



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, MARCH 11, 2024
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 6:30 p.m. on the above date to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor David Pruhs presiding and with the following Council Members in attendance:

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
 Thomas Chard, City Attorney
 Michael Sanders, Chief of Staff
 Margarita Bell, Chief Financial Officer
 Jake Merritt, HR Director
 Rick Sweet, Deputy Police Chief
 Nathan Werner, Police Captain
 Andrew Coccaro, Fire Chief
 Kristi Meredith, FECC Manager
 Robert Pristash, City Engineer
 Kirsten Loaiza, Engineer II
 Jeremiah Cotter, Street Foreman
 Brynn Butler, Housing Coordinator
 Brenda McFarlane, Crisis Now Coordinator

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

At the request of Mayor Pruhs, City Attorney Thomas Chard led 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.]

Scott McCrea, President and CEO of Explore Fairbanks – S. McCrea shared that final numbers for the 2023 visitor industry were available, with August proving to be the best month for both airport traffic and hotel occupancy rates. He stated that efforts to promote Fairbanks as a year-round destination are finally reflected in the data, with a slight increase in tourism during the winter over the summer for the first time ever. S. McCrea reported that the start of 2024 has been slow, with airline industry issues being one contributing factor. He stated it was too early to make real projections for the summer season, though they are very optimistic. He noted that the first week of March was particularly busy according to at least one local gift shop owner.

Ms. Sprinkle asked if they had hotel data for the recent busy timeframe he had just mentioned. S. McCrea indicated that they would have those details after the end of March.

Ms. Rogers asked if they were still meeting with the military each week. S. McCrea confirmed that they are still welcoming military personnel every Friday and that it is going well.

Victor Buberger – V. Buberger thanked the Mayor for the job he is doing and wished he had one tenth of the Mayor's knowledge about the City. He thanked Public Works crews and the other City employees for their efforts. He discussed using volunteer firefighters in the City and stated that if doing so would cost more, then someone should let the Borough know they are doing things wrong. He stated that the union pretty much runs the City, but the City should be able to get locals to take college courses to volunteer at the Fire Department and step on the union's toes for once.

Hearing no more requests for comment, **Mayor Pruhs** declared Citizens' Comments closed.

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Tidwell, seconded by **Ms. Rogers**, moved to APPROVE the agenda and consent agenda.

Mr. Ringstad pulled item 12(e), Resolution No. 5109, and item 12(f), Resolution No. 5110, from the consent agenda.

Mr. Cleworth pulled item 12(d), Resolution No. 5108, 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 FROM PREVIOUS MEETINGS

a) Regular Meeting Minutes of February 12, 2024

APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council held a public hearing and considered the following marijuana license application for renewal:

Lic. #	DBA	License Type	Licensee	Address
11051	Northlink, LLC	Standard Marijuana Cultivation Facility	Northlink, LLC	1550 Cushman Street, Suite B

Mr. Ringstad, seconded by **Mr. Marney**, moved to WAIVE PROTEST on the marijuana license application for renewal.

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

Mr. Marney asked if the applicant was caught up on all tax obligations. City Clerk Snider explained that the outstanding tax issues last year were with the State and that since no recent Notice of Violations (NOVs) have been received, one could assume that the issue was resolved. She confirmed that the State would likely not allow a licensee to renew if they were delinquent on taxes. She clarified that the license being considered is for a cultivation facility, which does not pay taxes to the City. She added that the owner has a separate retail license which is in good standing with the City. **Mr. Marney** stated he believes that the owner should be present to speak with the Council and that having five months of tax delinquency in 2023 is a concern. **Mayor Pruhs** pointed out that it was a State issue rather than a City one but agreed that applicants should be present.

Ms. Rogers spoke of the importance of applicants being present when renewals are considered. **Mayor Pruhs** stated that he can and will do better in the future in reaching out to applicants who have items on the agenda and encourage them to attend the meeting and be present for any questions. **Ms. Rogers** added that if there are ever any issues at the State level, it is good for an owner to have a positive relationship with the local government, to provide support if appropriate.

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

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

MAYOR’S COMMENTS AND REPORT

Mayor Pruhs invited FECC Manager Kristi Meredith to provide a report and answer any questions from Councilmembers. He began by asking how many funded positions there are at the Fairbanks Emergency Communications Center (FECC). K. Meredith replied that there are 25.5 positions at FECC, with 17 positions currently filled. She shared information about the hiring process and the status of existing applicants.

Mr. Marney asked if any of the retention and recruitment incentives approved last year resulted in positive results. K Meredith stated that the hiring bonus was only for lateral transfers, but the retention bonus was effective, with most staff staying on board. She noted that a few employees had left and paid back a portion of their bonus. She shared that employees are working significant overtime due to staffing shortages, with a range of 100 to 140 hours worked in a typical pay period. **Mr. Marney** inquired about burnout levels. K. Meredith stated that staff are tired, which is understandable, but that she and other remote workers try to be creative and help cover as much as they can, especially when local personnel have requested leave.

Ms. Rogers asked how many remote workers are currently on staff. K. Meredith shared that 4.5 positions are working remotely and provided examples of the associated complications of such an approach. **Ms. Rogers** asked if other communities in Alaska have remote workers in similar dispatch roles. K. Meredith explained that the Alaska State Troopers (AST) dispatch center covers half of the state from Peger Road, which is a type of remote work, but none are working from home like the FECC. She shared details about some of the communication system constraints that make remote dispatch work difficult but shared that places such as Denver, CO have as many as 80% of their dispatches working remotely.

Mayor Pruhs asked Deputy Police Chief Rick Sweet to provide details about his recent trip to Juneau. DC Sweet shared that he and Crisis Now Coordinator Brenda McFarlane visited the stabilization center in Juneau and met with delegates, local police department personnel, and representatives from the Alaska Mental Health Trust. He spoke about the stabilization center operations, citing the benefits of addressing situations with a mental health focus for medical or behavioral issues, rather than using a law enforcement approach. DC Sweet noted that as a result, there is a reduced cost to police and fire departments, first responders are back on the road faster, and individuals get appropriate care much quicker. He stated that the Interior Delegation supports the idea, but the primary challenges for a local facility are funding and location.

Ms. Sprinkle asked if such facilities could be utilized voluntarily by individuals or if they are only for directed placement through incidents involving an agency. DC Sweet explained that it would be a no barrier facility where anyone could seek help. He stated that the goal for a stabilization center would include both voluntary and involuntary admission.

Mr. Ringstad asked how long the Juneau facility had been open and about the average occupancy. DC Sweet stated that he does not have specific data but that the facility had not been open for long and has unique logistics being both part of the hospital campus and used for the public.

Ms. Tidwell shared that she had visited the facility a few months prior and stated that it sounds like things have progressed well. DC Sweet stated that they were told that most instances of care lasted a few hours to just under a day in duration, with a few closer to a seven-day window.

Ms. Rogers asked DC Sweet if they had visited anyone from other parts of the state. DC Sweet reported having interaction with a representative from Kotzebue and stated that many municipalities were represented and looking for similar solutions for their communities. He gave additional info about Fairbanks Police Department (FPD) responding to multiple calls for the same

individuals in a short period due to the catch-and-release nature of local services, and how the hospital cannot function as a full stabilization center.

Mayor Pruhs acknowledged the time spent on special reports such as these and expressed the importance of the Council hearing from representatives from each department at least quarterly.

Ms. Rogers asked if Housing Coordinator Brynn Butler could be invited to give a report, to which **Mayor Pruhs** consented. B. Butler shared details about current challenges with housing availability as well as changes in how the Rapid Rehousing grant funds are being managed and accepted locally. She reported that funds for the Ray of Hope Grant were successfully spent, preventing more than two dozen families from being evicted. **Ms. Rogers** asked B. Butler about her trip to Juneau. B. Butler shared that she participated with the Alaska Coalition for Housing and Homelessness as a panelist for their virtual advocacy day, where she highlighted the benefit of working with those who have lived-experience to better serve people in need—like street smarts versus book-smarts. She expressed the importance of showing how people can change.

Ms. Tidwell asked about an upcoming local event. B. Butler shared that she will be a panelist for two upcoming local events, one being the Fairbanks Housing Action Week with the Cold Climate Housing Research Center.

COUNCILMEMBERS' COMMENTS

Mr. Marney stated that the City is fortunate to have such wonderful staff.

Mr. Ringstad, Ms. Tidwell, Ms. Sprinkle, and Ms. Rogers each indicated they had no comments.

Mr. Cleworth expressed appreciation for the staff reports provided.

UNFINISHED BUSINESS – None

NEW BUSINESS

- a) Resolution No. 5105 – A Resolution Awarding a Contract to RWC International Ltd to Provide Two Refuse Haulers in the Amount of \$682,254. Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

- b) Resolution No. 5106 – A Resolution Awarding a Contract to Yukon Equipment Inc to Provide a Street Sweeper in the Amount of \$426,687. Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

- c) Resolution No. 5107 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for a FFY2023 Assistance to Firefighters Grant through a Regional Application. Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

- d) Resolution No. 5108 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for the FFY2023 Assistance to Firefighters Grant (AFG). Introduced by Mayor Pruhs.

Ms. Sprinkle, seconded by **Ms. Tidwell**, moved to APPROVE Resolution No. 5108.

Mr. Cleworth stated that he pulled the item to hear more details, especially because of some of the large amounts cited in the resolution.

Fire Chief Cocco explained that the Assistance to Firefighters Grant (AFG) program has been funded by the federal government every year since the September 11, 2001 terrorist attacks to help local and state agencies afford projects they normally would not be able to cover. He shared that Fairbanks Fire Department (FFD) has already submitted grant applications for smaller equipment needs, but this grant application would require some matching funds and has a larger scope. He stated that the bulk of the request is to get ahead of the ridiculous curve in ordering a new ambulance, which can take several years to obtain. Chief Cocco added that the intent is for the grant to cover the overtime and instruction costs for additional training at the department, including courses for the roles of Firefighter II, Fire Instructor, Driver/Operator, Fire Officer I, Fire Officer II, and Hazmat Technician.

Mr. Ringstad asked about the number of ambulances the City currently owns and about the lifecycles of the vehicles. Chief Cocco stated that the City has six ambulances, but two are stored at Public Works, intended as emergency backups, sitting outside stripped of sensitive equipment. He expressed appreciation for the funding for a new ambulance in the 2024 budget and how he is hoping to utilize the grant to get a second one in the queue. Chief Cocco explained that 18 – 24 months is a likely timeframe on order fulfilment for an ambulance, which begins after a bid is awarded. He added that the AFG funding, if received, would cause that date to move further out.

Mr. Marney asked if there is a market for used ambulances. Chief Cocco stated that there is, though the cost for the purchasing agency can be high as they typically must ship the unit out of state to be updated to meet their needs. He clarified that the market does benefit the City through the sale of older units, citing a recent success of such through the Public Works auction process. He noted the geographic location of Fairbanks being a challenge in the used market but stated that they can recoup some costs when it is time to replace units in the fleet. **Mr. Marney** asked about the timeframe for the training. Chief Cocco indicated that he would like to plan for next winter, with the Driver/Operator training being more conducive for summer, though the specifics may be out of their control depending on when grant funds are received and required to be expended.

Mr. Cleworth asked whether the grant is bundled or whether items could be separated out. Chief Cocco confirmed that the program allows for partial funding of a request. **Mr. Cleworth** asked if there would be a better chance of receiving the grant if the ambulance was separated as its own application. Chief Cocco shared that the grant process is highly competitive, and the reviewers tend to view training needs more favorably than equipment. He pointed out that the City must provide only a 10% match. **Mr. Cleworth** stated that forced overtime was an item of concern

during the budget process and pointed out how this would add even more overtime. Chief Coccoaro acknowledged such and clarified that by the time the grant is awarded, he hopes staff will be more evened out at the department to relieve some pressure. He added that this is training FFD personnel have expressed a desire for and is an important component of professional development. He stated the City would be allowed to facilitate the training without adding another half a million dollars of overtime. **Mr. Cleworth** pointed out that the department has an existing training budget of \$150,000 and that training occurs every day. Chief Coccoaro confirmed that FFD is one of the best examples he has ever seen where personnel spend every shift either taking calls or training. He clarified that the training included in the grant application is for official certification courses. **Mr. Cleworth** asked Chief Coccoaro if he anticipates using the full \$471,000 referenced and if staff members who take the certification courses are required to remain at the FFD for a certain number of years. Chief Coccoaro indicated that the requirement is not built into the grant, nor has it traditionally been a requirement. He added that the training would benefit the department and the community and it would behoove the City to get employees caught up on certifications. He stated that his hope is to meet those goals with funding covered largely by an outside source.

Mr. Ringstad asked if the training was in addition to what is already budgeted. Chief Coccoaro confirmed that it would be.

Ms. Sprinkle asked how the in-house training officer at FFD is incorporated and if they help train other firefighters in the Borough. Chief Coccoaro confirmed that the full-time Training Captain oversees the FFD's academy and the daily education needs of the on-duty Captains. He indicated that the current focus is to acquire funds to train at 10% of the cost. He clarified that the City trainer does not train other Borough partners directly but they participate together in mutual-aid training to ensure familiarity.

Mr. Marney pointed out that the two machines being purchased for Public Works include warranties, but it appears the ambulance does not. Chief Coccoaro clarified that the ambulance purchased would have a warranty; however different manufacturers provide different coverage, so he would not be able to give specifics on such until it was time to award a bid.

Mr. Cleworth stated that he would be in favor of the resolution if it included an application only for an ambulance. He shared his concern regarding burnout and overtime expectations, as was included in the FFD's 2024 budget narrative, and spoke to how this item would only add more. He expressed worry over getting closer to liability situations with staff working beyond reasonable amounts of time. He indicated that he did not recall the City applying for this grant in the past and asked if the City had. Chief Coccoaro stated that he is sure the City has applied for an AFG grant before, but it may have been for equipment and not training. **Mr. Cleworth** added that his other concern is that, even though the City would not be covering most of the cost of the training, staff benefiting from official certifications would not have any requirement to stay at FFD for a certain period of time. He pointed out that such commitments have an expectation in other departments. After confirming that the grant would come back before the Council for acceptance, if awarded, **Mr. Cleworth** asked if it was a reasonable expectation that staff receiving certifications make commitments to stay at FFD for a certain period of time. Chief Coccoaro responded that it would not be unreasonable but pointed out that not having this type of training is one reason firefighters sometimes leave the City. He noted that many employees seeking certifications have been with

the City for years and deserve the opportunity. He acknowledged both sides of the issue and the value of retention commitments. **Mr. Cleworth** stated that he may vote in favor of the resolution.

Ms. Sprinkle agreed that it was helpful to know that the Council would have time and be able to review things when the grant issue comes back, if awarded. Chief Cocco expressed appreciation for the Council's consideration, citing the time constraints on the application window. He thanked CFO Bell and other staff for helping prepare the item together on short notice.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5108 AS FOLLOWS:

YEAS: Marney, Ringstad, Cleworth, Sprinkle, Rogers, Tidwell
NAYS: None
Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5108 APPROVED.

- e) Resolution No. 5109 – A Resolution Approving City of Fairbanks Participation in the Barnette Street and 10th Avenue Pilot Project to Improve Bicycle Access and Mobility. Introduced by Mayor Pruhs.

Ms. Tidwell, seconded by **Mr. Marney**, moved to APPROVE Resolution No. 5109.

Mr. Ringstad asked for clarification on the difference in the scope of work between Resolution Nos. 5109 and 5110. He stated that both documents include a “Whereas” statement referencing other streets, contingent upon the availability of funds, which makes the plan unclear. He indicated that the work session led him to believe that certain streets were being eliminated from the overall plan. He pointed out that the single attachment to the resolution does not provide much detail, and he understands it to read that if other funding comes about, additional streets will be included.

Mayor Pruhs asked for confirmation of the funding source. B. Pristash confirmed that the federal government, through FAST Planning, was the source. **Mayor Pruhs** shared his understanding that the resolutions involve either Barnette alone, or Barnette and 10th together; B. Pristash confirmed. **Mr. Ringstad** added that the resolution language does not seem to reflect that scope.

Ms. Sprinkle recalled that during the work session, B. Pristash had indicated that he preferred Resolution No. 5109 over the other and that she did not see a reason to remove 10th Avenue from the project considering it had been through committee evaluation for years, the design work was done, and funding was already covered.

Mr. Cleworth stated that he has several problems with bike paths in the way currently being considered. He pointed out that cyclists have the right-of-way on almost every street throughout the City and that anytime a street is designed, consideration for all modes of transportation can be incorporated. He expressed disagreement that dedicated signage and paint on the road was necessary and referenced Gillam Way as an example of great design that accommodates both cyclists and snow storage. He shared that in his experience, it is very easy to ride east-to-west in most areas of town, which is why he favors the idea of Barnette Street for the project. He recalled

that past conversations regarding the north-south corridor made it clear that Barnette Street was a good candidate in comparison to others. He pointed out that even when a designated bike lane is established, cyclists may not use it, nor are they required to. **Mr. Cleworth** asserted that serious cyclists will use whatever street or lane feels comfortable and/or safe. Citing language from the Fairbanks General Code (FGC) regarding the need for concurrence between departments for major street design work, he indicated that he would like to hear from Public Works on the matter.

Street Foreman Jeremiah Cotter shared that ongoing maintenance has been a concern for streets like 10th Avenue. He stated that once striping has been completed, Public Works will be expected to maintain it. He predicted there would be backlash if they did not, even if it was meant to just be a temporary project. He noted that they are behind in all sorts of painting projects across the City.

Ms. Tidwell asked whether the project included surface-only painting – not painting inlaid into the pavement. J. Cotter confirmed that it would be surface-only painting.

Ms. Sprinkle reiterated that the project had been discussed since 2019 and concerns would have been addressed during the committee phase long ago. J. Cotter shared that while Engineering has been okay with everything, Public Works has had issues from the start. **Ms. Sprinkle** was troubled by the idea that the City might say no to a project like this because one department did not like it. She reiterated that it is a pilot project involving only paint. She suggested that cycling is not celebrated as much as it should be in Fairbanks.

Mr. Cleworth asked why it was imperative to have dedicated markings telling cyclists where to ride rather than ensuring that designs are conducive to bicyclists, with extra space on the side of the road. **Ms. Sprinkle** acknowledged that she is not an engineer but would like to see how the pilot project works out; she added that she is listening to the department head in regard to the item.

Ms. Tidwell stated that she is in favor of Resolution No. 5109, that it is nice to consider one street running each direction, and that surface paint should be a minor issue, especially because it will be covered for most of the winter.

Mr. Cleworth stated that he supports Barnette Street but not 10th Avenue and pointed out that once the funding source runs out, there will be an expectation to upkeep the lines, which would then shift towards the more expensive inlaid paint.

Mr. Marney asked what would happen to vehicles parked on the street along 10th Avenue past the Tanana Valley Clinic. B. Pristash stated that parking is already prohibited in that specific area.

Mayor Pruhs asked if the City would manage the project being funded through FAST Planning. B. Pristash explained that DOT would manage the project and the City would advise.

Mr. Ringstad shared that he could go either way on 10th Avenue's inclusion, but he again expressed concern about the language that references other streets, as well as the attached map.

Ms. Sprinkle expressed interest in keeping Lacey Street as a potential future road.

Mr. Ringstad, seconded by **Ms. Tidwell**, moved to AMEND Resolution No. 5109 by removing the sixth “Whereas” statement and the attachment.

Ms. Sprinkle moved to AMEND the amendment by keeping Lacey Street, as referenced within the sixth “Whereas” statement. The motion died for lack of a second.

Mr. Marney asked what the City Engineer’s thoughts were on the amendment. B. Pristash stated he believes it is ill-advised, that there will be \$500,000 to cover the work, and that there will likely be leftover funds which may be directed to other prioritized streets. He acknowledged that it is not yet known which street or streets would be the next best choice.

Mr. Ringstad reiterated that he does not believe the resolution should imply or mislead that the other streets would be done after the first two are completed. **Mayor Pruhs** confirmed that the work session included narrowing the focus to just the two streets, or Barnette alone, without other commitments, which is what the Council has the chance to do now if it wishes.

Ms. Rogers spoke in favor of following the recommendations from the City Engineer.

Mr. Cleworth indicated support for the amendment and reiterated that every time a street is designed for any project, the same methodology could be used to ensure it is suitable for all modes of transportation without the need to add paint. He explained how neighborhoods like those in Spokane, Washington are finding success with efficiency and cost savings by eliminating certain physical components, such as stop signs and painted crosswalks. He stated that expectations and laws were still in place, but the result is that it works. He clarified that he is not proposing such an approach in Fairbanks but feels it is important to remember that there are many methods available when it comes to design work and the shared space concept in a community.

J. Cotter stated that Public Works supports simple paint designs to segregate space for cyclists. B. Pristash shared that the designs utilize newer methods of marking that enhance existing space for cyclists and that some approaches include cyclists sharing the same space as vehicles, with the markings intended to alert drivers of such parameters. He reminded the Council that the proposal is meant to be a pilot project, with an effort to address the needs of all users and test new ideas and features that exist in other cities to see what may or may not benefit Fairbanks. He recognized that the result could be that cyclists are not supportive of the method after experiencing it themselves.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND RESOLUTION NO. 5109 BY REMOVING THE SIXTH “WHEREAS” STATEMENT AND ATTACHMENT AS FOLLOWS:

YEAS: Ringstad, Marney, Cleworth, Tidwell

NAYS: Rogers, Sprinkle

Mayor Pruhs declared the MOTION CARRIED.

Mr. Cleworth stated that he finds it unnecessary and even humorous that money should be spent to paint something on a specific road that applies to every street in Fairbanks, especially when those who take cycling seriously already know that the road is shared.

Mr. Marney expressed his understanding that the federal government has strict guidelines for these types of projects which, if they are not followed, can result in a loss of funding. B. Pristash confirmed that there has been a shift in how projects are weighed and scored when they do or do not incorporate non-motorized transportation considerations or follow established guidelines.

Mr. Ringstad acknowledged that this is a pilot project and expressed hope that they can determine a sensible metric to track whether it is worth continuing in the future.

Mr. Cleworth asked if the “Complete Streets” approach was put in through FAST Planning or mandated federally. B. Pristash explained that federal advice and training has been put out and that, locally, the Policy Board chose to adopt the Complete Streets federal guidance. **Mr. Cleworth** clarified his notion that if the Policy Board had chosen to do so, a future Policy Board could elect to undo that action, especially given that some components of such methodology do not work in northern climates such as Fairbanks. B. Pristash acknowledged that most manuals recognize the need for engineering judgement calls, although there are instances of *should* versus *shall* versus *may* in almost every resource they rely upon.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5109, AS AMENDED, AS FOLLOWS:

YEAS: Tidwell, Sprinkle, Ringstad, Marney, Rogers

NAYS: Cleworth

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5109 APPROVED.

- f) Resolution No. 5110 – A Resolution Approving City of Fairbanks Participation in the Barnette Street Pilot Project to Improve Bicycle Access and Mobility. Introduced by Mayor Pruhs.

Mayor Pruhs declared Resolution No. 5110 FAILED due to the LACK OF A MOTION.

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Clay Street Cemetery Commission Meeting Minutes of February 7, 2024

ACCEPTED on the CONSENT AGENDA

COMMITTEE REPORTS AND COUNCILMEMBERS’ COMMENTS

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

Mr. Marney reported that he attended the recent board of directors meeting for Explore Fairbanks, noting that there are several new members. He stated that they were all surprised to hear the report of the increase in winter tourism and that there was discussion on whether to shift focus back to summer tourism. He recognized CFO Bell and staff for the recent increase in grant opportunities.

Mr. Ringstad spoke to the earlier issue of the marijuana license renewal, indicating that the notes regarding failure to pay State taxes were from earlier in 2023; he noted that it appears the business is current in all areas. He recalled previous discussions about the difficulties for these business owners who must travel to Anchorage to make tax payments. He agreed that it would be nice to have a dialogue with the owner but expressed the need to give him the benefit of the doubt that he is doing what he is supposed to. **Mr. Ringstad** shared that his daughter works at the hospital, and she has mentioned over the years how the Emergency Room (ER) staff is not prepared to treat the mentally ill people who come there. He acknowledged that this is not a new issue and agreed that something needs to happen to allow ER doctors to focus on their primary responsibilities.

Ms. Sprinkle thanked DC Sweet and B. McFarlane for representing the City well during their trip to Juneau and agreed that the Fairbanks community has a great need for a stabilization center.

Ms. Rogers emphasized the idea of encouraging ongoing discussion to provide a resource and support for those doing business in the community. She stated she does not intend to have punitive conversation on such matters but wants to move forward, working together. She invited B. McFarlane to share additional comments regarding their work together. B. McFarlane expressed appreciation for DC Sweet's efforts in advocating for a stabilization center and reported that she has also participated in two ride-alongs with FPD from 10 p.m. to 8 a.m. She stated that alcohol is a primary contributor to many challenges in the community and that any facility they pursue must be able to address that issue. She reported that she and Ms. Rogers recently toured the old bank building at 8th Avenue and Noble Street, which is for sale and would be a suitable option for a stabilization center. She stated it would be exciting to see an existing building used in that way.

Mr. Cleworth asked if CFO Bell had read the article in the newspaper regarding the potential increase in Borough tobacco taxes. CFO Bell indicated that she had not. **Mr. Cleworth** shared that it sounded as though the Borough's taxes would be in addition to the City's. CFO Bell reported that she called the Borough earlier in the day for clarification and understands that while some Borough sales taxes are exempted within the City, the tobacco excise tax is not. **Mr. Cleworth** asked whether an increase to the Borough tobacco tax would mean that businesses would potentially see a combined 40% tax rate in the future and, if so, whether that would encourage retailers to flee the City to cut their tax obligations in half. CFO Bell stated that the 40% rate was correct and added that it is always a possibility that businesses relocate for such reasons. **Mr. Cleworth** indicated that he is inclined to speak in opposition to the measure at the Borough Assembly meeting later in the week; he stated he would look further into the issue before then. He spoke about the summer water supply to the ball fields in the South Davis area, citing a seasonal, temporary solution of running a six-inch plastic pipe from the water main line to keep the above-ground tanks filled at both the softball and soccer fields. He noted that the more expensive but permanent solution would be to install a line from the water main, which he imagines the Borough would support if the City paid for it. **Mr. Cleworth** addressed the reality that although the City is viewed as the primary contaminator from the PFAS chemicals used at the Fire Training Center (FTC) years ago, other agencies from the Borough, University, and State used the facility also. He expressed frustration that the City has taken on the liability and wondered whether there might be interest from the other agencies in sharing the cost of a permanent solution, which would also bring potable water to those sports facilities. He stated that he may attempt to plant a seed of the idea at

the upcoming Borough Assembly meeting. **Mr. Cleworth** reported that he has received more complaints recently about people loitering at the downtown post office and asked whether that was on the FPD's radar. DC Sweet responded that they have received some complaints but do not seem to be inundated with such. **Mayor Pruhs** asked if the FPD can inspect a federal property. DC Sweet explained that they cannot unless they are invited to do so, and he gave examples of the types of calls FPD has received. **Mayor Pruhs** asked whether things are different if a citizen calls in a problem. DC Sweet stated that if the issue is outside, the FPD will often respond, but the typical process is to contact the Postmaster and ask if they would like FPD's presence. **Mayor Pruhs** asked DC Sweet to set up a meeting between the two of them and the Postmaster. DC Sweet agreed to do so, stating that he does not anticipate any pushback. He added that there are specific federal regulations they must be mindful of at a location like the post office.

CITY CLERK'S REPORT

Clerk Snider spoke about the issue of tobacco taxes and clarified that businesses within the City currently pay a combined rate of 28% and those outside City limits but within the Borough only pay 8%. She noted that the proposed increase would result in a rate of 40% for businesses selling tobacco within the City and 20% outside. She stated that the Borough's ordinance would not cause the taxes to be "stacked" because they already are. CFO Bell thanked Clerk Snider for the clarification and explained that the Borough's tobacco tax has applied to businesses within the City since its inception. She added that sales taxes have exemptions built into Borough code, but tobacco taxes are not structured the same way.

Ms. Sprinkle asked if the increase would have to go before the voters or if the Assembly could make the change on its own. CFO Bell stated that she believes the Assembly could make the change but that she has not seen the ordinance. **Mr. Cleworth** indicated that the Assembly has the authority to adopt the change.

Clerk Snider addressed the earlier failed vote on the motion to waive protest of the marijuana license application for renewal. She informed the Council that the result of that vote is, in effect, a protest of the license, which will be the action she must report to the Alcohol and Marijuana Control Office (AMCO). She stated that without further action the matter will not come back to the Council.

City Attorney Chard acknowledged the interest of the Council and Mayor in seeking the presence of the business owner. He referenced FGC Sec. 14-215 which outlines specific allowable reasons to protest a license application. He clarified that unpaid taxes could be considered cause for protest, but a desire to have a discussion with a business owner would not be a specific enough reason.

Ms. Rogers, seconded by **Ms. Sprinkle**, moved to RECONSIDER the motion to WAIVE PROTEST on the marijuana license application for renewal.

Mr. Ringstad asked for confirmation that a failure to vote to not oppose the license meant that they are in fact opposing it. **Mayor Pruhs** confirmed that is correct, but the Council has the option to postpone the action, if desired. **Mr. Ringstad** stated he does not believe the intent is to oppose the application. **Mayor Pruhs** repeated that the Council could postpone, request the owner's

presence at the next meeting, and determine if any valid reasons exist to justify a protest. Attorney Chard gave guidance on the proper procedural options available. He asked about the timeline for providing a timely response to AMCO. Clerk Snider confirmed that there is still time; she explained that her standard practice is to place these types of items on the agenda one meeting earlier than is necessary, in the event any issues arise.

Ms. Sprinkle stated that this is a new situation for her and that she now understands that if the Council has any issues with a future application, the better option would be to postpone.

Clerk Snider informed the Council that she had reached out to the owner prior to the meeting, to let them know that their application was on the agenda. She explained that this is something she typically only does if there are any kind of outstanding issues or a possible hitch, though she cannot guarantee that the owner saw her email.

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

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

Mr. Ringstad, seconded by **Ms. Sprinkle**, moved to POSTPONE the motion to waive protest on the marijuana application license for renewal.

Ms. Tidwell pointed out that the only concerns regarding the application are for delinquent tax payments to the State from nearly a year ago, which have since been rectified, and that all payments to the City are current. She added that the Council often reviews applications for locations that have several pages of police activity which the Council discusses and ultimately passes. She expressed support for the idea of requesting owners be present at meetings when their applications are considered but indicated that she would rather not hold this particular application up; she added that she would prefer to approve it presently. **Ms. Tidwell** explained that owners in the industry can hear about what transpired at the Council meeting and use that as motivation to attend in the future. She stated she does not believe the owner of the business being considered deserves his application to be held back, which is why she intends to vote against postponement.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE THE MARIJUANA APPLICATION LICENSE FOR RENEWAL AS FOLLOWS:

YEAS: Sprinkle, Rogers, Cleworth, Marney, Ringstad

NAYS: Tidwell

Mayor Pruhs declared the MOTION CARRIED.

CITY ATTORNEY'S REPORT

Attorney Chard stated that he had nothing to report and thanked the Council for their service.

EXECUTIVE SESSION

Mr. Cleworth, seconded by **Ms. Sprinkle**, moved to ENTER Executive Session to discuss Fairbanks Firefighters Union (FFU) Labor Negotiation Strategy.

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

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

a) Fairbanks Firefighters Union Labor Negotiation Strategy (*entered at 8:44 p.m.*)

Mr. Cleworth brought the City Council out of the Executive Session noting that the City Council met in Executive Session to discuss FFU Labor Negotiation Strategy. He stated that direction was given to the negotiating team, and no action was taken.

The regular meeting resumed at 10:14 p.m.

ADJOURNMENT

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


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

Mayor Pruhs declared the meeting adjourned at 10:14 p.m.



DAVID PRUHS, MAYOR

ATTEST:



D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC