



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JULY 24, 2023
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date, following a 5:30 p.m. Work Session for discussion regarding Ordinance No. 6257, to Present Proposition to City Voters on Whether to Exempt Alcohol Tax Revenue Above \$2,000,000 from Tax Cap, 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 David Pruhs presiding and with the following Council Members in attendance:

Council Members 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 (remotely)
D. Danyielle Snider, City Clerk
Thomas Chard, City Attorney
Michael Sanders, Chief of Staff
Ron Dupee, Police Chief
Rick Sweet, Deputy Police Chief
Nate Warner, Police Captain
Scott Raygor, Fire Chief
Andrew Cocco, Assistant Fire Chief
Kristi Merideth, Dispatch Manager (remotely)
Jessica Krier, HR Generalist
Teal Soden, FPD Public Information Officer
Brynn Butler, Housing Coordinator
Brenda McFarlane, Crisis Now Coordinator
Alejandro Perez Olivares, Legal Intern

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Pruhs led the flag salutation.

CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)

a) Citizen Hero Award Presentation

Mayor Pruhs presented a Citizen Hero Award to Arthur ‘Thor’ Seipel, in recognition of courageous and life-saving actions while at his place of work. On June 26, 2023, A. Seipel, in conjunction with a 911 dispatcher, performed CPR on a member of the public who had collapsed. **Mayor Pruhs** stated that his quick action and bravery saved the life of a fellow human being that day and will always be remembered. He stated that the City is beyond grateful to have a resident like him as part of the “Golden Heart” community.

b) 2023 Mission: Lifeline EMS Recognition of Fairbanks Fire Department

Fire Chief Raygor shared information about the Mission: Lifeline EMS Recognition award and its significance, specifically regarding the crucial role that EMS provides. He stated that these services often set the course for the patient’s outcome and that he believes no other entity in Interior Alaska has previously received the award.

Assistant Fire Chief Coccaro further explained that the award recognizes that the Fairbanks Fire Department adheres to national best practices and gold standards for pre-hospitalization of individuals experiencing cardiac arrest. He shared that this is the first time anyone in Fairbanks has received this award. He explained that the department received the silver award and is eligible to receive a gold award after one year, which is the goal. He indicated that the award speaks tremendously to the department’s protocols and to the crews who go out every day.

Mayor Pruhs asked for all members of the Fire Department in attendance to come forward.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to SUSPEND THE RULES to allow New Business Item (c) to be moved up on the agenda and addressed right away. [Resolution No. 5074 – A Resolution Honoring Fairbanks Fire Department Driver Kevin Johnson. Introduced by Mayor Pruhs and Council Members Cleworth, Rogers, Sprinkle, Tidwell, Marney, and Ringstad.]

Mayor Pruhs called for objection on the motion to SUSPEND THE RULES and, hearing none, so ORDERED.

Mayor Pruhs read the contents of Resolution No. 5074. Addressing the family members of Driver Kevin Johnson who were present, **Mayor Pruhs** offered the sincere sympathy and condolences of the City of Fairbanks for the loss of this great man.

Mr. Cleworth, seconded by **Ms. Rogers** moved APPROVE Resolution No. 5074.

Mayor Pruhs called for objection and, hearing none, declared the MOTION CARRIED and Resolution No. 5074 APPROVED.

CITIZENS’ COMMENTS

Victor Buberger, PO Box 58192, Fairbanks, AK 99711 – V. Buberger expressed frustration with the railroad overpass construction project on the Richardson Highway. He asked if anyone knew where that line goes and stated that it only goes to the dump. **Mayor Pruhs** clarified that the train also goes out to Eielson Air Force Base for coal deliveries. V. Buberger disagreed and repeated that this particular line only goes to the dump. He stated that another line is much nicer and has other destinations and purposes. He spoke about the cost of expensive equipment and questioned

whether the State of Alaska is broke because of such things. V. Buberger stated he does not see any need for the overpass as he can recall only two times in 45 years where he has had to stop for a train at that location. He stated that if they want to see some livelihood in the community, they should establish a casino in Fairbanks, similar to the one in Dawson Creek, Yukon Territory. He stated that the City allows bingo and pull tabs, which is the worst-odds type of gambling on earth.

Arlette Eagle-Lavelle, 828 8th Avenue, Fairbanks – A. Eagle-Lavelle expressed her frustration that Coldfoot Environmental is being considered for the award of the bid for the demolition of the Polaris Building tower. She stated she was born and raised in the community and has deep roots in Fairbanks. She stated she would like to keep it that way, but the project has been devastating to her business and livelihood. She commented that she is unsure, based on the experience thus far with the demolition of the annex, if Lavelle's Taphouse will be able to stick around much longer, and she does not know how they can move forward in a way that does not negatively affect her business. She stated that there are no alternative options other than in-person traffic at her business, and she had the highest hopes with the annex portion of the project. She stated that the owner of the contracting company, R. Rodriguez, was very stand-up in the beginning with lots of face-to-face communication and commitments, but everything he promised, once work began, did not come to fruition. She stated it feels like a slap in the face that his large equipment has been left lingering on the Taphouse courtyard, and the portable restroom had been pushed up against a nearby wall and basked in the sun for days. A. Eagle-Lavelle stated that she and her husband had to jump over the wall to move the restroom as it was also negatively impacting their business. She stated she understands that there are many issues currently being dealt with by the Council, and she acknowledged that issues relating to first responders and law enforcement are vital. She added that her business is her livelihood, and she foresees serious issues in the immediate future if she, the City, and the contractor cannot move forward in a clear, concise, communicative manner.

Ms. Sprinkle asked A. Eagle-Lavelle if she had been told how much longer they will be working. A. Eagle-Lavelle responded that no one has given her any assurance as to the final steps. She explained that there is a final cap to be placed on the wall that was demolished and that she has been waiting for details and would like to know when that would occur as she needs to remove her things from the courtyard. She indicated that no one has any answers for her, so she is still in limbo. **Ms. Sprinkle** asked if the parameters regarding parking, which had been previously committed to, had been honored. A. Eagle-Lavelle replied that the parking situation was rectified only after she brought attention to it, and she added that there have been several seemingly small matters which she had to deal with on her own. She commented that issues have compounded and taken hours to deal with, time which she needs to be focused on the success of her own business. She stated she has had to call, text, take photos, and contact various people throughout the City, depending on the issue. She commented that the work just to secure four parking spots had been tremendous, and she can only imagine where things will go next with the remainder of the project.

Samantha Kirstein, Fairbanks Community Food Bank – S. Kirstein thanked the Council for the work done to show support to the police and fire departments. She stated they are worthy of the support, and she appreciates the action taken to stand up for them.

Stephen Hancock – S. Hancock acknowledged his position as a member of the Fairbanks Police Department (FPD) but stated he was speaking as a citizen. He stated his children attend school in Fairbanks, and he wanted to share some information he has gathered as a result of his experience with research-based education. He shared that he used to work in the South and was once asked

by an individual what was wrong with their business. He stated his response was that they were trying to compete with the person next door instead of those elsewhere in the country. He indicated that the Fairbanks Police Department (FPD) is competing with everyone, everywhere. S. Hancock referenced “UCR Part 1 Crimes,” which relates to serious crimes such as murder, rape, and robbery; he added that these crimes are heavily tracked. He shared the following statistics from 2021:

Law Enforcement Agency	Number of Part 1 Crimes	Number of Arrests
Airport Police Department	19	15
North Pole Police Department	94	66
North Slope Borough Police Department	320	302
Fairbanks Police Department	1980	1047

S. Hancock shared that, combined, the other three agencies had approximately 79 officers, and the FPD had 32-34 officers, so about half of all three of those entities’ combined forces. He pointed out that FPD handled four times the number of crimes and made about three times the number of arrests. He stated he has heard at recent meetings statements that the City needs to remain “competitive,” but as a member of the public, he does not like that word; he added that in the sense of crime, Fairbanks is not competitive. He stated that Fairbanks is referred to as unique and special all the time, but the reality is that a citizen is uniquely likely to have their car stolen. He stated he would like the Council to consider unique ways to empower the FPD to combat these statistics.

Mayor Pruhs called for any additional testimony, in-person and online, and hearing none, declared Citizens’ Comments closed.

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mayor Pruhs pulled item 12(h), Ordinance No. 6258, from the Consent Agenda, stating that the ordinance should be discussed after the Council addresses item 11(c), Ordinance No. 6255. He also pulled item 12(d), Resolution No. 5075, from the Consent Agenda, as there is a proposed substitute.

Mr. Cleworth pulled item 12(e), Resolution No. 5076, and item 12(g), Ordinance No. 6257, 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 June 26, 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
4314	Gallo's Mexican Restaurant	Beverage Dispensary	Northern Lights Business, Inc.	60 College Road
4548	Brewsters	Beverage Dispensary	Restaurant Concepts, LLC	354 Old Steese Highway

Mr. Marney, seconded by **Ms. Sprinkle**, 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: Ringstad, Rogers, Marney, Sprinkle, Cleworth, Tidwell

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Chief of Staff Sanders gave a report on the City Hall renovation project which will allow for a licensed childcare facility on the first floor of the building. He referenced the handout, which showed a sample layout of the various rooms for infants, toddlers, Pre-K, and school-aged children (five to eight years old), and summarized the plan as follows:

- The first room (for school-age children) is currently set up as a computer room and has little to no use. There will be little work to do to prepare the space, and Public Works will paint and install new flooring.
- The second room (for Pre-K) is used for records storage. Some water damage has occurred over time, and other fixtures need removed. Records will be moved to another location. A bonus for the process is that the City Attorney's Office records will be consolidated from four current locations. This room will also require painting and new flooring, as well as the replacement of an old light switch.
- The other rooms (for toddlers and infants) also have an assortment of records that will need to be relocated. Old paneling and non-load-bearing walls will need to be removed in order to install a new wall to separate the space into two areas.

M. Sanders stated that the Boys and Girls Club will operate the childcare center and will accept infants as young as six weeks old. He stated they believe they can accommodate seven to eight infants, but this will be tentative pending final room designs and square footage. He stated the infant room will be located in the space next to the exit due to fire safety. He shared that the City will not be able to install a wheelchair-accessible ramp at that entrance, but a piece of equipment similar to a chairlift will be purchased and installed. M. Sanders stated that the bulk of the renovation cost will be in bringing the two restrooms up to code. He indicated that the contractors would replace fixtures and ensure ADA compliance, as well as abate any hazardous materials. He spoke to some other small aspects of the project and stated that the hope is to have the project

completed in November. He stated that the Boys and Girls Club will have some furnishing work to do in December, and the plan is to have staffing ready for a start in early 2024. Ms. Sanders recapped important parameters of the overall intent for the childcare facility, with City employees having priority at a significant discount. He stated the long-term cost to the City will be the \$19,000 loss in rental revenue the Boys and Girls Club currently pays for their existing space. He added, however, that the revenue loss is considered by the administration to be more than worth the value of recruitment and retention intangibles as an employer. He stated that if the daycare saves the City just two instances of employee turnover annually, the cost would be offset.

M. Sanders shifted to the second project in his report and gave an update regarding the installation of solar panels on top of the warm storage building at Public Works. He stated the 2021 estimate shows that the system would pay for itself within nine years. He stated that while an updated estimate would be nice, getting one would cause the City to not be able to use that local contractor for the project. He stated he believes the estimate is still fairly accurate (a total cost of \$267,122), although with inflation, it may be closer to \$300,000. He shared that the City could apply about \$60,000 of energy block grant funding towards the project; however, he still believes it would take eight to nine years for the system to pay for itself with the energy savings.

Ms. Tidwell asked if the entrance to the childcare facility will be the same entrance as the Boys and Girls Club primary facility on the backside of the building. M. Sanders confirmed that was correct. **Ms. Tidwell** expressed a concern regarding the limited parking in that area. She stated she loves the idea but has experienced parking challenges in that area, which may be exacerbated by an increase in traffic for drop-offs and pick-ups.

Ms. Sprinkle asked whether the daycare will be licensed. M. Sanders confirmed that it will be an extension of the licensed childcare facility and program under the Boys and Girls Club of Alaska, based out of Anchorage. He stated that workers will be licensed and have credentials. **Ms. Sprinkle** asked if the daycare would be a 24/7 facility, specifically in reference to nightshift dispatch workers. M. Sanders replied that the hours of operation would be 6 a.m. to 8 p.m. He stated there are some folks the daycare would not help, but there are essentially no licensed childcare facilities that offer that kind of overnight service. He indicated that he struggled for over a year to get any entity interested in the opportunity, until out of the blue the Boys and Girls Club responded.

Mr. Marney asked if this would be added to the City's portfolio from a Human Resources perspective. M. Sanders confirmed that this would be used as a significant recruitment and retention tool for several reasons. He stated that childcare in Fairbanks is hard to find and that, under the new program, if an employee pays for the childcare cost through payroll deductions, the first \$5,000 is tax-free. He indicated that there are some key advantages to having a City-sponsored program like this.

Mr. Ringstad asked what the current level of need is among City employees. M. Sanders stated that while the number can and does fluctuate as time goes on and staffing evolves, in their last review they found about 24 employees, across all departments, with about 50 children in the age ranges the facility would serve, who have communicated that they struggle with finding reliable and affordable childcare. He stated that there are more employees with children, but that is the number of those who have expressed this as a significant challenge. **Mr. Ringstad** asked how many of these 50 children would be taken care of with this program. M. Sanders explained that they do not have solid numbers yet, because it depends on the children's ages and the respective

plans for each category of rooms, which have their own capacities. He stated, however, their focus has been primarily on the infant room as it is almost impossible to find local, licensed infant care.

Ms. Sprinkle asked to confirm if the furnishings shown in the layouts was to be purchased new or if some of the items shown were being repurposed from elsewhere in the building. M. Sanders stated that everything would be new.

Mayor Pruhs stated that his comments were concluded and thanked Chief of Staff Sanders.

COUNCIL MEMBERS' COMMENTS

Mr. Cleworth thanked M. Sanders for the updates. He recounted that the idea for the childcare program originated when he and Mr. Marney were sitting in on PSEA negotiations, and the issue was raised by staff members. He stated he had put it on the back burner, so he was grateful that M. Sanders had taken it and run with it. **Mr. Cleworth** stated that the irony is that ten years ago, they spent a lot of time and effort moving records into the very space where that the facility will be, because they wanted to get the records out of the basement where they were susceptible to water damage. Regarding the solar panels, **Mr. Cleworth** stated it would be smart to proceed and indicated there will be a benefit. He stated he thinks the panels will pay for themselves sooner than the timeframe given, as there are no obstructions in that location, and the energy collection will be significant. He commented that credits with GVEA will likely be generated up to ten months a year.

Ms. Rogers stated she had no comments.

Ms. Sprinkle stated she had no comments.

Ms. Tidwell shared that she was able to attend the centennial celebration of the Alaska Railroad which occurred earlier in the month in Nenana. She stated it was a great event and was well-attended, with the entire Interior Delegation present. She announced that the Tanana Valley State Fair will open during the coming weekend. She thanked Sam from the Fairbanks Community Food Bank for coming and sharing her comments and stated that there may be some events and contests at the fair to help support the food bank.

Mr. Marney stated that he saw several Council members and City employees in attendance at the memorial for Driver Kevin Johnson. He stated there was standing room only, and it was a very moving service.

Mr. Ringstad stated he had no comments.

UNFINISHED BUSINESS

- a) Ordinance No. 6246 – An Ordinance to Reduce Overtime at the Fairbanks Fire Department and Secure Additional Savings and Benefits by Adding a Battalion Chief. Introduced by Council Member Tidwell. Advanced from the Regular Meeting of May 22, 2023. SECOND READING AND PUBLIC HEARING.

Ms. Tidwell, seconded by **Ms. Sprinkle**, moved to ADOPT Ordinance No. 6246.

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

Mayor Pruhs called Fire Chief Raygor forward and reviewed data pertaining to wages and overtime for the current situation with three battalion chiefs (BC). He stated his understanding is that when individuals go on leave or are otherwise unavailable, there is a significant cost in overtime. He indicated that the ordinance to add a fourth BC would reduce overtime, and the position could perform other duties to offset its cost. He pointed out that the ordinance shows a \$50,000 savings, and it had been previously stated that that was a conservative estimate. He asked why that was the case. Chief Raygor explained that it is a position they have never had before, and their first step was to review any forced overtime situations. He stated that adding the new position would not eliminate *all* overtime, but it was focused on eliminating forced overtime, which cost about \$39,000. He shared that from there they factored in some of flex scheduling and balancing 56-hour shifts when another BC is gone, along with regular duties for a 40-hour week at other times. He explained that past business models had less efficient approaches, such as promoting a second BC to be on shift at the same time as another. He commented that it is unnecessary to have two higher-paying positions scheduled at the same time, and it also creates challenges as to who is in charge during a shift when both hold the same position. Chief Raygor stated that they were conservative in the estimated overtime savings, but he would not be surprised if the savings turned out to be double the estimate. **Mayor Pruhs** discussed the amount of \$167,000 which was shown as the projected cost of the position. CFO Bell explained that the number factored in the Consumer Price Index (CPI) increase and included the salary and benefits, but not overtime.

Mayor Pruhs asked Chief Raygor if he wanted the individual to be a deputy fire marshal. Chief Raygor stated that when Assistant Chief Cocco came on board, there was a mess in the Fire Marshal office and that AC Cocco has been doing many fire marshal duties since then. He indicated that they have been barely keeping up, much less getting to where they need to be. He stated that half of AC Cocco's work fire marshal-related, which means he is unable to perform the tasks he was hired to do. Chief Raygor expressed hope that the new position could cover both needs, which was identified in a recent department needs assessment. AC Cocco spoke to the business models for fire departments and referenced an outline that was provided to the Council in advance of the meeting. He stated that another goal is to allow Chief Raygor to manage the department as he sees fit. AC Cocco stated that his analysis included estimating the total time spent by a fire marshal conducting necessary inspections on an annual basis and indicated that even two individuals is not enough for the size of the community and workload. He stated that the Fire Department has had six to seven individuals in the past, which has now dwindled down to just one. He commented that it is not fathomable for the duties to be fulfilled with the current staffing situation and having an additional person would help spread the workload. He stated there are many inspections they are supposed to be doing but are not doing due to the lack of coverage.

Mayor Pruhs stated that in 2021, there was \$150,000 in revenue from fire code inspections. He stated the current budget shows \$100,000 in revenue for that item. He questioned whether the department is on track for that or whether there may be an increase with the added position. **Mayor Pruhs** stated that the 2022 amended budget showed \$70,000 for that revenue stream, an \$80,000 drop in just one year. He pointed out that the current year budget included a \$30,000 increase, and he wondered if the City would meet, exceed, or drop from that level. CFO Bell confirmed that the City is seeing an increase in revenue from code inspections, along with commercial permits, which would be included in the next budget amendment; she stated that the two items go hand-in-hand.

Ms. Sprinkle inquired about the fees being set at a certain hourly rate but recalled that they were looking at increasing that rate. She questioned whether the fiscal note would increase if they did so. AC Cocco stated that it would. He explained that they used the current fees in the City's fee schedule, but if the Council increased the fee, the totals would certainly increase. **Ms. Sprinkle** asked to confirm whether the department is looking to fill the positions from within. Chief Raygor answered that they intend to fill one internally, but the other would be advertised as an external hire and be a little more difficult given the limited pool of qualified candidates. He stated, however, that having a more senior position filled makes it easier to fill a more junior position. Chief Raygor indicated that the challenge is that most of the education programs are not training individuals to become fire marshals or battalion chiefs, rather the education is geared for more entry-level positions. He stated these types of positions are filled by people seasoned in the industry who grow into such a role. **Mayor Pruhs** asked what a typical timeframe is for someone to achieve the rank of battalion chief. Chief Raygor shared that for himself it was about 15 years; however, with the change of the labor force in the industry, it would now not be unlikely to have a candidate with only 7 to 8 years' experience. He stated that they may need to modify some expectations to help people grow into the position and fill the need and commented that so many people were lost between 2006 to 2016. **Mayor Pruhs** inquired about anticipated retirements within the department. Chief Raygor confirmed that two of the three people in these roles are eligible for retirement or are about to become eligible. He stated their internal promotion opportunity for the deputy fire marshal position would be significant as a way to handle some of their challenges, and the person currently filling in for the duties already has most of the necessary skills.

Ms. Tidwell stated that there are other matters, difficult to quantify on paper, which translate to additional savings. She stated they are losing people because they are working them to death and forcing individuals to work overtime results in people leaving; she added that any chance they have to reduce forced overtime should be considered. She stated the cost of turnover is massive in the fire department, but it is hard to quantify on paper.

Mr. Ringstad discussed the difficulty in knowing workload levels and the lack of guidelines to accurately determine that data. Chief Raygor explained that with the current staffing level, inspections have been reduced only to those which they are firmly obligated to do, which includes childcare facilities, elder care facilities, and businesses that sell alcohol and marijuana. He stated they are barely able to keep up with those and any complaints that come in. Chief Raygor stated that there is not time to do any preventative-type inspections. He stated that the power plant fire that occurred the day prior is a good example of where a non-mandatory inspection could have caught the equipment issue and stated that it had not been inspected in years. He stated that the goal is for the one new person to handle the four types of mandatory inspections. AC Cocco added that any other fires that require someone from the office to be pulled into matters pertaining to investigations, gathering evidence, interviewing individuals, etc. would exacerbate the staffing crunch, which could happen at any time. He explained that by having the mandatory inspections performed by individuals who have other duties, they run the risk of having someone taken out of commission for weeks to fulfill their other legal obligations. He stated that could result in mandatory inspections stacking up and business calling because their licenses are about to expire and they are out of compliance. AC Cocco stated that the incredible load of work in that particular area of the department, and the fact that they do not have someone designated for the role, has been an eye opener to him since he joined the department. He indicated that there is a need that you cannot see on paper until you absorb the volume.

Mr. Marney stated that for over a year he has expressed the need to allow Chief Raygor to run his department. He stated he appreciates that they are aware of the overtime issue, and he does not see why this would not be a benefit to the department and to the City.

Ms. Sprinkle added that on top of being helpful for the Fire Department, the position helps keep business in Fairbanks going. She added that it is also good for economic development. She acknowledged the partnership between businesses and the services the department provides.

Mr. Cleworth referenced a handout he shared with the Council prior to the meeting and outlined his concerns. He stated that there were some red flags with the various ordinances the Council has been passing, the ones before the Council now, and others that are on the horizon. He stated the handout outlines what will happen with next year's budget as a result of the ordinances. He indicated that CFO Bell put a lot of work into the numbers and answering his questions, and he expressed appreciation to her. He stated that the IBEW contract recently approved has a fiscal impact of \$215,000, and if the Council passes both items pertaining to the Police Department, that will cost another \$148,000. He stated that the Fire Department is in a three-year, backloaded contract, such that the third year is more expensive than the previous two, which adds another \$363,000 cost. He stated that adding the battalion chief position will save in overtime costs, but the City will spend more than those savings in salaries and wages. He stated the amount would increase to about \$474,500. He stated that the cost of the Public Works contract approved earlier in the year is \$143,500. **Mr. Cleworth** stated that the total comes to \$870,000, and anticipated new revenue is only \$828,000. He indicated that the City would be in the red by \$42,000. He commented that the Mayor is going to have a difficult time balancing the 2024 budget with the tremendous amount of added costs. He stated that CFO Bell had given bottom-line numbers for future-year projections, which were negative in the beginning. He stated that, for now, it feels as though the Council is operating in the dark and there should be a better handle on the numbers and expenditures. He stated that if the ordinance is a good idea, it should come back to the Council around budget time when all department heads are directed to submit their requests and what they hope to accomplish. **Mr. Cleworth** stated that the Council has spent the majority of the year talking about fire and police matters, with a little attention given to Dispatch, but the Council has not had any discussions regarding Public Works. He stated that the number one complaint he receives each year is about snow removal and road conditions, and the Council has yet to address that. He indicated there is still a disparity with salaries in Dispatch, and he recalled an email that Mr. Marney recently shared from that department head, which included similar sentiments to those which have been address for the FPD. He expressed that it would be difficult for him to support adding a Fire Department position until the Council has a better financial picture for 2024. **Mr. Cleworth** stated that from 2020 to the present, Public Works and the FPD have grown about 72-73% and the Fire Department has grown about 105%. Rather than spending so much money at this time, he suggested that the request be presented during the budget process. **Mr. Cleworth** stated that when he was Mayor, he understood there was friendly competition between departments when it came to budgetary requests, and if someone wanted to get a jump on that process, they would do exactly what is happening here. He stated that all requests should be taken together to be considered, prioritized, and decided by the Council according to what the City can afford.

Mr. Cleworth continued, stating that ancillary to this topic is the question of fire inspections in general, which is something the Council need to decide if they want the City to continue to do. He stated that if it is something to be continued, they need to consider how many businesses to target

each year, how aggressive to be, and whether to charge a fee at all. He stated that, in the past, when inspections were a regular occurrence, the City would hear from many frustrated business owners. He stated that the deputy fire marshal at the time was opposed to the inspections as he believed it was bad public relations. **Mr. Cleworth** stated that the inspector was showing up at places where they were not wanted, and the City was not necessarily focusing on places like hotels, but regular nine-to-five business outside of the four industry categories referenced earlier. He stated that business owners were frustrated with paying for property taxes, business license fees, garbage service, ambulance rides (when applicable), and then for a mandatory fire inspection. He stated they would ask what their property tax actually buys them with the City, which he believes was a legitimate question that lead to hard discussions. He concluded by stating that the Council should wait until the budgetary process and take a holistic look at all departmental needs, not just one.

Mr. Ringstad stated that he also has been concerned with the financial impact of recent ordinances. He asked to confirm the information regarding additional revenue that **Mr. Cleworth** mentioned in his comments. **Mayor Pruhs** clarified that it was not actually additional revenue but rather savings in non-spending and interest. **Mr. Cleworth** added that the interest revenue should be considered one-time money because next year's numbers are unknown. He stated there appears to be excess going into next year, but that amount could easily disappear before the end of 2023 if there are bad snow events or changes in interest rates, for example. **Mr. Ringstad** stated that he has been hoping to see all these things on one piece of paper. He stated that the Council is taking steps that he truly believes are needed, but he acknowledged that the costs add up. He stated he also knows that the Council will soon have work to do regarding the Dispatch center. He concurred that the Council is making big changes with ongoing impacts based on one-time funding sources.

Ms. Sprinkle asked **Mr. Cleworth** for clarification on his comment regarding the increase in the Fire Department (105%) as compared to FPD and Public Works, and whether that was potentially due to the department being as understaffed as it had been during that time. Additionally, she asked if having a fire inspection completed had any positive impact on the cost of insurance for business owners. **AC Cocco** replied that inspections can have that type of positive impact; he added that it also reduces business's liability exposure knowing that their property and the properties around them have been inspected. He explained that what gets lost in translation is the fact that, per State safety codes and as a deferred jurisdiction, the City is responsible to perform these kinds of inspections – they are not optional. He stated that charging for inspections is simply a way to offset costs and is common practice nationally. **Ms. Sprinkle** shared information about a recent visit with Chief Raygor to a business where she learned about a simple tool that allows first responders to safely access a building in an emergency without having to destroy any windows or doorways. She stated that tool can only be implemented if the business has been inspected; she stated they are relatively inexpensive and seem like an excellent solution. She stated she believes the Fire Department staff is worth what they do, and businesses should pay part of that cost.

Mayor Pruhs stated that when he reviews the numbers in the center row of the handout that was shared, he considers that data to be a "theory" based on every position being filled in the department 100% of the time. He stated the FPD will not be fully staffed in 2024, but the amount budgeted is for 37 offices, while they are projecting 32 to 33. He stated that when the Council considers budget amendments, they sometimes take the money from savings and put it in reserves, and so far this year the Council has moved \$3MM to the Capital Fund, bringing that fund up to \$11.5MM. He stated that the City is doing well there. He stated that the balance of theory versus reality is something the Council has to keep in mind every year.

Ms. Sprinkle, in response to Mr. Cleworth's suggestion of waiting until the budget process, stated that she saw those kinds of requests denied the previous year, including one regarding the subject of this ordinance. She questioned whether waiting helps or hurts. **Mayor Pruhs** responded that the reality is that the Fire Department has only three battalion chiefs and they need some relief. He stated he is there to give the Council options and associated costs, but it is the Council's responsibility to decide how to proceed. He stated the CFO has provided the financial ramifications as per Code, and he reminded the Council that the numbers shown include the cost of all positions being filled and fully funded.

Mr. Cleworth asked if CFO Bell could confirm that the numbers shared in his presentation were accurate. CFO Bell stated that the values of the expenditures which she provided were accurate and were based on all associated fiscal notes. She stated that the Police Department's numbers were based on 37 filled positions versus the anticipated 32. **Mayor Pruhs** asked to confirm that, per Code, she has provided numbers based on full staffing levels, including benefits. CFO Bell confirmed; she added that the numbers are also based on the fiscal notes of ordinances at the time they were presented, including the ordinances being presented at this time. She stated that some numbers may change during the budget process depending on staffing levels and wage increases.

Mr. Marney asked who inspects businesses outside the city but within the borough and whether the City could go out and get some of that business. Chief Raygor responded that that is the jurisdiction of the State of Alaska, but the person in that position is responsible for everything north of the Alaska Range and he spends 90% of his time dealing with investigations and complaints. He explained that, like the City, that person has to perform inspections for businesses selling alcohol, marijuana, etc., but other than those industries, the businesses outside city limits are not getting inspected. He stated there is only one State Fire Marshal for the entire northern portion of Alaska, and there is opportunity there. **Mr. Marney** acknowledged that it would take a while to get caught up first but wondered if they could at least reach out to make that inquiry.

Mr. Ringstad referenced the middle row of numbers in the handout. He stated he understands that the numbers are based on full staff, and the Mayor is correct that they will not spend all the funds. He stated, however, he is concerned for the future, three-to-five years down the road. He stated that if the FPD achieves its goal to be fully staffed within 18 months, the savings from vacancies goes away, which changes everything. He indicated that short-term savings will not balance the budget in the long-term. CFO Bell confirmed that Mr. Ringstad is correct and that, typically, savings go into the City's fund balance. She explained that annual budgets always include the cost of full staffing so that departments may fill vacancies without having to wait for the approval of a budget amendment. She stated that the Finance Committee is working on a long-range plan. CFO Bell referenced page 67 of the current budget book showing a five-year projection of budgetary assumptions, which are adjusted as things evolve throughout the year. She stated she hopes to have something for the Council of this nature in the near future, but they are welcome to review the current budget book to get a feel for what has been projected thus far.

Ms. Tidwell asked CFO Bell for clarity on the fiscal note's reference to \$167,000 for the battalion Chief position salary and benefits and stated she feels the number is high, even with the CPI increase. CFO Bell explained, referencing the 2023 budget book, that the three current positions have a total salary of \$336,930, and benefits for each position equate to \$46,000. She stated that the cost of those positions combined with the 2024 CPI is what led to the amount in the fiscal note.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6246 AS FOLLOWS:

YEAS: Tidwell, Marney, Sprinkle, Rogers

NAYS: Cleworth, Ringstad

Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6246 ADOPTED.

- b) Ordinance No. 6254 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

Ms. Sprinkle, seconded by **Mr. Cleworth**, moved to ADOPT Ordinance No. 6254.

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

Mr. Marney stated that because all members of the Council worked together on the ordinance, he feels that everyone should be added as sponsors. **Mayor Pruhs** concurred. Clerk Snider asked if any Councilmember did not wish to have their name added as a sponsor. **Ms. Rogers** indicated as such [having a conflict of interest due to a family relation to an IBEW employee].

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6254 AS FOLLOWS:

YEAS: Cleworth, Marney, Ringstad, Sprinkle, Tidwell

NAYS: NONE

ABSTAIN: Rogers

Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6254 ADOPTED.

- c) Ordinance No. 6255 – An Ordinance Increasing Wages for Commissioned Officers at the Fairbanks Police Department and Amending the 2023 City Operating Budget. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

Mr. Marney, seconded by **Mr. Ringstad**, moved to ADOPT Ordinance No. 6255.

Mayor Pruhs called for public testimony.

Brandy Husband, 1242 Log Cabin Court – B. Husband stated that she was born and raised in Fairbanks, works in Fairbanks, and is now raising her son in Fairbanks. She stated she lives in the downtown area and every day it seems like the wild west. She stated that something needs to be done to get people interested in working as a Fairbanks police officer. She spoke in support of Ordinance No. 6255 and anything the City can do to get more officers on the streets.

Stephen Hancock, FPD Officer – S. Hancock spoke to the concept of competitive salaries, as he believes that term has been and will be used as part of the discussion. He referenced the statistics

he had shared earlier in the meeting and added that even if wages on paper are comparable to cities of a similar size, there is still a disparity if the workloads are vastly different. He cited two cities of comparable populations to Fairbanks: Maryville, IN and Urbandale, IA. He compared wages and crime rates in these locations as compared to Fairbanks. He explained that the two locations have a fraction of the workload than that of Fairbanks, but comparable wages should Ordinance No. 6255 pass. He commented that the wage increase would make the FPD competitive for a short time until the Alaska State Troopers raise salaries. He indicated that the increase would keep the FPD afloat, but it would not keep them ahead or rocket them into the future.

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

Mr. Cleworth shared that until he was visited by Capt. Warner, he was not aware, and he does not believe the Council was aware, that there was a problem at the FPD. He stated that Capt. Warner's idea was the \$10,000 supplemental retirement, and he did a good job in making his case. He stated the Council has advanced that proposal, and it will come back to the Council when the mechanics are in place. He pointed out that the \$60,000 lateral hire bonus also puts the FPD ahead of any department in the state. **Mr. Cleworth** stated that when they look at the collective bargaining agreement (CBA), Juneau, Wasilla, and North Pole are always used as comparisons. He stated that before the Council made any changes, the FPD was ahead of North Pole, and when you add the new \$10,000 insurance benefit, it puts the FPD ahead of Wasilla and Juneau. He added that, as comparisons go, that would do the trick, and then some, so he is surprised that the Council is discussing a \$4/hour increase in wages. **Mr. Cleworth** indicated he was unsure where the amount came from and what the logic was behind it. He stated that the increase certainly puts the FPD ahead of the other comparable Alaska agencies, and that is before they address the CBA. He stated he would not be opposed to the increase, but he is opposed to doing both benefit packages at the same time, and it feels like the Council is getting into the CBA without taking the time to analyze things as they normally would. He stated that labor negotiations went well with the last contract, and he hopes they will again in the future, but at the moment, the Council is putting the City in a precarious situation. He expressed displeasure in reducing the police force down to 37-38 positions, which will put the FPD below the national average. He pointed out that the Council has always maintained that staffing level even if they knew every position could not be filled. **Mr. Cleworth** continued by stating that the City does not actually have a savings account, rather just a Capital Fund where they transfer budgetary savings in order to pay for equipment and other necessary items; he added that the City has been negligent of street needs for some time. He explained that any unused funds goes to the General Fund each year, and hopefully some to the Capital Fund, but he wanted to dispel the notion that the City has a savings account. He again stated he would support the wage increase but not in addition to the supplemental insurance package at the same time. He stated that, combined, that is essentially a 20% package increase, which will cause some problems with budgeting. He spoke to the comments the Council received from former FPD officers when news broke about the issue, and one person commented that money was not the problem and that being top-heavy in the department is. **Mr. Cleworth** stated that some comments have been considered sour grapes; however, there are other officers who have also spoken to other Councilmembers, perhaps not in a public forum. He asked the Council whether those comments should be discredited; he questioned whether it really is a money issue or whether there are other concerns not being addressed. He expressed hope that the City can get a better handle on things when they do exit interviews with departing employees. He again stated that he cannot support Ordinance No. 6255 at the same time as the \$10,000 insurance benefit.

Ms. Sprinkle stated she recalled Mr. Cleworth previously stating that he would rather open the CBA than take action in this manner. She remembered Mr. Ringstad's concern about the wage increase only being through the end of the year. She asked other Councilmembers how they felt about this issue and whether there was another way to go about it. **Mr. Cleworth** answered that they apparently cannot open the CBA, but the Council could provide a bonus, which has been done before. He stated he believes it would be nice to offer a handsome bonus, so long as those receiving the bonus stay until the next cycle when a new CBA is negotiated. He indicated that he would favor a bonus instead of a raise that only goes through the end of December; he stated a bonus puts money in the pockets of officers but does not commit the City to anything beyond the current year.

Ms. Sprinkle wanted to affirm that the Council's discussion should not be taken as a sentiment of not valuing the police. She acknowledged the concern with offering an increase funded with one-time monies that does not extend beyond the current year. She stated she is open to other ways of handling the issue and pointed out that the \$10,000 insurance benefit is going to happen – the City just has to put out the request for proposals (RFP) and figure out the plan. She stated that the \$60,000 hiring bonus is only applicable to a hiring a new officer and even then, only to someone who is experienced. She stated that Ordinance No. 6255 at least helps those who are working now. She indicated that she really wants the “three-legged stool” to work, but she acknowledged Mr. Cleworth's concerns.

Mayor Pruhs stated that when he became the Mayor, and even prior to that, the Chief Dupee, Deputy Chief Sweet, and Capt. Warner came to him with a proposition, which was to reduce staffing from 44 positions to 37, allowing them the flexibility to create a compensation system focused on longevity. He stated that he told them they would begin working on a plan in January. **Mayor Pruhs** shared that he wants to treat Councilmembers in the way he wanted to be treated when he served on the Council, so he immediately brought Mr. Ringstad and Mr. Marney into the meetings with the FPD. He stated he would have liked to have brought in more members but could not, given the constraints of the Open Meetings Act (OMA). He stated their discussion began with the issue of retention, and the first concept was the \$10,000 supplemental retirement benefit, and he pointed out that a bonus does not keep someone long-term. He stated that the \$10,000 was meant to help with retention and longevity. **Mayor Pruhs** stated that in March, the number of FPD officers was declining at an alarming rate, and that is when there was a presentation from the FPD leadership to drop to 37 positions, saving about \$996,000 per year in wages. He stated that the question was what to do with the savings; he stated that even if they filled 32 of the positions in 2024, [up from the current level of 29] they would still save \$489,000, which includes the \$4/hour increase. He acknowledged that those savings would not be there if they reached full staffing of 37 officers, but that is not a realistic expectation for 2024. He projected that by 2026 the FPD could be up to full staffing levels, but they will always have employees coming and going for various reasons. **Mayor Pruhs** reviewed the ‘three legs of the stool’ details that have been discussed for months: 1) to boost lateral officer hiring by offering a \$60,000 hiring incentive – the easiest and quickest way to fill the ranks; 2) to increase retention by implementing a \$10,000 supplemental insurance program; and 3) to reinvest salary savings due to unfilled positions, although the third item is not something he originally planned to do. **Mayor Pruhs** stated that as officer staffing began to plummet in March, it was apparent that there was no bench – no backup. He indicated that those who are still with the City need to see they are appreciated and supported right now. He expressed appreciation for all the conversations that have been had, including the discussions related to the City's ability to afford the proposals, and he spoke to the difficult situation the City

is in with the critical staffing shortage for a vital component of the community. He commented that the City has a hardworking Council, and he strives to be a hardworking Mayor. He added that the FPD is an incredibly hardworking police force, whose energy has been exhausted by mandatory overtime as a result of the staffing crisis, and he wants to retain every officer they have.

Mr. Ringstad stated that during these discussions, it struck him that they are essentially amending the CBA without actually changing the CBA. He stated it will be about another year-and-a-half before it is time to renegotiate the CBA, but he does not want to wait that long to make things right for those involved. He expressed that he views taking action now as a bold step and expressed hope that the officers who benefit from this will remember the Council's efforts and support when it is time to reopen the CBA. He shared that he also has some concerns about information he received from several people, and as a Councilmember, he feels he has a responsibility to look into reports of negative conditions. He stated he asked for HR files and details from exit interviews, which he feels the Council should be privy to, but he was kind of offended that he could not obtain that information. He stated that he and City Attorney Chard will be having a discussion, but ultimately, he believes that if there is a problem, the Council need to hear about it. **Mr. Ringstad** stated there is work to do at the FPD to find solutions to various problems, and he believes Ordinance No. 6255 is a step in the right direction. He commented that he has seen nothing that would make him question the FPD leadership. He stated that this is a step the Council needs to take now, then find a way to shift its focus to the Dispatch Center. He recognized that the process is a little out of the norm, but something must be done before more employees burn out and the situation worsens.

Chief of Staff Sanders stated he was sorry that offense was taken by Mr. Ringstad not receiving exit interview details; he pointed out that was not a rule that he initiated, but it came long before him. He suggested that the Council speak with current employees, rather than putting too much stock into the comments of former employees; he stated that people who have been fired do not like the City, and that is why they sometimes sue the City. He shared that he and Mayor Pruhs are holding one-on-one interviews with every single FPD officer right now, and they are not being told about any issues with toxic individuals. COS Sanders further stated that this decline did not begin with the current Police Chief or his predecessor; rather, it has been happening for a long time, and compensation definitely plays a part. **Mayor Pruhs** suggested that an inspirational way to start one's day is to meet every morning at 7 a.m. with a police officer. He encouraged the Council to participate in a ride-along or to meet with FPD officers. He shared that he makes an effort to peel back the layers and give enough time for the people to open up and really share what is on their mind. He stated that there are exceptional and inspirational people in both the fire and police departments.

Ms. Tidwell shared that each of the people she spoke with who had negative comments said they would have stayed if they were paid more. She stated that there were also other things, not money-related, that needed to change in their opinion, but she stated that compensation is certainly important. She stated that she plans to vote in favor of Ordinance No. 6255, but she is disappointed that the increase is not more.

Mr. Marney stated that he did not see an expiration date on the ordinance and asked for clarity. **Mayor Pruhs** responded that the ordinance is a budget amendment, but the other item that was pulled from the agenda addresses the issue of longevity to the raise, via a Letter of Agreement,

which would extend to the end of 2024. He stated that pursuing the LOA would be contingent upon the passage of Ordinance No. 6255.

Mr. Cleworth stated that the elephant in the room is Dispatch and that their problems are similar to the FPD, although there are no numbers in front of the Council for that department. He stated that the problems he has identified are just going to be compounded now. He again appealed to the Council to consider shifting this effort to a bonus system instead and stated he believes that such a thing enhances retention and makes more sense, given the situation. He also asked the ordinance sponsors for clarity on whether a new officer receiving the \$60,000 hiring bonus will also receive this \$4/hour raise. He commented that it becomes an incredibly rich package, and he wants to be sure that is the intent of the Council. **Mr. Ringstad** stated that was a good question, and he was not sure what others' thoughts were on the matter. **Mayor Pruhs** confirmed that all FPD officers would receive the same increase and that the City would not discriminate or separate out recipients. He stated he finds it reprehensible that someone could join the FPD in 2024 with a \$60,000 hiring bonus [only half up front] and be told that they would get a lower wage than their peers. **Mr. Marney** stated that he agreed with Mayor Pruhs.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6255 AS FOLLOWS:

YEAS: Ringstad, Tidwell, Rogers, Sprinkle, Marney

NAYS: Cleworth

Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6255 ADOPTED.

NEW BUSINESS

- a) Resolution No. 5072 – A Resolution Authorizing the City of Fairbanks to Accept Funding from the U.S. Department of Energy for the Energy Efficiency and Conservation Block Grant (EECBG) Program. Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

- b) Resolution No. 5073 – A Resolution Authorizing the City of Fairbanks to Accept Funding from the SFY24 State of Alaska Designated Legislative Grant Program. Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

- c) Resolution No. 5074 – A Resolution Honoring Fairbanks Fire Department Driver Kevin Johnson. Introduced by Mayor Pruhs and Council Members Cleworth, Rogers, Sprinkle, Tidwell, Marney, and Ringstad.

APPROVED earlier in the meeting as part of a motion by Mr. Cleworth to suspend the rules and move the item on the agenda.

- d) Resolution No. 5075 – A Resolution Awarding a Contract to Demolish the Polaris Building Tower. Introduced by Mayor Pruhs and Council Members Rogers and Sprinkle.

Ms. Sprinkle, seconded by **Mr. Marney**, moved to APPROVE Resolution No. 5075.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to AMEND Resolution No. 5075 by substituting the amended, proposed version.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 5075 BY SUBSTITUTING THE AMENDED, PROPOSED VERSION AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

Mayor Pruhs stated that an RFP was published for the demolition of the 11-story tower of the Polaris Building, and the City received four bids. He shared that a group of individuals, including one general contractor, reviewed the bids and before seeing the numbers, scored the bidders by their responsiveness and qualifications to do the work. He stated that all bidders received equal scores as they had each been responsive and all were qualified, so it became a low-bid win. He explained that the resolution before the Council is to award the contract to Coldfoot Environmental Services in the amount of \$8,995,600 and pointed out that it is the same contractor who performed the demolition work of the annex portion of the building. He stated the City still has approximately \$11.8MM in funding available for the project, and there is about \$200,000 in eligible reimbursements to the City for items such as the Engineering Department's work on the project thus far. **Mayor Pruhs** stated that the City has been very fiscally responsible with the project, using \$10MM from the EPA and \$3MM from the State. He thanked the two previous Mayors and all the past and present members of the Polaris Work Group for their work in getting to this point. **Mayor Pruhs** thanked the Council as well and stated that for about eight years, each iteration of this governing body has allowed for progress. He stated that the project is something that has never been done in the history of the City. He stated that he fulfilled his recompense on the project earlier in the day by climbing to the roof of the Polaris Building and cutting down a few trees with a chainsaw. He shared that they also visited the old Tiki Cove bar that once operated in the building. He stated that it is finally time to move forward.

Ms. Rogers informed the Mayor that Value Village has been offering Tiki Cove items for years.

Ms. Tidwell thanked Ms. Eagle-Lavelle for all her public testimony over the last couple months. She shared that she would not be voting in favor of the resolution as she has concerns about the selected contractor and expressed concern with the contractor's ability to staff the project and with some of the things that A. Eagle-Lavelle has shared with the Council about communication issues. She stated that with a surplus in project funds and after hearing of all contractors were considered responsive and qualified, she personally has concerns with awarding the contract to Coldfoot, given what has been shared through public testimony during the demolition of the annex.

Mr. Ringstad stated that he also had concerns about the reported lack of responsiveness towards the neighboring business in that area. He stated he is not necessarily opposed to awarding the contract to Coldfoot but feels that the City needs to make the expectation of working with the surrounding businesses clear to the contractor. He stated that businesses should not go bankrupt just so a contractor can finish a project. **Mayor Pruhs** shared that before demolition began, there

were eight meetings to discuss how things would be set up and, anytime there was an issue, he, the City Engineer, and the contractor were responsive. **Mr. Ringstad** asked whether the concerns shared were addressed. **Mayor Pruhs** answered that they always addressed the concerns that arose – concerns of the owner, concerns about the fence, and concerns of business interruption, for which they provided a monetary stipend. He stated that they also addressed the issue of taking down the City’s fence and provided a stipend to rebuild a new one; he added that they also addressed the tenants’ parking concerns. He stated that property owners, an appraisal company, two attorneys, and his favorite beer place all had concerns, and they likely will not be able to address every concern from every person as proficiently as they would like, but the City is knocking down a 98,500 square foot building that is six inches away from another structure. **Mr. Ringstad** asked if A. Eagle-Lavelle had been satisfied with the response to any of her concerns through the process. **Mayor Pruhs** again stated that they have addressed every concern. **Mr. Ringstad** clarified that he has not heard that A. Eagle-Lavelle has been satisfied with anything that she has shared thus far.

Mr. Marney stated that he is amazed that the contracting company seemed to be against the ropes, yet it has rebounded enough to be awarded the contact. **Mayor Pruhs** shared that they experienced a lot of vandalism and that progress stopped for three weeks after dirt was put into the fuel tank of one of their machines. He stated that the contractor also had some equipment break down, but they got the job done with no air pollution or air quality issues; he reported that there were also no injuries. He recognized that the contractor has set a standard for safety, although they did take a little longer than the City would have liked. **Mayor Pruhs** shared that they discovered an additional eight inches of concrete in the annex floor that no one was aware of, with more rebar than anyone would have believed. He stated that the contractor did not charge the City for any of the modifications and changes that came their way during the annex demolition, and they came in with a bid of October 2024 for completion just like everyone else. He stated that he visits the site about every day after stopping in for a beer at Lavelle’s Taphouse. He stated that he sees A. Eagle-Lavelle and the bartenders, and there are no issues, then once every three to four weeks she comes to a Council meeting and gives them a good “what-for.”

Ms. Sprinkle stated that she hopes a contractor like this learns lessons through the experience. She asked if they were going to put a greater emphasis on 24-hour security going forward. **Mayor Pruhs** answered that he does not know the contractor’s plans are for security, but he certainly believes they will take such things seriously. **Ms. Sprinkle** added that she was not aware of the stipend that the Mayor had referenced. **Mayor Pruhs** explained that any obligation the City has, or may feel it has, extends only to the building owners. He stated that businesses like Lavelle’s Taphouse are tenants and that the City can only make offerings to the owner and hope that they pass that through to their tenants. **Ms. Sprinkle** also spoke to the issue of Coldfoot missing a deadline and the City having to issue a stern letter, with a commitment of an associated fine. She asked what kind of expectations are in place for a hard deadline on the larger project. **Mayor Pruhs** answered that October 24, 2024 is the scheduled deadline; he stated they will see if the contractor can meet that, although there is no way to know if any contractor could as this is something that has not been done before.

Mr. Cleworth asked if this was a competitive bid or if it was tacked onto the original bid; he also asked how many proposals the City received. **Mayor Pruhs** stated that it was a competitive bid and that there were four submittals:

- Coldfoot Environmental Services, Inc.: \$8,995,600

- Davis Constructors & Engineers, Inc.: \$9,500,496
- Central Environmental Incorporated: \$9,885,656
- Northwest Demolition and Dismantling, Inc.: \$12,115,091

Mr. Cleworth stated that under the City's procurement code, the only way to deny the low bid would be if the contractor was in non-compliance with the bid document. He stated that, otherwise, the City would have a lawsuit on its hands if it did not award the contract to the lowest bidder. **Mayor Pruhs** explained that the City would have disqualified any unqualified bidder, which was not the case in this situation. **Mr. Cleworth** added that years ago the City had occurrences of not awarding certain contracts to the lowest bidder, which would result in litigation.

City Attorney Chard explained that Mr. Cleworth was correct, that bidders must be deemed as responsible and responsive in order to be considered. He stated that once they are deemed as such, the City's procurement code, which is backed by State statute, says that the lowest bidder must be awarded the contract. He stated that the City is in a procurement process, and all bidders have been determined to be responsive and responsible. He advised that at this point, the City has to accept the lowest bid according to the code.

Ms. Rogers expressed confusion due to information that the contractor has been responsive according to some but unresponsive according to others. **Mayor Pruhs** explained that each time an issue was raised, it was addressed by the City, either by a visit from the Engineering Department or by a visit from himself. He stated the most recent example involved side-dump trucks and parking in front of a business, but he stated that they completed their task and moved from that space by 1:00 p.m. before the business opened. He stated that the business has a direct line to the Engineering Department.

Mr. Cleworth stated that the Council does not have a lot of choice, but he has been watching the project from his own business location. He stated he has seen the company park vehicles in front of A. Eagle-Lavelle's business, and he has no idea why they would not park between First and Second Avenue or across the street in the closed-off areas. He stated that he would have been upset as well if his business parking was being used by contractors who have other options. He stated it would be great if the contractor could think outside the box to try and free up parking in front of the affected business during the tower demolition. In regard to reciprocity to affected businesses, **Mr. Cleworth** shared that when they performed the work on the utilidor system downtown, he was never compensated for the broken ivory from the vibrations of the machines nearby. He stated that you just live through it and not every business makes it. He stated that the whole reason the Polaris demolition is happening is because it did not survive the utilidor project, and he empathized with business owners who are concerned about the impact of construction projects in their vicinity. **Mayor Pruhs** added that there is a project taking place on 5th Avenue at the same time, which also is affecting businesses, and the City is being responsive to any issues that occur there as well.

Ms. Sprinkle stated that what she has not yet heard is anything about signage, communicating that businesses are open in active project areas. She stated she believes they should be more proactive as this is a way the City could help, especially with the larger, lengthier project. **Mayor Pruhs** explained that all of that was discussed in meetings prior to the project start. He stated that 25 free parking spots were offered in the parking garage for those patronizing the taphouse and another 6 for the law office; he indicated that remedies would continue to be offered for the duration of the

project. He repeated that this is the first time the City has ever done something like this, and they are learning important lessons as they go. He recalled fighting to support the taphouse receiving its liquor license and stated that he has a personal interest in the business's success, as he is a frequent customer. He stated that he visits and observes and checks in on things in that area, is very responsive, and that will continue to be the case going forward.

Ms. Tidwell spoke to her earlier concerns and to Ms. Rogers' questions regarding the seeming discrepancy regarding responsiveness. She clarified that she was not directly involved with the reported issues but was only highlighting what has been spoken about during public comments over the last few months. She stated that her primary concern is the contractor's ability to staff the project, which comes from her experience in her own line of work and from conversations with the company owner. She stated the annex demolition was much smaller than main tower project, and the contractor's ability to man the project concerns her.

Ms. Rogers stated she has several years of contracting experience and working with companies in the city. She stated Fairbanks is noted for lots of circumstances that become parables, and people repeat them over and over. She wondered how, if processes are in place for reviewing and awarding project bids, the City could have unknowingly hired someone incapable of performing the work. She stated that is what she is hearing, and it does not make sense. She stated that those whose job it is to review all the relevant details and make a determination were comfortable in awarding the bid, and if the Council is not comfortable with that selection and has second thoughts concerning the contractor who just finished the annex demolition, then those concerns should have been brought forth earlier. She stated it is pretty late in the process to raise certain issues, and she questioned why the Council is engaging in this kind of dialogue at all.

Mayor Pruhs called for any additional discussion and, hearing none, called for the vote.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5075, AS AMENDED, AS FOLLOWS:

YEAS: Sprinkle, Rogers, Cleworth, Marney, Ringstad

NAYS: Tidwell

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5075, as Amended, APPROVED.

- e) 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.

Mr. Cleworth, seconded by **Ms. Sprinkle**, moved to APPROVE Resolution No. 5076.

Mr. Cleworth stated that he pulled the resolution because he is not a fan of raising the fees or even charging them at all. He stated he would like to take the issue to a work session to discuss it in more detail. He stated the earlier points about the State Fire Marshal are very apropos. He stated that codes exist, but the question of whether they are being enforced outside city limits is significant. He indicated that they are not being enforced to a great degree, except where they have to be. He stated that the City does a much better job than what the State is doing for its own area

of responsibility. He acknowledged that the Fire Department is not satisfied with what they are able to accomplish in this matter, and he understands that; however, he stated he would prefer the chance to review things in a work session and find out more information. He stated he would like to learn what the City currently charges and what they should and should not be charging for. He stated he believes that businesses should get something for free since they pay a lot of property tax and business licensing fees. He asked why business owners should have to pay for their building to be inspected if they do not want their building inspected and stated that building owners take care of safety-related measures on their own to protect their business interests.

Mr. Cleworth, seconded by **Mr. Ringstad**, moved to POSTPONE Resolution No. 5076 to the August 14, 2023 Regular City Council Meeting, in order to review the matter during the next Regular Work Session.

Mr. Marney agreed and stated that he sees some other fees that should be reviewed.

Mayor Pruhs stated that before any kind of fee or tax is raised or implemented, the Council should have a good discussion. He stated they will have a work session on this if the motion passes.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE RESOLUTION NO. 5076 TO THE AUGUST 14, 2023 REGULAR CITY COUNCIL MEETING AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

- f) Ordinance No. 6256 – An Ordinance to Present to the Qualified Voters of the City of Fairbanks the Question of Whether to Ratify a Pass-through Loan from the Alaska Clean Water Fund to Golden Heart Utilities for Up to \$8.2 Million for Bio-solids Incineration Testing, Grit Removal, and Ultraviolet Disinfection at the City-owned Wastewater Treatment Facility. Introduced by Mayor Pruhs.

ADVANCED on the CONSENT AGENDA

- g) Ordinance No. 6257 – An Ordinance to Present to the Qualified Voters of the City of Fairbanks the Question of Amending City Charter Section 6.5 to Exempt Alcoholic Beverage Tax Revenues in Excess of \$2,000,000 from the Tax Cap Limitations. Introduced by Mayor Pruhs and Council Members Tidwell and Sprinkle

Ms. Tidwell, seconded by **Ms. Sprinkle**, moved to ADVANCE Ordinance No. 6257.

Mr. Cleworth stated that he would not be voting in favor of the ordinance, and with the understanding that City Charter amendments must have a unanimous approval by the Council, it will not make it onto the ballot for the election. He stated that last year the City went to the voters to change the “cap within a cap,” which was a heavy lift. He stated that the issue was a complicated one that needed to be worded in a way that residents could understand it sufficiently enough to vote on it. He stated he was pleased to see it pass so that the tax cap could work the way it was intended and that the net effective was the City seeing an additional \$1.4MM in revenue. He stated he cannot remember the City ever having that much new revenue before, and he expected that

windfall to last for a few years; however, the Council has essentially used the full amount in one year. **Mr. Cleworth** indicated that there will be budget issues in the next year, and the Council has not yet heard from the Finance Department about the repercussions of some of its recent actions. He stated the red flags are still there, and the Council has just complicated them further. He stated that there has been a greater burden placed on property taxpayers, and this would be the second time in two years the City has gone to taxpayers to ask for more money, which he is not willing to do. He stated that last year he felt like the City had a revenue problem, but this year it feels like it has an expense problem. He stated the Council could have done some good things for the police other than what was done earlier in the meeting, and he expressed his intent to vote against Ordinance No. 6257.

Mayor Pruhs stated that with that in mind, it would be prudent for the Council to vote down the advancement of the ordinance, as it would need a 6-0 vote to proceed to the ballot. He indicated that, otherwise, it may be a waste of everyone's time.

Ms. Sprinkle indicated that she understands what Mr. Cleworth is saying, but it would be up to the public to determine whether they are in favor of the alcohol tax proposal. She stated that the intent of the effort is to raise funding for public safety and she believes the public should be given the option to say yes or no. **Mr. Cleworth** responded by reminding the Council that under State law, the City cannot dedicate monies and that the proposition references an intent to fund public safety services, which the City cannot guarantee. He stated that any increase in revenue would be used for whatever purpose the Council sees fit, if approved. **Ms. Sprinkle** pointed out that the Council did that earlier in the year with the bed tax revisions. **Mr. Cleworth** responded that he was glad Ms. Sprinkle pointed that out. He stated the voters had given the City another \$1.5MM, then the Council voted to give the City another three- to four-hundred-thousand dollars, which it had never done before. He stated that the purchasing power of that is somewhat eroded too, because they Council cannot dedicate those funds, although they were to be accounted for separately. He stated that CFO Bell can keep a separate account for tracking funds similar to how she tracks snow removal funds. **Ms. Sprinkle** stated that Ordinance No. 6257 is a start. **Mr. Cleworth** explained that his problem is that the Council is transferring that load to property taxpayers again.

Mr. Ringstad asked if there was anything on the State level that restricted how often the Council can take an issue to the ballot. Attorney Chard responded that on the State level, there is two-year limitation but he would have to research to see whether there was anything that applies to what the current situation. He stated that there is nothing he is aware of in City code that makes such a restriction. Clerk Snider added that as a home rule municipality, the City does not fall under that restriction; however, the Borough does. **Ms. Sprinkle** asked for clarification on whether the discussion was about the potential of getting a law passed then changing it the next year. **Mr. Cleworth** answered that the Council has the authority to do that as often as they want. He explained that the Borough tax cap is introduced on the ballot every two years by way of petition because they do not have a charter and are considered a second-class borough. He stated that after two years, the Assembly can keep it, modify it, or get rid of it entirely. He stated that once the City Charter is changed, it cannot be amended by the Council – only by the voters.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6257 AS FOLLOWS:

YEAS: Marney, Sprinkle, Tidwell

NAYS: Cleworth, Rogers, Ringstad, Pruhs
Mayor Pruhs declared the MOTION FAILED.

- h) Ordinance No. 6258 – An Ordinance Amending Schedule B of the Collective Bargaining Agreement Between the City of Fairbanks and the Public Safety Employees Association (PSEA). Introduced by Mayor Pruhs.

Ms. Sprinkle, seconded by **Mr. Marney**, moved to ADVANCE Ordinance No. 6258.

Mayor Pruhs explained that this is an effort to ensure that the \$4/hour raise would be extend beyond the expiration of Ordinance No. 6255. He stated that the item was pulled from the consent agenda as a matter of prudence, in the event the earlier ordinance did not pass.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6258 AS FOLLOWS:

YEAS: Tidwell, Ringstad, Marney, Sprinkle, Rogers
NAYS: Cleworth
Mayor Pruhs declared the MOTION CARRIED.

DISCUSSION ITEMS (Information and Reports)

- a) Committee Reports

Ms. Tidwell shared that a Fairbanks Economic Development Corporation (FEDC) board meeting was recently held, and they are working on their strategic planning, with a final document coming soon. She stated they are also planning an Alaska Defense Forum event for August. She indicated she should have an update from the Transportation Advisory Committee (TAC) next meeting.

Mr. Marney stated that he had no committee reports.

Mr. Ringstad stated that he had no committee reports.

Ms. Sprinkle stated that she had no committee reports.

Ms. Rogers shared that the Fairbanks Diversity Council (FDC) did not meet recently due to lack of a quorum, which they knew in advance. She stated the FDC is still in need of new members and she acknowledged the efforts underway to help with that issue. **Mayor Pruhs** added that he has three potential candidates for the FDC.

Mr. Cleworth and **Mayor Pruhs** shared that there was a recent FAST Planning Policy Board meeting; however, there was nothing of import to share.

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Reappointment to the Board of Plumber Examiners

APPROVED on the CONSENT AGENDA.

b) Permanent Fund Review Board Meeting Minutes of April 26, 2023

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBER COMMENTS

Mr. Cleworth addressed the efforts to support staffing and retention at the FPD. He stated he still believes there is a better way to go about this than what the Council has done without getting into the CBA. He stated he wants the FPD to be competitive, but he does not like the idea of being so far ahead that everyone is chasing after them. Regarding the recruitment bonuses, he stated that on the one hand he wants to get the positions filled, but he is not thrilled about stealing officers from other agencies. He expressed worry that there is not more effort to create new officers, rather than just take from each other. He commented that being so far ahead of North Pole will likely mean a lot of officers come to the City of Fairbanks, which just hurts other communities, and he stated the City will not be able to afford to keep this up long-term. He questioned at what point the City draws the line. He stated he would like to hear from CFO Bell how the City of Fairbanks compares with the Alaska State Troopers.

Ms. Rogers stated she felt one of the best comments of the evening was when Officer Hancock spoke about the uniqueness of the City. She stated that there needs to be greater trust and support for each other through communication and working together, so that they can overcome challenges easier. She stated there is an opportunity to do special work if they keep that in mind.

Ms. Sprinkle thanked everyone for the hard work that was accomplished at the meeting.

Mr. Ringstad stated he had nothing to add.

Mr. Marney reflected on some of the highlights of the evening, namely Mr. Seipel, the Johnson family, and the EMS award. He stated those are some of the reasons he likes living in Fairbanks.

Ms. Tidwell expressed disappointment that Ordinance No. 6257 will not be advanced to the ballot. She stated that the City has had great success lately with creative ways to increase revenue, and she hears so many comments in the community about the importance of funding public safety efforts. She stated that takes money, and this would have allowed community members expressing frustrations an opportunity to vote on a potential means of funding solutions. She stated she looks forward to more ideas to accomplish these goals in the near future.

CITY CLERK'S REPORT

Clerk Snider shared that candidate filing remains open through the July 31 and reminded the Council that there will be a three-week break between Council meetings. She stated the next work session will be on August 8.

CITY ATTORNEY'S REPORT

Attorney Chard informed the Council that he would be out of the office the following week but will be available by phone. He recognized the summer legal intern, Alejandro Perez Olivares, and shared that he will be supervising him remotely in the coming week as well.

Mayor Pruhs shared that he will be traveling soon to Homer for the Alaska Municipal League (AML) meetings and will miss the August 8 Work Session.

ADJOURNMENT

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

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

Mayor Pruhs declared the meeting adjourned at 9:33 p.m.



DAVID PRUHS, MAYOR

ATTEST:



Colt Chase, Deputy City Clerk

For - D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC