



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

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

Absent: David Pruhs, Mayor (excused)

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

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor pro tem Cleworth led the flag salutation.

CITIZENS' COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

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

Clerk Snider read the Consent Agenda into the record.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

a) Regular Meeting Minutes of July 24, 2023

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

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

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

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

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

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

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

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

Mayor Pruhs declared the MOTION CARRIED.

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

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

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

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

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

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

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

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

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

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

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

Mayor pro tem Cleworth declared the MOTION CARRIED.

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

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

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

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

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

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

MAYOR'S COMMENTS AND REPORT

a) Special Reports

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

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

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

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

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

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

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

COUNCIL MEMBERS' COMMENTS

Ms. Tidwell stated that she had no comments.

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

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

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

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

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

UNFINISHED BUSINESS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

YEAS: Ringstad, Rogers, Marney, Cleworth, Tidwell

NAYS: Sprinkle

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

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

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

Mayor pro tem Cleworth called for public testimony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

YEAS: Marney, Ringstad, Sprinkle
NAYS: Cleworth, Tidwell, Rogers
Mayor pro tem Cleworth declared the MOTION FAILED.

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

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

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

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

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

YEAS: Sprinkle, Ringstad, Tidwell, Cleworth

NAYS: Rogers, Marney

Mayor pro tem Cleworth declared the MOTION CARRIED.

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

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

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

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

NAYS: Cleworth

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NAYS: None

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

NEW BUSINESS

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

APPROVED on the CONSENT AGENDA

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

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

Mayor pro tem Cleworth called for discussion and heard none.

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

YEAS: Tidwell, Cleworth, Ringstad, Marney, Rogers

NAYS: Sprinkle

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

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

APPROVED on the CONSENT AGENDA

DISCUSSION ITEMS (Information and Reports) and COUNCIL MEMBER COMMENTS

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

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

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

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

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

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

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

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

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

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Reappointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- b) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

- c) Appointments to the Fairbanks Diversity Council

APPROVED on the CONSENT AGENDA.

- d) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA.

CITY CLERK'S REPORT

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

CITY ATTORNEY'S REPORT

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

EXECUTIVE SESSION

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

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

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


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

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

ADJOURNMENT

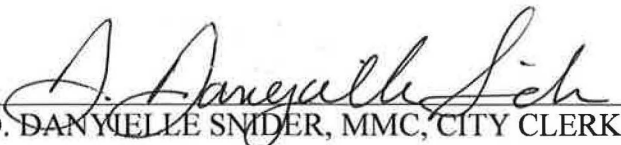
Mr. Marney, seconded by **Ms. Sprinkle**, moved to ADJOURN the meeting.

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



DAVID PRUHS, MAYOR

ATTEST:



D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC