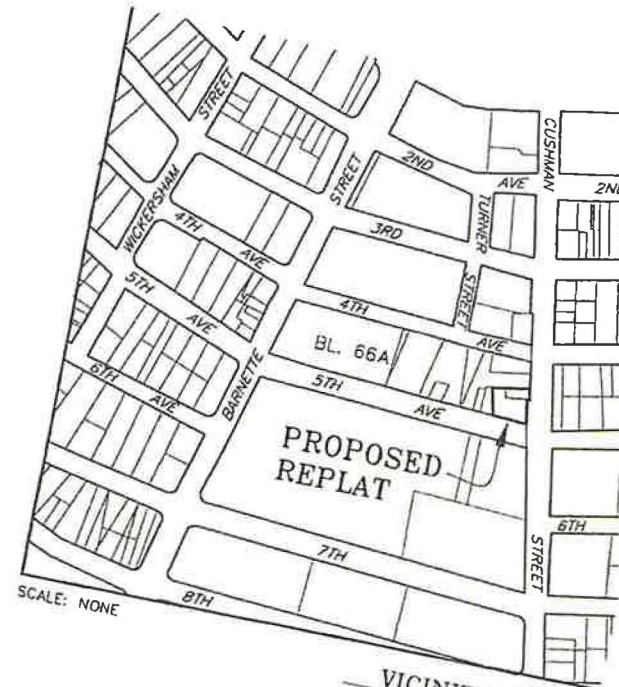
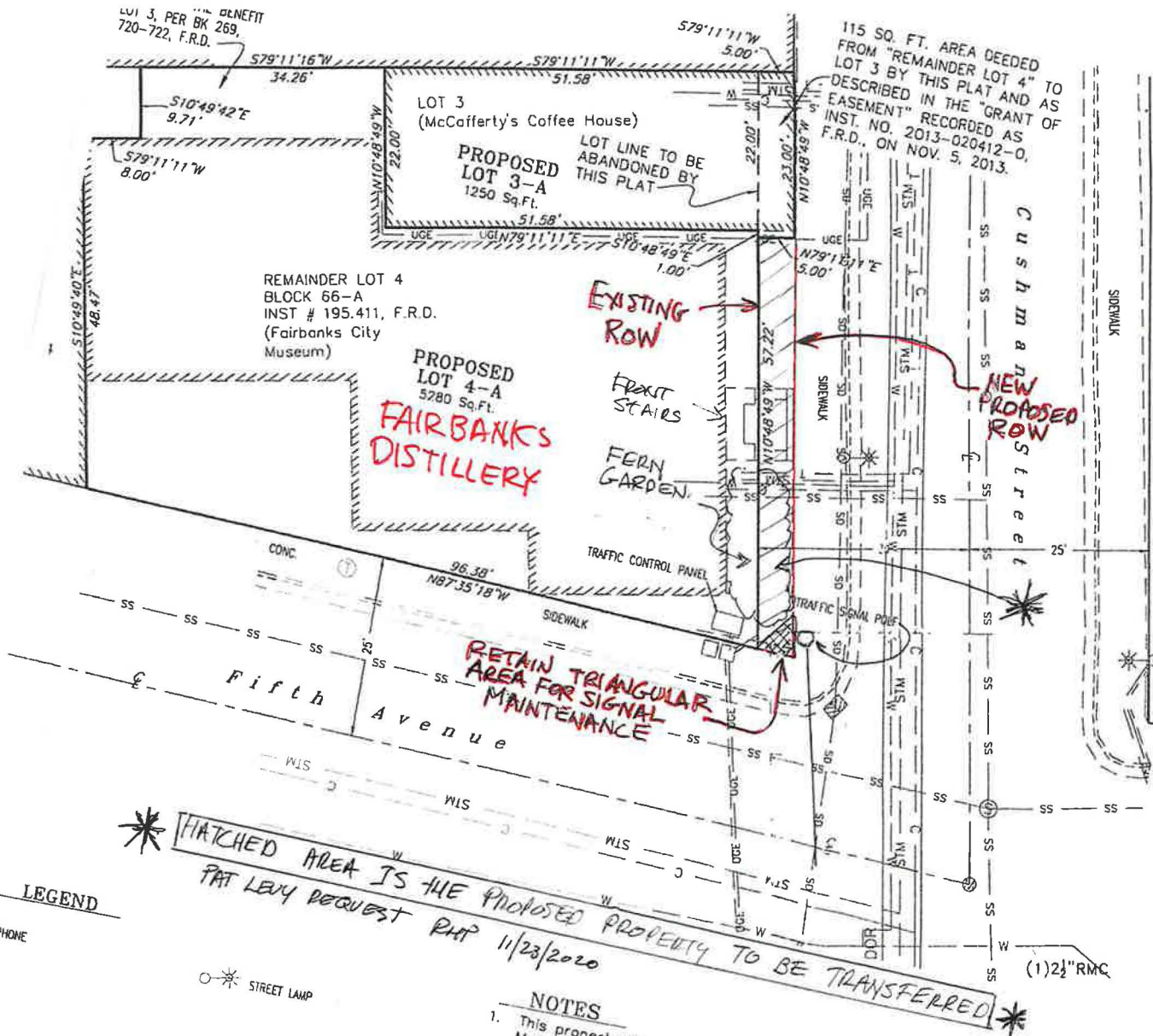
APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney







LEGAL DESCRIPTION

Lot 3, Block 66-A of the Plat of the Resubdivision of Block TOWNSITE OF FAIRBANKS, according to the plat filed November Instrument No. 195.411, Fairbanks Recording District, Fairbanks OWNERS: William K. Rogers and Betty J. Rogers
 AND
 Lot 4, Block 66-A of the Plat of the Resubdivision of Block TOWNSITE OF FAIRBANKS, according to the plat filed November Instrument No. 195.411, Fairbanks Recording District, Fairbanks EXCEPTING THEREFROM that portion conveyed to Charles E. Cole by deed recorded June 2, 1972 in Book 269, Page 72, District, Fairbanks, Alaska
 OWNER: City of Fairbanks, Alaska

**FNSB
 PLATTING BOARD
 Preliminary Approval**

NOTES

1. This property lies within Flood Zone "X" (shaded) as per the Flood Insurance Map #02090C4378J, dated March 17, 2014.
2. This property is not within the limits of the...

LEGEND

- * STREET LAMP

MATCHED AREA IS THE PROPOSED PROPERTY TO BE TRANSFERRED

PAT LEVY REQUEST RMP 11/23/2020

EXHIBIT B TO ORDINANCE No 6164

Record: Fairbanks Recording District

GRANT OF EASEMENT

THIS Easement entered into this ____ day of _____ 2021, by and between the CITY OF FAIRBANKS, a municipal corporation of the State of Alaska, 800 Cushman Street, Fairbanks, Alaska, 99701, as GRANTOR, and Patrick Levy d/b/a Fairbanks Distilling Company, 410 Cushman Street, Fairbanks Alaska 99701 as GRANTEE,

WITNESSETH:

The GRANTOR, for good and valuable consideration, being seized in title, and duly authorized has this day granted an easement to GRANTEE for the purposes of access and use as an outside seating area for Grantee’s business, Fairbanks Distilling Company, upon the following described parcel of land:

EASEMENT PARCEL

A strip of ground comprising a portion of **the right-of-way along the eastern lot line of** Lot 4A, Block 66-A, of the Replat of Lots 3 and 4, Block 66-A of the Resubdivision of Blocks 48, 66, 75 and 86, FAIRBANKS TOWNSITE, according to the replat filed November 17, 2017, as Plat Number 2017-88, records of the Fairbanks Recording District, described as follows:

Commencing at the Southeast Corner of Lot 4A, proceed N 10° 48’ 23” W along the eastern lot line of Lot 4A a distance of 6 feet to a point, and Point of Beginning, continue thence N 10° 48’ 23” W 51.22’, thence along the line common to Lots 4A and 3A N 79° 11’ 47” E 5.00’, thence parallel to the East lot line of Lot 4A S 10° 48” 23” E 51.22’, thence S 79° 11’ 47” W 5.00’ to the Point of Beginning, as shown on the attached drawing.

This Grant of Easement will terminate on April 30, 2023 unless extended by written agreement of the parties. **No permanent structure shall be placed in this easement, and no improvement may be located in the easement parcel that is within 1.65 feet of the line common to Lots 4A and 3A .**

IN WITNESS WHEREOF, the GRANTOR has caused this instrument to be executed on the day and year first written above.

**GRANTOR
CITY OF FAIRBANKS**

Jim Matherly, Mayor

ORDINANCE NO. 6165

**AN ORDINANCE AMENDING THE 2021 OPERATING
AND CAPITAL BUDGETS FOR THE SECOND TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2021 operating and capital budget.

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

SECTION 1. There is hereby appropriated to the 2021 General Fund and Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021 (see pages 2 and 3):

GENERAL FUND

<u>REVENUE</u>	COUNCIL APPROPRIATION	INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes, (all sources)	\$ 21,266,773	\$ -	\$ 21,266,773
Charges for Services	5,566,800	-	5,566,800
Intergovernmental Revenues	1,646,150	-	1,646,150
Licenses & Permits	1,759,950	-	1,759,950
Fines, Forfeitures & Penalties	486,500	-	486,500
Interest & Penalties	185,500	-	185,500
Rental & Lease Income	145,762	-	145,762
Other Revenues	221,000	-	221,000
Other Financing Sources	3,389,364	(400,000)	2,989,364
Total revenue appropriation	<u>\$ 34,667,799</u>	<u>\$ (400,000)</u>	<u>\$ 34,267,799</u>
<u>EXPENDITURES</u>			
Mayor Department	\$ 695,554	\$ -	\$ 695,554
Legal Department	204,993	-	204,993
Office of the City Clerk	427,465	-	427,465
Finance Department	1,009,811	-	1,009,811
Information Technology	2,323,802	-	2,323,802
General Account	3,865,387	-	3,865,387
Police Department	7,410,915	-	7,410,915
Communications Center	2,572,479	-	2,572,479
Fire Department	7,453,687	-	7,453,687
Public Works Department	8,809,140	-	8,809,140
Engineering Department	826,268	-	826,268
Building Department	675,889	-	675,889
Total expenditure appropriation	<u>\$ 36,275,390</u>	<u>\$ -</u>	<u>\$ 36,275,390</u>
Estimated general fund balance	\$ 13,358,295	\$ -	\$ 13,358,295
Prior year encumbrances	(518,563)	-	(518,563)
Transfers to other funds	(1,500,000)	(400,000)	(1,900,000)
Increase (Decrease) to fund balance	410,972	-	410,972
2021 estimated unassigned balance	<u>\$ 11,750,704</u>	<u>\$ (400,000)</u>	<u>\$ 11,350,704</u>
Minimum unassigned fund balance requirement is 20% of budgeted annual			<u>\$ 7,255,078</u>

CAPITAL FUND

<u>REVENUE</u>	COUNCIL APPROPRIATION	INCREASE (DECREASE)	AMENDED APPROPRIATION
Transfer from Permanent Fund	\$ 648,139	\$ -	\$ 648,139
Transfer from General Fund	1,500,000	-	1,500,000
Property Repair & Replacement	145,000	-	145,000
Public Works	250,000	-	250,000
Garbage Equipment Reserve	255,750	-	255,750
IT	70,000	-	70,000
Police	180,000	-	180,000
Communications Center	140,000	-	140,000
Fire	290,000	-	290,000
Building	10,000	-	10,000
Total revenue appropriation	<u>\$ 3,488,889</u>	<u>\$ -</u>	<u>\$ 3,488,889</u>
 <u>EXPENDITURES</u>			
Property Repair & Replacement	\$ 1,016,055	\$ 140,000	\$ 1,156,055
Public Works Department	1,146,837	-	1,146,837
IT Department	240,305	-	240,305
Police Department	463,078	-	463,078
Fire Department	761,878	-	761,878
Road Maintenance	567,776	-	567,776
Total expenditure appropriation	<u>\$ 4,195,929</u>	<u>\$ 140,000</u>	<u>\$ 4,335,929</u>
Estimated capital fund balance	\$ 13,895,485	\$ -	\$ 13,895,485
Prior year encumbrances	(1,547,570)	-	(1,547,570)
Increase (Decrease) to fund balance	840,530	(140,000)	700,530
2021 estimated assigned fund balance	<u>\$ 13,188,445</u>	<u>\$ (140,000)</u>	<u>\$ 13,048,445</u>

SECTION 2. All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021.

SECTION 3. The effective date of this ordinance shall be the 10th day of May 2021.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

FISCAL NOTE
ORDINANCE NO. 6165
AMENDING THE 2021 OPERATING AND CAPITAL BUDGETS
FOR THE SECOND TIME

GENERAL FUND
\$400,000 Decrease in Revenue
\$0 Increase in Expenditures

Revenue

1. Tax Revenue
2. Charges for Services
3. Intergovernmental Revenues
4. License and Permits
5. Other Revenue
6. Other Financing Sources
 - (\$400,000) transfer to the Fairbanks Transportation Center Fund

Expenditures

1. Mayor & Council
2. City Attorney's Office
3. City Clerk's Office
4. Finance Department
5. Information Technology
6. General Account
7. Police Department
8. Dispatch
9. Fire Department
10. Public Works
11. Engineering
12. Building Department

CAPITAL FUND
\$0 Increase in Revenue
\$140,000 Increase in Expenditures

Revenue

1. Other Financing Sources

Expenditures

2. Property Repair & Replacement
 - \$140,000 increase for Fire Training Center Stairwell Replacement Project
3. Public Works
4. Garbage Equipment Reserve
5. IT Department
6. Police Department
7. Communications Center
8. Fire Department
9. Road Maintenance

**ORDINANCE NO. 6165, AS AMENDED
(PROPOSED SUBSTITUTE)**

**AN ORDINANCE AMENDING THE 2021 OPERATING
AND CAPITAL BUDGETS FOR THE SECOND TIME**

WHEREAS, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2021 operating and capital budget.

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

SECTION 1. There is hereby appropriated to the 2021 General Fund and Capital Fund budgets the following sources of revenue and expenditures in the amounts indicated to the departments named for the purpose of conducting the business of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021 (see pages 2 and 3) [amendments shown in **bold** font; deleted text or amounts in ~~strikethrough~~ font]:

GENERAL FUND

REVENUE	COUNCIL APPROPRIATION	INCREASE (DECREASE)	AMENDED APPROPRIATION
Taxes, (all sources)	\$ 21,266,773	\$ -	\$ 21,266,773
Charges for Services	5,566,800	-	5,566,800
Intergovernmental Revenues	1,646,150	-	1,646,150
Licenses & Permits	1,759,950	-	1,759,950
Fines, Forfeitures & Penalties	486,500	-	486,500
Interest & Penalties	185,500	-	185,500
Rental & Lease Income	145,762	-	145,762
Other Revenues	221,000	-	221,000
Other Financing Sources	3,389,364	(400,000)	2,989,364
Total revenue appropriation	\$ 34,667,799	\$ (400,000)	\$ 34,267,799
EXPENDITURES			
Mayor Department	\$ 695,554	\$ -	\$ 695,554
Legal Department	204,993	-	204,993
Office of the City Clerk	427,465	-	427,465
Finance Department	1,009,811	-	1,009,811
Information Technology	2,323,802	-	2,323,802
General Account	3,865,387	-	3,865,387
Police Department	7,410,915	-	7,410,915
Communications Center	2,572,479	-	2,572,479
Fire Department	7,453,687	-	7,453,687
Public Works Department	8,809,140	-	8,809,140
Engineering Department	826,268	-	826,268
Building Department	675,889	-	675,889
Total expenditure appropriation	\$ 36,275,390	\$ -	\$ 36,275,390
Estimated general fund balance	\$ 13,297,941	\$ -	\$ 13,297,941
Prior year encumbrances	(518,563)	-	(518,563)
Transfers to other funds	(1,500,000)	(400,000)	(1,900,000)
Increase (Decrease) to fund balance	410,972	-	410,972
2021 estimated unassigned balance	\$ 11,690,350	\$ (400,000)	\$ 11,290,350
Minimum unassigned fund balance requirement is 20% of budgeted annual			\$ 7,255,078

CAPITAL FUND

<u>REVENUE</u>	COUNCIL APPROPRIATION	INCREASE (DECREASE)	AMENDED APPROPRIATION
Transfer from Permanent Fund	\$ 648,139	\$ -	\$ 648,139
Transfer from General Fund	1,500,000	-	1,500,000
Property Repair & Replacement	145,000	-	145,000
Public Works	250,000	-	250,000
Garbage Equipment Reserve	255,750	-	255,750
IT	70,000	-	70,000
Police	180,000	-	180,000
Communications Center	140,000	-	140,000
Fire	290,000	-	290,000
Building	10,000	-	10,000
Total revenue appropriation	<u>\$ 3,488,889</u>	<u>\$ -</u>	<u>\$ 3,488,889</u>
 <u>EXPENDITURES</u>			
Property Repair & Replacement	\$ 1,016,055	\$ 1,140,000	\$ 2,156,055
Public Works Department	1,146,837	-	1,146,837
IT Department	240,305	-	240,305
Police Department	463,078	-	463,078
Fire Department	761,878	-	761,878
Road Maintenance	567,776	-	567,776
Total expenditure appropriation	<u>\$ 4,195,929</u>	<u>\$ 1,140,000</u>	<u>\$ 5,335,929</u>
Estimated capital fund balance	\$ 13,895,485	\$ -	\$ 13,895,485
Prior year encumbrances	(1,547,570)	-	(1,547,570)
Increase (Decrease) to fund balance	840,530	(1,140,000)	(299,470)
2021 estimated assigned fund balance	<u>\$ 13,188,445</u>	<u>\$ (1,140,000)</u>	<u>\$ 12,048,445</u>

SECTION 2. All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing on January 1, 2021 and ending December 31, 2021.

SECTION 3. The effective date of this ordinance is the 10th day of May 2021.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul J. Ewers, City Attorney

FISCAL NOTE
ORDINANCE NO. 6165, AS AMENDED
AMENDING THE 2021 OPERATING AND CAPITAL BUDGETS
FOR THE SECOND TIME

GENERAL FUND
\$400,000 Decrease in Revenue
\$0 Increase in Expenditures

Revenue

1. Tax Revenue
2. Charges for Services
3. Intergovernmental Revenues
4. License and Permits
5. Other Revenue
6. Other Financing Sources
 - (\$400,000) transfer to the Fairbanks Transportation Center Fund

Expenditures

1. Mayor & Council
2. City Attorney's Office
3. City Clerk's Office
4. Finance Department
5. Information Technology
6. General Account
7. Police Department
8. Dispatch
9. Fire Department
10. Public Works
11. Engineering
12. Building Department

CAPITAL FUND
\$0 Increase in Revenue
\$1,140,000 Increase in Expenditures

Revenue

1. Other Financing Sources

Expenditures

1. Property Repair & Replacement
 - \$140,000 increase for Fire Training Center Stairwells Replacement Project
 - **\$1,000,000 increase for the City Hall Steam Heat System Project (City committed \$2,000,000 for this project)**
2. Public Works
3. Garbage Equipment Reserve
4. IT Department
5. Police Department
6. Communications Center
7. Fire Department
8. Road Maintenance

ORDINANCE NO. 6167

**AN ORDINANCE AMENDING FAIRBANKS GENERAL CODE SEC. 46-80
DRINKING IN PUBLIC TO EXEMPT CERTAIN OUTDOOR
RECREATIONAL FACILITIES**

WHEREAS, FGC Sec. 46-80 was amended by Ordinance No. 6150 to make the restriction on drinking in public citywide; and

WHEREAS, the definition of “public place” in Chapter 46 includes all parks and outdoor recreational facilities; and

WHEREAS, the Fairbanks North Star Borough Parks and Recreation Department has a policy (PR 20.01.06) for the designation of non-alcohol parks by the Department in consultation with the Parks and Recreation Commission; and

WHEREAS, the citywide restriction imposed by Ordinance No. 6150 included several outdoor recreational facilities that the borough had not designated as non-alcohol; and

WHEREAS, the Parks and Recreation Department’s designation of non-alcohol parks is reviewed annually and address concerns underlying FGC Sec. 46-80.

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

SECTION 1. Fairbanks General Code Section 46-80. Drinking in public, is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 46-80. Drinking in public.

(a) A person commits the offense of drinking in public if they drink any alcoholic beverage on or in any public place which is not covered by a license issued under the provisions of **Alaska Statute** Title 4, which permits the sale and consumption of alcoholic beverages on the premises.

(b) The prohibition in subsection (a) only applies to borough parks and borough outdoor recreation areas if the borough has banned alcohol from those locations.

SECTION 2. That the effective date of this ordinance is the ____ day of May 2021.

Jim Matherly, Mayor

AYES:
NAYS:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

D. Danyielle Snider, MMC, City Clerk

Paul Ewers, City Attorney

RESOLUTION NO. 4969

**A RESOLUTION AWARDING A CONTRACT TO RICHARD STANTON
CONSTRUCTION FOR THE FIRE TRAINING CENTER STAIRWELLS
REPLACEMENT PROJECT IN THE AMOUNT OF \$315,040**

WHEREAS, in accordance with FGC Chapter 54, Article IV, Competitive Bidding, bids were solicited for the Fire Training Center Stairwells Replacement Project (ITB-21-03); and

WHEREAS, the most responsive bidder for the project is Richard Stanton Construction of Fairbanks in the amount of three hundred fifteen thousand, forty dollars and zero cents (\$315,040.00); and

WHEREAS, this project replaces damaged stairwells at the Fire Training Center; and

WHEREAS, the funding would be provided from the Capital Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks, that the Mayor is hereby authorized to execute a contract and such other documents in a form approved by the City Attorney as may be necessary to effect award of a contract to Richard Stanton Construction for the Fire Training Center Stairwells Replacement Project.

PASSED and APPROVED this 10th Day of May 2021.

Jim Matherly, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

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: 4969

Abbreviated Title: AWARDING CONTRACT TO RICHARD STANTON CONSTRUCTION

Department(s): ENGINEERING DEPARTMENT

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:

PROJECTS:	Equipment	Contracts	Personnel	Total
FIRE TRAINING CENTER STAIRWELLS REPLACEMENT		\$315,040		\$315,040
TOTAL	\$0	\$315,040	\$0	\$315,040

FUNDING SOURCE:	Equipment	Contracts	Personnel	Total
CAPITAL FUND		\$315,040		\$315,040
TOTAL	\$0	\$315,040	\$0	\$315,040

The maintenance costs associated with the stairwells will be performed or contracted by Public Works and incorporated in the annual general fund budget.

Reviewed by Finance Department:

Initial mb

Date 4/27/2021

ORDINANCE NO. 6168

AN ORDINANCE TO AMEND FGC SEC. 74-151 TO INCLUDE E-CIGARETTES AND VAPING DEVICES IN THE DEFINITION OF TOBACCO PRODUCTS SUBJECT TO TAXATION UNDER ARTICLE V OF CHAPTER 74

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

Section 1. Fairbanks General Code Chapter 74, Article V, Tobacco Products Distribution and Excise Tax, Sec. 74-151, Definitions, “*Tobacco product*” is hereby amended as follows [new text in **bold/underline** font; deleted text in ~~strikethrough~~ font]:

Sec. 74-151. Definitions.

Tobacco product means:

- (1) A cigarette, which is a roll for smoking of any size or shape, made wholly or partly of tobacco, whether the tobacco is flavored, adulterated, or mixed with another ingredient, if the wrapper or cover of the roll is made of paper or a material other than tobacco;
- (2) A cigar;
- (3) A cheroot;
- (4) A stogie;
- (5) A perique;
- (6) Snuff and snuff flour;
- (7) Smoking tobacco, including granulated, plug-out, crimp-out, ready-rubbed, and any form of tobacco suitable for smoking in a pipe or cigarette; ~~or~~
- (8) Chewing tobacco, including Cavendish, twist, plug, scrap, and tobacco suitable for chewing; ~~or~~

- (9) An article or product made wholly or in part of tobacco or a tobacco substitute or otherwise containing nicotine that is expected or intended for human consumption, but not including a tobacco cessation substitute, ~~including but not limited to those~~ prescribed by a licensed physician or a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose;

- (10) An electronic smoking device which can be used to deliver aerosolized or vaporized nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. An electronic smoking device includes any component, part, or accessory of such a device, whether or not sold separately, and includes any nicotine substance intended to be aerosolized or vaporized during the use of the device, whether or not it contains nicotine. An electronic smoking device does not include any battery or battery charger when sold separately or smoking cessation products.

Section 2. That the effective date of this Ordinance is the 1st day of July 2021 in order to give the administration time to implement the changes to the tax.

Jim Matherly, City Mayor

AYES:
 NAYS:
 ABSENT:
 FAILED:

ATTEST:

APPROVED AS TO FORM:

 D. Danyielle Snider, MMC, City Clerk

 Paul J. Ewers, City Attorney