



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 13, 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 the Explore Fairbanks Annual Report and Presentation and a 5:55 p.m. Work Session for the FEDC Annual Report and Presentation, to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Pruhs presiding and the following Councilmembers in attendance:

Councilmembers Present: Jerry Cleworth, Seat A
 June Rogers, Seat B
 Sue Sprinkle, Seat C
 Crystal Tidwell, Seat D
 Lonny Marney, Seat E
 John Ringstad, Seat F

Absent: None

Also Present: D. Danyielle Snider, City Clerk
 Michael Sanders, Chief of Staff
 Thomas Chard, City Attorney
 Margarita Bell, Chief Financial Officer
 Rick Sweet, Deputy Police Chief
 Scott Raygor, Fire Chief
 Andrew Coccaro, Assistant Fire Chief
 Kristi Meredith, Dispatch Manager (remotely)
 Brenda McFarlane, Crisis Now Coordinator

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

Mayor Pruhs asked Ms. Rogers to lead the flag salutation.

CITIZENS' COMMENTS

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

Tom Alexander – T. Alexander shared that he had recently applied for the vacant seat on the Discretionary Fund Committee and wanted to introduce himself to the Council. He stated that he looked forward to potentially working with Mr. Marney and the rest of the Committee.

Ms. Sprinkle thanked T. Alexander for coming and introducing himself. She stated they always appreciate meeting someone who has an application for appointment on the agenda. **Mayor Pruhs** also expressed support and appreciation for T. Alexander's willingness to serve.

Victor Buberger – V. Buberger reported on various streetlights that are not in operation on the east side of town. He suggested giving a raise to the employees assigned to maintain the lights so they could fix them correctly. He indicated that most recently he counted 10 lights out of order between The Banks Alehouse and the old Arctic Bar. He recalled hearing, a few years ago, about money being spent to update to special lights and wondered who keeps tabs on those issues. He asked if it was an issue of the City not having enough money or just being negligent, and he suggested letting the public know which of those two was the case. He concluded by commenting that the City always tries to get its hands deeper into taxpayers' pockets, primarily to give raises to union employees, rather than doing more for the general public.

Ms. Sprinkle asked V. Buberger to clarify which lights were out. V. Buberger repeated a description of the location along the Old Steese Highway.

Roscoe Britton – R. Britton expressed gratitude for what the Fairbanks Police Department (FPD) has done for him and his organization. He recounted needing clarification on a particular legal matter for his properties and was provided support, although it seems that not all officers are on the same page or are unaware of the various programs his organization offers. He noted some inconsistent interpretations and application of laws or policies as they pertain to situations at his properties but stated that for the most part, he appreciates the help received. R. Britton shared concerns about a particular bus stop for the inbound purple line, which is in a precarious location and is a potential hazard, especially with road conditions during the winter. He suggested moving the stop about 75 feet, which would put it on a safer straight-stretch of road. He also spoke on the topic of the homeless situation in Fairbanks and the need for a cold weather plan.

Upon the expiration of R. Britton's allotted time, **Mr. Cleworth**, without objection from others, invited him to finish his comments on the last topic. R. Britton stated that prior to moving to Fairbanks, he lived in Anchorage, where it took a few years for the organization he was involved with to get a viable cold weather plan enacted. He shared that despite having a plan in place, individuals often would still not utilize available assistance and would end up freezing to death. He recalled six or seven deaths by freezing over the last few years in Fairbanks. He expressed hope to plant a seed, start a conversation, and work towards a plan that would prevent any more community members from passing away in the cold because they do not have anywhere to go.

Ms. Rogers, acknowledging that she and R. Britton were already serving on some committees together, asked if he would be willing to start another one strictly focused on the issue he raised. R. Britton responded that he would be and that he is aware of other key community members that would likely be interested. He described ways that other places handle cold weather challenges for homeless people and what that could look like in Fairbanks. **Ms. Rogers** asked R. Britton if he was aware of some other committees, taskforces, etc. already in place and if he thought they were not moving in the right direction. R. Britton confirmed his familiarity with the other groups.

He described efforts in regard to homelessness and expressed hope that there could be more of a focus on cold-weather planning going forward.

Samantha Balanos, CFO, Vicinity (IT) – S. Balanos stated that as a member of the community, a member of the local Chamber of Commerce, and an experienced IT professional, she is concerned about the request for proposals (RFP) that is intended to be awarded by the Council for managed IT services for the City. She asked that the award be reevaluated, and she highlighted how the bid slated to be awarded was double the cost of the next most competitive bid. She added that based on public information, it is also a 50% increase in cost over prior years. She stated she believes the funds can be put to better use and urged the Council to reconsider its decision to award the contract to the selected bidder.

David van den Berg, Executive Director, Downtown Association of Fairbanks – D. van den Berg spoke about the Downtown Plan that was recently published and acknowledged the effort put into it by the City and the Downtown Association (DTA). He shared some of the comments the DTA published regarding its support of the 2040 Plan, referencing positive work done by the City regarding the demolition of the Polaris Building, snow removal, and taking a broad approach to derelict buildings. He indicated that the plan should help progress many of the goals shared by the City and the DTA but that a steering committee would be beneficial, after adoption, to help ensure goals do not fall by the wayside. He acknowledged that this was an idea Mayor Pruhs had also suggested, along with a willingness to host periodic meetings to discuss economic development between the City, Borough, and other entities. He noted that the section of the plan pertaining to the Polaris Building is not overly specific and leaves a lot of trust with the City to develop that parcel. He discussed what the DTA views as priorities, such as snow removal and public safety, and that implementation of such a massive plan is much more realistic with the City doing such a good job at holding itself accountable.

Mr. Cleworth reported having attended the last meeting on the Downtown Plan and noted his surprised that Mayor Pruhs' suggestion to meet every six months was not well-received. He asked D. van den Berg if he was in favor of adding that. D. van den Berg stated that he would very much support it. **Mayor Pruhs** indicated that, one way or another, they will be doing that.

Brenda McFarlane, Crisis Now Coordinator – B. McFarlane thanked Explore Fairbanks for the recent fundraiser which raised over \$4,000 for the Mobile Crisis Team at Alaska Behavioral Health (AKBH). She noted that AKBH often serves individuals that the hospital is not able to accept and does so without payment. She acknowledged Julie Jones with Festival Fairbanks who she credits for saving the life of a gentleman in a dire situation at the plaza downtown; she stated that J. Jones went out of her way to contact her and Housing Coordinator Brynn Butler. B. McFarlane explained that the individual had refused care multiple times, but B. Butler was able to convince him to accept assistance, and an ambulance took him to the hospital. She shared that there was a meeting earlier in the day with many community members and various organizations, both local and state-level, to discuss stabilization and services for those experiencing mental health challenges. She listed various parameters that individuals are faced with as they seek assistance and how a stabilization center and community plan could help address those issues.

Ms. Rogers asked B. McFarlane if she was able to receive funds for the City's program through community donations like this fundraiser. B. McFarlane stated that she believes it is an option but that funds from the fundraiser were advertised as going towards the type of program AKBH has. She explained that the \$4,000 went to the AKBH since the City does not yet have a stabilization center project officially underway, and she did not want those funds to sit unused in the meantime. She stated she would defer to CFO Bell for any further details and that it would be beneficial to continue advocating for support of a local stabilization center with state legislators.

Mr. Marney asked for B. McFarlane's opinion on the community paramedic approach. B. McFarlane expressed strong support for such an effort and shared that she participated in a ride-along with an Anchorage team. She noted that many situations fail to achieve a true stabilization response because there is often a combination of issues with mental and/or behavioral health, medication, and living conditions. She gave examples of mobile crisis response teams' efforts being bolstered by calling upon community paramedics during specific situations they encounter.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Ringstad pulled Resolution No. 5091 and Ordinance No. 6266, items 12(b) and 12(d) of New Business, from the Consent Agenda.

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

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

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

a) Regular Meeting Minutes of October 9, 2023

APPROVED on the Consent Agenda

b) Regular Meeting Minutes of October 23, 2023

APPROVED on the Consent Agenda

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
10589	Nature's Releaf, LLC	Retail Marijuana Store	Nature's Releaf, LLC	503 7th Avenue
14467	Tanana Herb Company, LLC	Standard Marijuana Cultivation Facility	Tanana Herb Company, LLC	1200 Well Street
15814	Tanana Herb Company, LLC	Retail Marijuana Store	Tanana Herb Company, LLC	1200 Well Street
16091	Tanana Herb Company, LLC	Marijuana Concentrate Manufacturing Facility	Tanana Herb Company, LLC	1200 Well Street
10230	Pakalolo Supply Company, Inc.	Standard Marijuana Cultivation Facility	Pakalolo Supply Company, Inc.	1851 Fox Avenue
10131	Pakalolo Supply Company, Inc.	Retail Marijuana Store	Pakalolo Supply Company, Inc.	1851 Fox Avenue
10869	Grass Station 49	Retail Marijuana Store	The Grass Station, LLC	1326 Cushman Street

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

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

Ms. Sprinkle asked about the timing of these kinds of license renewals and why it seems that so many come before the Council at the end of the year. **Mayor Pruhs** explained that when the law to legalize marijuana passed in October 2015, they saw many applications the following month.

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

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

- b) The Fairbanks City Council heard interested citizens concerned with the following marijuana license application for transfer of controlling interest:

Type/License: Retail Marijuana Store, License #12325

DBA: GOOD Cannabis

Applicant: Good, LLC (transfer of controlling interest only)

Location: 356 Old Steese Highway, Fairbanks

Mr. Ringstad, seconded by **Ms. Sprinkle**, moved to WAIVE PROTEST on the marijuana license application for transfer of controlling interest.

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 MARIJUANA LICENSE APPLICATION FOR TRANSFER OF CONTROLLING INTEREST AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Pruhs referenced R. Britton's earlier comments regarding the dangerous bus stop and stated that he would share that information with Borough Mayor Ward. He thanked V. Buberger for bringing to the City's attention the issue of streetlights and explained that the maintenance is handled by a contractor. He acknowledged that the responsibility falls upon him, and he committed to drive around to see for himself and to discuss any relevant issues with the City Engineer. He noted the five inches of snow that they received earlier in the day and stated that snow removal crews are hard at work. He thanked Explore Fairbanks and FEDC for their annual presentations earlier in the evening. He noted the limited time during work sessions but stated he was glad that organization representatives and City officials were able to speak after the work session. **Mayor Pruhs** gave a recap on the City Hall Halloween event, which saw an estimated 1,200 kids coming through the building. He stated there were a couple emergency candy runs, and City staff and Councilmembers came together to make it a wonderful community event. **Ms. Sprinkle** stated that she would love for the Council to be involved in the following year.

Mayor Pruhs shared that on Friday, when City Hall was closed for Veterans Day, he visited the Fairbanks Emergency Communications Center (FECC, aka Dispatch). He stated he spent time with the five employees on duty and got a photo of them. He expressed pride that the FECC's ranks being filled and in the camaraderie that was evident in the employee's interactions.

COUNCILMEMBERS' COMMENTS

Mr. Ringstad stated that he heard many good things about the Halloween event at City Hall.

Ms. Sprinkle shared that she had the honor of being involved with the Festival Fairbanks Women Veterans Affair event at The Venue, as well as a veterans event at the Westmark Hotel; she stated that they both were amazing experiences. She thanked the Mayor for attending also.

Ms. Rogers reiterated her earlier comments about starting something new to work towards the creation of a stabilization center. She suggested that perhaps additional facilities need to be added to the hospital to assist with mental health crisis needs.

Mr. Marney thanked Scott McCrea from Explore Fairbanks and Jomo Stewart from FEDC for the presentations. He suggested that the Council should consider extending the five-minute Q&A session at the end but was glad he had the opportunity to visit with them after the work session.

Ms. Tidwell thanked J. Stewart and S. McCrea for the presentations and noted how much both organizations do for the community. She shared having spent the weekend in Anchorage, which currently is dealing with more snow than the Interior. She noted that Fairbanks does a much better job with snow removal and commended the Public Works Department. She spoke well of

the progress being made for the City Hall childcare facility, with Public Works soon to begin renovation work. She shared that at the previous Borough Assembly meeting, she learned that they are pursuing something similar, and she likes to think that they got the idea from the City.

Mr. Cleworth indicated that having several streetlights in proximity go out at the same time is not uncommon and recalled instances in his own neighborhood where that occurred. He asked to confirm that the City still contracts that type of work out. Chief of Staff Sanders responded that it is still contracted out, but that the particular lights referenced by V. Buberger are out due to a supply chain issue. He noted that City Engineer Bob Pristash was surprised that any of those lights were working, considering the specific parts they are waiting on. **Mr. Cleworth** explained that, to his understanding, the contractor would typically be called after a certain number of lights were out, rather than having work orders for every single occurrence.

UNFINISHED BUSINESS

- a) Resolution No. 5089 – A Resolution Clarifying the Fee for “Fire Inspection, Investigation, and Technical Services” and “Routine Safety Checks, Response to Safety Complaints.” Introduced by Mayor Pruhs and Council Member Cleworth. POSTPONED from the Regular Meeting of October 23, 2023.

At the October 23, 2023 regular meeting, Mr. Cleworth, seconded by Mr. Ringstad, moved to APPROVE Resolution No. 5089. The motion remained on the floor.

Mr. Cleworth, seconded by **Ms. Rogers**, moved to AMEND Resolution No. 5089 by substituting an amended, proposed version.

Ms. Sprinkle indicated that she would like to understand the financial impact of the change by offering a free service to those who want it.

Mr. Cleworth indicated that the substituted version is to take care of some of the criticism at the last meeting; he added that some felt the language was unclear, especially with the final sentence. He stated that the proposed version clears that up and ensures that the associated language will be added to the fee schedule, rather than being lost in a resolution.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 5089 BY SUBSTITUING AN AMENDED, PROPOSED VERSION AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

Mr. Cleworth recounted that the Council has discussed the matter at length, and it has been made clear that the types of inspections that are required, whether by the state or due to investigations, have seen an increase in the associated fee. He stated that he does not believe it is right to go beyond that and have random businesses selected for inspections when they did not request them. He stated that businesses would be invoiced for those inspections, but they already

pay property taxes and business licensing fees. He stated that businesses can and should be doing regular, routine safety checks on their own as responsible business owners. He suggested that if businesses want the City to do an inspection, then they should be able to request and pay for it.

Ms. Sprinkle reiterated that the Finance Committee recommended the fee to the Council. She stated that it looks unfair that some business types will get inspected while others will not. She admitted that it is ultimately about safety, but she is unsure what businesses will actually request inspections if it is optional and will cost them money.

Fire Chief Raygor indicated that a large part of his department's job is to keep the public safe through fire prevention. He shared that most owners are trying to do good business, but many are negligent either because of ignorance or a deliberate effort to cut corners and ignore certain safety practices. He gave the example of a business owner running an extension cord under carpet to prevent tripping, which led to a fire after the foot traffic damaged the cord and caught the carpet on fire in the middle of the night. **Ms. Sprinkle** asked if the department has the staff to do what is wanted as far as inspections. Chief Raygor replied that currently they do not.

Ms. Tidwell recalled that part of the reasoning in approving a new position at the Fairbanks Fire Department (FFD) a few months prior, was that the revenue from fire inspection fees would help offset the cost of the position. She expressed concern that significant changes to these fees might negate what has already been done, and she would hate to see the reasoning for the position go away. She stated that she also would not mind the matter going back to the Finance Committee.

Mr. Marney asked what an inspection entails. Assistant Chief Andrew Cocco stated that it depends on various details, such as the type of business, structure, systems involved, applicable ordinances, the reason for the inspection, etc. He explained that background work is done in preparation, including a site visit and research in order to build an appropriate inspection checklist. He described the process of coordinating with the owner to schedule the inspection and how they work with the owner to address any items that need correcting, including any necessary follow up in an agreed-upon timeframe. He noted that follow-up visits do not incur an inspection fee, as the goal is to give the owner a learning curve on the primary inspection and focus on making things right with any further interactions. He agreed that most businesses are trying to do what is right, but many do not know what they need to do to be fully compliant.

Mayor Pruhs asked for clarification on whether alcohol and marijuana businesses would still incur a fee for things like kitchen area inspections. AC Cocco responded that the State of Alaska charges those businesses a fee, which encompasses FFD's inspections, but other aspects of the business, such as a kitchen, fall under a different license. He added that those types of inspections are not reimbursed by the State. He explained that FFD would not charge an owner for an inspection related to the alcohol side of their business, but if a kitchen were part of the establishment, they would inspect that area and invoice the business for the fee.

Mr. Ringstad stated that from a money perspective, it does not seem like the fee will generate significant revenue and that most of the inspections the FFD is currently doing will continue as-is. He described his concern that they would now be doing more inspections they previously did not have the manpower to perform. He stated he is unsure of the financial impact of making the

change, whether it would pay for itself, and how much revenue it would generate. CFO Bell stated that year-to-date, fire inspection fees have totaled \$6,302, with \$24,000 in 2022 and \$13,955 in 2021. She acknowledged that she was unsure how much of those totals were tied to inspections that would be considered required versus not required. Chief Raygor asserted that about 90% of the figures the CFO provided were from required inspections and that even with the added position, the FFD is over a year from being able to address anything more than obligatory inspections. **Mr. Ringstad** concluded that the City would not see a decline in revenue in the near future as a result of the resolution. Chief Raygor concurred and stated that they would not anticipate an increase in the revenue amounts for 2024 either. **Mr. Ringstad** asked how many businesses might get inspected in the future that have not been inspected in the past. Chief Raygor shared that there are about 1,400 buildings in the FFD's records system, but they would have to do some serious digging to determine how many fell into each of the various categories of complexity. **Mr. Ringstad** reiterated that it does not seem to be a huge amount of money, one way or the other. **Mayor Pruhs** added that the fee might stop, but the service will not. Chief Raygor confirmed that the FFD would still have to do inspections but would not charge for them.

Mr. Cleworth stated that this does not prevent the FFD from doing inspections, it only dictates under what circumstances the City may charge for inspections. He expressed that this is much simpler than it is being portrayed and that the City should consider this a service covered through existing taxes and license fees. He explained that the question of the cost to perform the work is also simple, as the associated staff are already employed. He pointed out that they already have the position budgeted for, so he does not see why there is effort to turn it into another revenue stream. He recalled years ago that fire engine crews would occasionally stop by and ask if businesses would like an informal walkthrough to identify potential safety issues, and it was a positive experience. He stated he does not believe it would be well-received if a business owner would have no choice but to submit to the inspection and get billed for it.

Ms. Rogers pointed out that, as Ms. Tidwell and Ms. Sprinkle had expressed, the Council could send the issue back to the Finance Committee and suggested that perhaps that is what the Council should do.

Mr. Marney stated that he spent one third of his life talking about preventative maintenance for his health, home, vehicles, etc. and that this is a matter of being a good neighbor. He suggested that some businesses might go 10 to 20 years without being inspected if inspections were not required and their business would be charged if they initiated it.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5089, AS AMENDED, AS FOLLOWS:

YEAS: Ringstad, Rogers, Cleworth, Pruhs

NAYS: Marney, Sprinkle, Tidwell

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5089, as Amended, APPROVED.

NEW BUSINESS

- a) Resolution No. 5090 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Division of Homeland Security for the FFY2023 State Homeland Security Program. Introduced by Mayor Pruhs.

PASSED and APPROVED on the CONSENT AGENDA.

- b) Resolution No. 5091 – A Resolution Awarding a Contract to AlasConnect, LLC for Managed Information Technology Services, RFP 23-13. Introduced by Mayor Pruhs.

Mr. Cleworth, seconded by **Mr. Marney**, moved to APPROVE Resolution No. 5091.

Mr. Ringstad shared that he received a couple of phone calls earlier in the day from individuals concerned about the decision to award the contract. He admitted to knowing very little about the matter and would not be comfortable moving forward until he has more information. He stated he has heard good things about the company of the individual who spoke during Citizens' Comments and is unsure why the City chose the company it did, noting the significant difference in cost between the two bidders.

Mayor Pruhs asked Chief of Staff Mike Sanders to walk the Council through the process that led to the resolution to award the contract. COS Sanders shared that the City had an IT consultant assist with the drafting of the RFP, but he had not expected that consultant to move their business to one of the (non-awarded) companies who bid. He added that would have been a concern had the panel not already scored the bids. He explained that the City received three bids, which were reviewed by a panel of three individuals, including himself, who were not permitted to see the prices until after their initial evaluation. He indicated that the first question the panel had to answer was whether all three companies seemed capable of performing the required work. He reported that one bidder was unanimously determined to not have the ability to fulfill the scope of work. He explained that for the second bidder (which was not selected), two of the three reviewers did not feel the company would be able to meet the scale of the required work for the City. He noted that that company is one he already works with on other smaller-scale projects, and he intends to continue working with them as long as they are interested. He reported that after completing the scoring process, Ampersand (AlasConnect, LLC) had won by a considerable margin, and it was only then that the panelists were informed of any dollar amounts. COS Sanders stated that they were all shocked to see that the company they were on the fence about had submitted a bid that was half the amount of the other. He indicated that this was a red flag to the reviewers and was not viewed as a bargain; rather, it was a confirmation of their concerns that the company was not suited to handle the full scale of IT services for the City. He shared that he went back through his notes to ensure he could stand by the panel's conclusions, and he believes it would be a huge mistake to not go with the recommendation – especially since the City does not directly employ IT staff. He recapped that one bid was thrown out right away for being unable to meet the City's needs. He stated the other was vague, had come in at half the cost of the remaining bidder, and ultimately seemed like they would be in way over their head with the City's scale of work.

Mr. Ringstad asked if there was a process by which certain issues could be communicated with bidders regarding the decisions made. COS Sanders indicated that he would have talked to any of the bidders had he known there was an issue, that he has a good relationship with members of all three companies, that all were notified of the selection as well as the scores, and that he is the person they could reach out to with any concerns.

City Attorney Chard reminded the Council that there is a prescribed process in the Fairbanks General Code (FGC) that allows bidders who are not awarded a bid to protest within a period of ten days. He reported that the issue was just brought to his attention earlier in the day; however, the ten-day period has lapsed, so any protest to the decision to award the contract would not be timely. **Mayor Pruhs** asked if all bidders had the timeframe to make a protest and if any protest had been made. COS Sanders indicated that there was a protest, but the first he heard of it was earlier that day, the same time as Attorney Chard. **Mayor Pruhs** asked when the ten-day period of protest would have ended. COS Sanders stated that it ended on November 6.

Ms. Rogers asked if bidders are made aware of the ten-day protest period. COS Sanders stated that he would have to check the communications that are sent out, but he is confident they are. He shared details about the scores: 69 for the company that panelists agreed would not be able to do the work, 80 for the company that two of the three panelists had concerns about, and 86 for the company that was selected. Attorney Chard explained that the Purchasing Agent handles those kinds of communications and, to his understanding, around October 27, all three bidders were notified of the decision of the evaluation committee. He asserted that the email would likely have included details about protesting the decision. He noted that the fact that a company replied to that email two-and-a-half weeks later and stated they were filing a protest, suggests that they were provided the instructions for that option, either in the original RFP or in subsequent communications. He confirmed that the protest came a week after the end of the ten-day period of the decision and notification thereof, so it is not considered timely. **Mayor Pruhs** asked if the procurement code had been followed. COS Sanders affirmed that, to the best of his knowledge, it had and that CFO Bell witnessed him explicitly request that panelists not be told of the dollar amounts until after the scoring process had been completed.

Mr. Cleworth stated that the Council may either approve awarding the contract to the selected company or reject it. He asked what would happen if it was rejected. Attorney Chard explained that an offer has been extended and accepted, contingent upon Council approval. He indicated that the issue would likely go back to the purchasing agent and potentially go back out to bid. **Mr. Cleworth** asked who was on the evaluation committee. COS Sanders stated it was him, FECC Manager Kristi Meredith, and Chief of Police Ron Dupee.

Mayor Pruhs asked who wrote the RFP. COS Sanders responded that he, Purchasing Agent Christina Rowlett, and another individual, a non-City employee present in the room, wrote the RFP. **Mayor Pruhs** asked if it was similar to the RFP put forth before, which was now expiring. COS Sanders replied that it was not, as that one had not been revised since 2016; he added that there was a lot of content that no longer made sense. **Mayor Pruhs** asked whether there would be any gap in IT services if the RFP went back out to bid, given that the current contract expires December 31. COS Sanders indicated that perhaps the City could work out some kind of extension with the current provider, but he believes that would be a horrible idea.

Ms. Sprinkle asked if the primary issue is whether bidders had sufficient information about the process to protest in the prescribed timeframe. COS Sanders reiterated that the second highest ranking bidder was nearly eliminated as two of the three reviewers did not believe the company could handle the scale of work.

Mr. Ringstad suggested that, to his understanding, the issue is that one bidder stated they could handle the work, but the evaluation committee disagreed, which left only one realistic option. **Ms. Sprinkle** indicated that it is not uncommon to have bids disqualified for a variety of reasons. COS Sanders clarified that none were disqualified, and all three bids were still reviewed.

Ms. Tidwell asked if the Council could further discuss why some bidders were considered unlikely to be able to perform the scale of work, or if the Council is not privy to that information. Attorney Chard cautioned the Council against second-guessing the process, since it is set forth in detail in the FGC. He reminded the Council that bidders had a prescribed timeframe in which to protest, and he recommended that the Council avoid getting too deep into the process. He indicated that if the result was not acceptable to the Council, the resolution could be rejected.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5091 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5091 APPROVED.

- c) Ordinance No. 6265 – An Ordinance to Accept Board of Adjustment Duties from the Fairbanks North Star Borough to Hear and Decide Appeals of Certain Land Use Decisions for Land Located Within the City of Fairbanks. Introduced by Mayor Pruhs and Council Members Cleworth, Rogers, Sprinkle, Tidwell, Marney, and Ringstad.

ADVANCED on the Consent Agenda

- d) Ordinance No. 6266 – An Ordinance Establishing a Hiring Incentive Bonus Program for the Recruitment and Hiring of First-Time Law Enforcement Officers at the Fairbanks Police Department. Introduced by Mayor Pruhs.

Ms. Tidwell, seconded by **Ms. Sprinkle**, moved to ADVANCE Ordinance No. 6266.

Mr. Ringstad stated that he does not have a problem with the concept, but he has concerns about the timing and priority of the ordinance. He recalled how much the Council did for the FPD over the last six months and concurred that those actions were the right thing to do at the time. He noted that some of those efforts appear to be working, and he would prefer to focus attention on the FECC's needs. He cited that 20% of the positions at FECC are vacant and another 20% are filled by people who live out of state. He stated the Council's attention should be on the FECC, and they should let the other newly implemented programs at FPD have time to work.

Mr. Cleworth indicated that he likes the idea of the ordinance, as it would help increase new police officers instead of stealing them from other agencies, although he acknowledged the urgency of enticing lateral hires. He expressed that his only problem was with the attachment to the ordinance and the timing of the hiring bonus. He described the significant investment the City puts into a recruit, from the Sitka academy all the way through field training. He noted that the way the attachment reads, a recruit would receive the entire bonus after nine months, when they become a full-fledged police officer. He stated he would like to see the bonus split to give more incentive to stay other than just avoiding a prorated payback of a bonus, while limiting the liability to the City should someone choose to leave after only a short time, which has happened.

Mr. Cleworth, seconded by **Ms. Sprinkle**, moved to AMEND Attachment A, Section 1 of Ordinance No. 6266 by revising the last sentence to read, “The City will pay \$10,000 in the Employee’s first paycheck following completion of field training and \$10,000 after 24 months.”

Mr. Ringstad commented that the Council needs to be mindful that the change will spread the financial impact over multiple years. **Mayor Pruhs** pointed out that the incentive would only be in place for one year unless extended by the Council. **Mr. Cleworth** noted that the ordinance cites that the bonuses will be funded through salary savings, so the incentive would go away if there was no salary savings. **Mr. Ringstad** asked if it would legally go away if the FPD no longer had salary savings. **Mayor Pruhs** reiterated that the bonus would only be in effect for one year, and he is quite confident the FPD would have salary savings for that timeframe. Attorney Chard confirmed that it is very unlikely that payment of the incentive would exhaust salary savings within the short span it covers, and if it did, it would trigger the multi-year funding provisions in the FGC. **Mayor Pruhs** reminded the Council of theory vs. reality and that if the FPD had twenty new applicants tomorrow, not only does the hiring process take time, but they have limited capacity for training new officers. He reassured Mr. Ringstad that salary savings in 2024 would be sufficient to cover the cost of the hiring incentive.

Ms. Sprinkle voiced her support for the amendment and expressed appreciation for the effort to use the incentive for both recruitment and retention of new officers.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ATTACHMENT A, SECTION 1 OF ORDINANCE NO. 6266 BY REVISING THE LAST SENTENCE TO READ, “THE CITY WILL PAY \$10,000 IN THE EMPLOYEE’S FIRST PAYCHECK FOLLOWING COMPLETION OF FIELD TRAINING AND \$10,000 AFTER 24 MONTHS” AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

Mayor Pruhs, in response to Mr. Ringstad’s earlier concerns, affirmed that the ordinance would not take away from efforts the Council would like to pursue regarding the FECC. He explained the ordinance is a standalone effort and does not reprioritize work for other departments.

Ms. Tidwell expressed appreciation for the explanation and affirmation of support for the FECC. She stated that she loves the ordinance, as it encourages community members to consider a career in local law enforcement. She asked to be added as sponsor to the ordinance.

Mr. Marney stated that he is aware of some issues with local hires over the last eight years and expressed hope that the ordinance would help change that. **Mayor Pruhs** shared that one of the target audiences for the effort would be individuals who are preparing to leave the military but would like to remain in Alaska. He explained that they could qualify at the Sitka academy then have a very easy transition into a position at FPD. He stated that the ordinance adds a powerful recruitment tool for the FPD.

Mr. Ringstad requested clarification on the specifics of focusing on local hires and any legal implications that may carry. **Mayor Pruhs** explained that previous recruitment efforts have been focused on lateral hires, and this ordinance is for everyone else, whether or not they are already local. He reiterated that anyone interested in making Fairbanks their home and working for the FPD who is not already a police officer could now have a greater incentive to join the FPD and remain there. Attorney Chard concurred that there is no legal issue with language regarding hiring locally, since the definition applies broadly to include anyone interested in living and working in Fairbanks and does not include any stipulations on how long someone must live in the community in order to be eligible for the bonus.

Clerk Snider noted that while Mr. Cleworth's amendment revised the language of Attachment A, there is corresponding language in the ordinance that would also need updated. **Mayor Pruhs** responded that the Council can deal with that item at the next meeting.

Ms. Sprinkle asked to be added as a sponsor to the version that will be drafted for the next meeting. All other Councilmembers also requested to be added as sponsors to the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6266, WITH AMENDED ATTACHMENT A, AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

a) Reappointment to the Finance Committee

APPROVED on the CONSENT AGENDA

b) Appointment to the Permanent Fund Review Board

APPROVED on the CONSENT AGENDA

c) Appointment to the Discretionary Fund Committee

APPROVED on the CONSENT AGENDA

- d) Recommendation for Appointment to the Borough Planning Commission

APPROVED on the CONSENT AGENDA

- e) Permanent Fund Review Board Meeting Minutes of July 12, 2023

ACCEPTED on the CONSENT AGENDA

- f) Clay Street Cemetery Commission Meeting Minutes of October 4, 2023

ACCEPTED on the CONSENT AGENDA

- g) Memorandum Regarding Donation of Two Police Vehicles

APPROVED on the CONSENT AGENDA

- h) Approval of the 2024 City Council Regular Meeting Schedule

APPROVED on the CONSENT AGENDA

COMMITTEE REPORTS AND COUNCILMEMBERS' COMMENTS

Ms. Rogers stated that the many committees she serves on seem to merge in their own ways, with solutions to a variety of problems seeming to flow together naturally. She emphasized recognizing the continuum of need that exists among the various groups in the community and making sure they are always moving forward with possibilities. She thanked the many individuals who have supported those kinds of efforts over the years, ensuring that no one falls through the cracks. She acknowledged that some issues are not comfortable to hear about, but it is a disservice to those in need in the community to not embrace them.

Ms. Sprinkle reported that she has seen real progress on the Polaris Building demolition, with large bags of debris being staged for removal. She stated that there is power inside the building, and work will continue. She stated they will likely take a break until spring once temperatures drop low enough to make progress unrealistic. She reported that the communication between contractors, the City, and landowners is going well, with demolition work occurring like a reverse jigsaw puzzle. She stated that by October 2024 there should be a large empty lot where the building once was. She shared that a thoughtful process is currently underway to draft an RFP that will focus on economic development downtown. She reported that the Chena Riverfront Commission has a special meeting scheduled for the end of the month. She concluded by sharing that Thanksgiving is her favorite holiday and expressed gratitude in working together.

Mr. Cleworth noted that earlier in the evening, during the annual reports of Explore Fairbanks and FEDC, one organization provided details of their employee salaries and wages while the

other did not. He stated he was under the impression that all entities that receive discretionary funds were obligated to provide that information, but as he reviewed the FGC, it was unclear whether that requirement applied to all recipients or only those applying for the grant. He recalled some controversy 15 years ago when an organization refused to provide its salary information and asked the City Attorney could look into the applicability of that portion of the FGC to all fund recipients. He indicated that if it does not apply to all recipients, it is an oversight, because that was the original intent. He noted that one of the memos in the agenda packet included a donation of two police department vehicles. He recalled a past situation where a former Fire Chief wanted to donate a fire engine to a smaller municipality, rather than send it to the City's public auction. He remembered struggling with the desire to be philanthropic while acknowledging that items have real value. He explained that proceeds from real property sales must be deposited into the City's Permanent Fund, but the FGC is vague on the sale of other property; he added that donating equipment can get tricky. He suggested including a discussion on the topic in the next Council work session.

Mr. Ringstad reported that the Permanent Fund Review Board met recently and had some conversation with those who oversee the fund about the rate of return. He stated that in the new year the Board will likely have more discussion on the topics of investment policies and expectations for a rate of return. He referenced Mr. Cleworth's comments about discretionary fund recipients' disclosure of salary information and stated that perhaps the Council should also include a discussion about requiring audits for those that receive over a certain amount of funds. He spoke to similar requirements for those that receive state and federal grants and stated that he is unsure why the City is not also requiring that for its larger recipients.

Mr. Marney echoed Mr. Ringstad's thoughts on discretionary fund recipients. He reported that the Discretionary Fund Committee's preliminary meeting occurred the prior week and established that the presentation and distribution meetings would be December 1 and December 13, respectively.

Ms. Tidwell indicated that she had no reports or comments.

Mr. Cleworth referenced the 2024 Council Regular Meeting Schedule included in the agenda packet. He mentioned that the meeting scheduled for December 23, 2024, is close to Christmas Day and asked whether there were any other meeting dates in question. Clerk Snider stated that she wanted to call attention to the December 23 meeting and pointed out that certain underlined dates on the calendar denote a deviation from the FGC due to holidays.

Mayor Pruhs indicated that the 2024 meeting calendar should be included as a discussion item at the next work session. He also conveyed support for the suggestion of a Code change to require entities receiving large amounts of discretionary funds to show proof of an annual audit.

CITY CLERK'S REPORT

Clerk Snider wished everyone a happy Thanksgiving.

CITY ATTORNEY'S REPORT

Attorney Chard thanked everyone for their service.

EXECUTIVE SESSION

Mr. Ringstad, seconded by **Ms. Sprinkle**, moved to ENTER an Executive Session for an update and guidance concerning *Roberts et al. v. City of Fairbanks*.

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

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

a) *Roberts et al. v. City of Fairbanks* Update and Guidance (entered at 8:35 p.m.)

The City Council met in Executive Session to discuss the above item. An update was provided to the Council, and guidance was given to the City Attorney; no action was taken. The regular meeting resumed at 9:14 p.m.

ADJOURNMENT

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

Hearing no objection, **Mayor Pruhs** declared the meeting adjourned at 9:15 p.m.



DAVID PRUHS, MAYOR

ATTEST:



D. DANVIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC