



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 16, 2024
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 Legislative and Capital Priorities Discussion with the Interior Delegation, to conduct a Regular Meeting of the Fairbanks City Council via Zoom webinar and in the City Council Chambers located at 800 Cushman Street, Fairbanks, Alaska, with Mayor David Pruhs presiding and the following Councilmembers in attendance:

Councilmembers Present: Jerry Cleworth, Seat A
 Valerie Therrien, 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 (CFO)
 Andrew Coccaro, Fire Chief
 Ron Dupee, Police Chief (remotely)
 Kristi Merideth, FECC Manager (remotely)
 Christoph Falke, Building Official
 Jarrod Zerbe, Code Compliance and Safety Specialist
 Brenda McFarlane, Crisis Now Coordinator
 Marsha Oss, Reentry Coordinator (remotely)

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

At the request of Mayor Pruhs, a local group of homeschool students led the flag salutation.

CEREMONIAL MATTERS (Proclamations, Introductions, Recognitions, Awards)

a) Reading of the Bill of Rights

Mayor Pruhs introduced the group of homeschool students and thanked the parents and guardians who had facilitated their attendance at the meeting. He invited the students to read the Bill of Rights into the record. Afterwards, he thanked the students for participating in the annual tradition

and called for a brief recess to enjoy light refreshments. The Council reconvened at Citizens' Comments following the brief recess.

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.]

Tyrone Burkhead – T. Burkhead expressed support for Resolution No. 5151. He stated that while he appreciates the Councilmembers who brought it forward, the resolution falls short as it does not designate Dr. Martin Luther King Jr. (MLK) Day as an official City holiday. He explained that virtually all people, not just African Americans, have benefited from the civil rights movement and that Dr. King deserves the highest level of honor that Fairbanks, the Golden Heart City, can provide. T. Burkhead gave examples of inconveniences that occur in regular, daily life, and the feelings of impatience that can come. He stated that he has waited for over 40 years for his City to recognize MLK Day as a City holiday and that there always seems to be reasons that it cannot be done. He pointed out that Anchorage recognizes the day and, closer to home, the City of North Pole does as well. He asserted that it is not an oversight; rather it is a refusal. He reminded the Council that African Americans have had far too many experiences with having to wait and that Fairbanks has not been immune to these challenges in its history.

Ms. Therrien asked T. Burkhead if he knew which other governmental entities recognize MLK Day as an official holiday. T. Burkhead recalled that the school district, the University of Alaska Fairbanks, the federal government, and the Municipality of Anchorage do. He stated he called the City of North Pole and the City Clerk shared that they have observed the holiday for decades. He acknowledged that essential employees have to work on holidays but wondered if his 49-year-old daughter would ever see MLK Day honored in Fairbanks in the way it deserves.

Indra Tobias – I. Tobias shared that she is a permanent, year-round resident of the community and thanked the National Association for the Advancement of Colored People (NAACP) for its ongoing work locally. She reported that across the state, there are 12 primary holidays recognized and that MLK Day is one of the few that is not recognized by all levels of government. She pointed out that the federal holidays of MLK Day and Juneteenth are both considered optional at the local government level. I. Tobias asserted that MLK Day is the only holiday of the year that extends a call to action for all people to give back to their local communities through acts of service and outreach to neighbors. She urged the Council to support making MLK Day an official City holiday.

Dorothy Jones – D. Jones shared that she serves as the President of the Martin Luther King Celebration Committee for Fairbanks, and she encouraged the City Council to make MLK Day an official holiday in every way possible. She discussed the history of the holiday at the federal and state levels as well as her involvement with the local effort to celebrate the day. She asked the Council to help everyone live up to the "Golden Heart City" motto with this opportunity to unite people, build bridges, and heal divisions that still exist between people. D. Jones extended an invitation to participate in the organized, free celebration planned for January 17. She highlighted the wonderful mix of people who attend the event each year and shared details about the various aspects that go into the celebration. She shared that they are fortunate to have a photographer visiting who was present during the major events in Selma, Alabama during the civil rights

movement and whose photographs were being shared prior to their relocation to the Smithsonian Museum. She reiterated her invitation for all to come celebrate MLK Day with them.

Mayor Pruhs, hearing no requests for additional comments, declared Citizens' Comments closed.

APPROVAL OF AGENDA AND CONSENT AGENDA

Ms. Therrien, seconded by **Ms. Sprinkle**, moved to APPROVE the agenda and consent agenda.

Ms. Therrien pulled item 12(b), Resolution No. 5151, from the consent agenda.

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

Clerk Snider read the consent agenda, as amended, into the record.

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
104	Red Lantern Steak & Spirits	Restaurant/ Eating Place	Westmark Hotels, Inc.	813 Noble Street

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

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

Ms. Sprinkle suggested that at some point the Council should review the types of documentation provided with application packets. She noted that many items on the call report provided do not pertain to the restaurant but rather to the hotel in which the restaurant is located. **Mayor Pruhs** suggested that the difference in the reports could be interpreted. **Ms. Sprinkle** expressed frustration that the reports are rarely helpful and wondered if there was a better way for the Council to be informed of actual issues at a licensed premises. Chief of Staff Michael Sanders shared that he had received a message from FECC Manager Kristi Merideth who confirmed that not a single entry on the report provided was associated with the restaurant. **Mayor Pruhs** indicated that he will ponder the matter and see if there is a better way for information to be presented to the Council.

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

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

- b) The Fairbanks City Council held a public hearing and considered the following alcohol license application for transfer of location and ownership:

Type/License:	Beverage Dispensary, License #576
To DBA:	Club SinRock
To Owner:	Kcornis, LLC
To Location:	1347 Bedrock Street, Fairbanks
From DBA:	The CrowBar
From Owner:	Area 51 Properties, LLC
From Location:	2712 Jessie Street, Fairbanks

Mr. Ringstad, seconded by **Mr. Cleworth**, moved to WAIVE PROTEST on the alcohol license application for transfer of location and ownership.

Mayor Pruhs called for testimony.

Tim Lyons – T. Lyons shared that he is the majority owner of Kcornis, LLC and that they have been in business since 2014 with a responsible track record, making every effort to be a good neighbor in the area their business is located. He pointed out that the number of police calls to Club SinRock have been minimal to none, that they have safety measures in place, and that they strive for professional management. He stated he understands what is required to run a tight ship in their industry and the responsibility that comes with serving alcohol. He noted that he and his partner currently have alcohol licenses in Anchorage and in the states of Washington and Oregon.

Ms. Sprinkle asked how Rick Mensik, a name she saw referenced in the packet, was involved. **Mayor Pruhs** explained that R. Mensik was the majority owner of the current license holder.

Mr. Marney asked if there were plans to change the current nature of business. T. Lyons confirmed that they intend to continue to operate as an adult establishment.

Mayor Pruhs, hearing no more requests for comment, declared Public Testimony closed.

Mr. Cleworth stated that when the motion to waive protest was made, it did not include a stipulation that had been suggested by the Building Department, which was that the establishment must comply with the Fairbanks North Star Borough's (FNSB) zoning and grandfather status for the property. He asked if that would be automatically assigned as a stipulation of if the Council should move to include it. **Mayor Pruhs** stated that such responsibility would fall upon the FNSB, not the City. He noted that the City's Building Department is not involved with zoning.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE ALCOHOL LICENSE APPLICATION FOR TRANSFER OF LOCATION AND OWNERSHIP AS FOLLOWS:

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

MAYOR'S COMMENTS AND REPORT

Mayor Pruhs congratulated Ms. Tidwell on her recent nuptials. He appointed Ms. Sprinkle to the Finance Committee. He invited Crisis Now Coordinator Brenda McFarlane to give a report.

B. McFarlane introduced Morgan Scherrer, team leader for the Alaskan AmeriCorps group. M. Scherrer shared details about their program to strengthen communities and develop leaders through 10-month service assignments. She provided a summary of what her team has done in the Fairbanks area since arriving at the end of October, including service opportunities with the Tanana Chiefs Conference and the Fairbanks Community Food Bank. She highlighted the increase in activity they have enjoyed compared to that of previous years' AmeriCorps teams. M. Scherrer discussed the various locations across the country that her team members are from and conveyed gratitude for the support and energy her team has experienced while in Fairbanks.

Mayor Pruhs thanked M. Scherrer and her team for their service to the community.

COUNCILMEMBERS' COMMENTS

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

Mr. Cleworth referenced Resolution No. 5150 and asked if the associated grant was for a platform or a fire engine. Fire Chief Andrew Cocco shared that it was for a heavy rescue truck. **Mr. Cleworth** noted that the estimated cost of \$2MM must mean that it is a serious piece of equipment. He thanked the City Clerk for continuing the tradition of having the Bill of Rights read by local youth. He shared how the late Frank Turney helped the practice come about many years ago, and he spoke about the great importance of the Bill of Rights.

UNFINISHED BUSINESS

- a) Ordinance No. 6283, as Amended – An Ordinance Amending Fairbanks General Code by Enacting Section 10-207 to Require That Vacant Buildings Be Secured and Registered and Establishing Fines for Violations of These Requirements. Introduced by Mayor Pruhs and Council Members Sprinkle and Ringstad.

Clerk Note: The first reading of Ordinance No. 6283 was postponed from the Regular Meeting of June 24, 2024, then again on August 26, 2024 after the ordinance was amended. The motion to advance remains on the floor, and a public hearing will be held at the second reading, if advanced.

Mr. Ringstad, seconded by **Ms. Sprinkle**, moved to POSTPONE Ordinance No. 6283, as Amended, to the regular meeting of May 19, 2025.

Mr. Ringstad stated that with the recent heavy workload of the budget and other matters, he did not feel that he had given sufficient time to review the details of Ordinance No. 6283, as Amended.

Ms. Sprinkle agreed that in order to make it a viable ordinance, more time is needed.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6283, AS AMENDED, TO THE REGULAR MEETING OF MAY 19, 2025 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared MOTION CARRIED.

- b) Ordinance No. 6285, as Amended – An Ordinance Amending Fairbanks General Code Section 74-36 Economic Development Property Tax Exemption or Deferral and Enacting Section 74-37 Tax Incentive for Property Development, Redevelopment, or Renovation. Introduced by Mayor Pruhs and Council Members Sprinkle and Ringstad.

Clerk Note: Ordinance No. 6285 was postponed from the Regular Meeting of July 8, 2024, at which time a second reading and public hearing was held. The ordinance was amended and postponed again on August 26, 2024. The motion to adopt remains on the floor.

Ms. Sprinkle, seconded by **Mr. Ringstad**, moved to POSTPONE Ordinance No. 6285, as Amended, to the regular meeting of May 12, 2025.

Ms. Sprinkle indicated that they had similar reasons to postpone this ordinance as they had for the last one. **Mayor Pruhs** noted that it would be best not to revisit both ordinances at the same meeting. **Mr. Marney** asserted that May 12 would be better than the first meeting in June.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6285, AS AMENDED, TO THE REGULAR MEETING OF MAY 12, 2025 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

- c) Ordinance No. 6300 – An Ordinance Establishing a Supplemental Retirement Permanent Life Insurance Plan for the City Attorney and Deputy City Attorney to Enhance Recruitment and Retention. Introduced by Mayor Pruhs and Councilmembers Tidwell, Marney, Ringstad, Therrien, and Sprinkle. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Mr. Marney**, moved to ADOPT Ordinance No. 6300.

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

Mr. Ringstad recalled that the Council had discussed a desire to allow flexibility for the funds to be used as a recruitment and retention tool other than the specific benefit outlined within the ordinance. He asked if the language was too narrow to allow for that flexibility or whether the Council should address the issue via another process. **Mayor Pruhs** explained that if someone comes along who prefers a different type of benefit, the City Attorney could propose an alternative. **Mr. Ringstad** expressed support for the ordinance but wanted to ensure the City Attorney was empowered to entertain other options, should it be advantageous to do so.

Ms. Sprinkle asked for clarification on the process. **Mayor Pruhs** clarified that the with the budgeted amount, the City Attorney could consider any reasonable alternate incentive, within the budget, which would be brought before the Council for approval.

Mr. Marney referenced a previous comment by Ms. Therrien regarding paralegals and wondered whether hiring a paralegal may be of help. City Attorney Chard noted that the City's Legal Secretary, Nina Victorino, also had training and experience as a paralegal. He stated that while paralegals are invaluable and do a lot of the heavy lifting, two attorney positions are needed in the office – one to handle criminal matters and the other to focus on civil cases. He indicated that he would prefer to keep things as they are but would be open to other ideas to get the work done if this effort does not produce results. He thanked Mr. Marney for the suggestion and support.

Ms. Therrien stated that it is currently as hard to get a good paralegal in Fairbanks as it is an attorney. **Mayor Pruhs** added that hiring a good heavy-duty mechanic is similarly challenging.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6300 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6300 ADOPTED.

- d) Ordinance No. 6301 – An Ordinance Amending Fairbanks General Code Section 50-205, Adding Dr. Martin Luther King Jr. Day as an Observed City Holiday. Introduced by Councilmember Therrien. SECOND READING AND PUBLIC HEARING.

City Attorney Chard informed the Council that Ordinance No. 6301 has similar subject matter to that of Resolution No. 5151, which was pulled from the consent agenda and will be discussed later in the meeting. He shared that there exists some conflicting language between the two documents, which could be resolved through amendments. He explained that should the ordinance be adopted, he would need to address the conflicting language before action is taken on the resolution.

Ms. Therrien, seconded by **Ms. Sprinkle**, moved to ADOPT Ordinance No. 6301.

Mayor Pruhs asked Ms. Therrien, as the sponsor of Ordinance No. 6301 and a co-sponsor of Resolution No. 5151, which item she would like to have the Council consider first. **Ms. Therrien** indicated that she would prefer to adjust the order of the agenda and take up the resolution first.

Ms. Therrien, seconded by **Mr. Cleworth**, moved to POSTPONE Ordinance No. 6301 until after a vote was taken on Resolution No. 5151.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6301 UNTIL AFTER A VOTE WAS TAKEN ON RESOLUTION NO. 5151 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

Mr. Cleworth called a Point of Order to ask for clarification on which item the Council would address next. **Mayor Pruhs** stated the Council would consider Resolution No. 5151 next.

[Clerk Note: The following item appeared as 12(b) under NEW BUSINESS on the agenda. Although a motion was not made to amend the agenda by reordering the sequence of business, Resolution No. 5151 was addressed next with the consensus of the Chair and Councilmembers.]

- b) Resolution No. 5151 – A Resolution Closing City Hall on the 3rd Monday in January of Each Year in Observance of Dr. Martin Luther King, Jr. Introduced by Councilmembers Therrien and Cleworth.

Ms. Therrien, seconded by **Ms. Sprinkle**, moved to APPROVE Resolution No. 5151.

Ms. Therrien indicated that while she would prefer to observe MLK Day as a City holiday, she acknowledged that there are various unions and labor contracts that complicate the matter. She shared that Mr. Cleworth had kindly suggested closing City Hall as a compromise, which she agrees would be a positive step. She expressed hope that the issue could be addressed in union contracts and that all parties would support the effort to have it eventually become a City holiday.

Mr. Cleworth indicated that there have been discussions concerning City-observed holidays for many years. He pointed out that small businesses do not enjoy the same luxury of many government offices, banks, and other entities, and are expected to be open nearly every day. He expressed his opinion that MLK Day makes more sense to him as a City holiday than Presidents Day, which is a City-observed holiday. **Mr. Cleworth** shared that the discussion has gone on for 10-15 years and that the City cannot shut down like the Borough does, given the essential services of the Dispatch, Police, and Fire Departments. He concurred that the various labor contracts have complications for what it takes when something is to be considered a holiday, which is why many of the contracts have discretion over the inclusion of additional, personal holidays. He stated that the Council could take action to honor MLK Day by closing City Hall and give employees the opportunity to participate in the various events taking place that day. He pointed out that that would not require fiscal note or have any financial impact to the City.

Mr. Ringstad suggested that even as an observed holiday, there would be public safety employees on duty. He agreed that there should be an effort to include MLK Day in all City labor contracts.

Mayor Pruhs noted that he would be the one to administer the aspects of the City Hall closure and asked whether the intent was to shut the doors and give employees in the building a paid day off or whether employees would either do their regular work or go out in the community to volunteer at organized events. He stated that the option to volunteer is already allowed on that day.

Mr. Cleworth replied that there would not be a fiscal impact for either option and that the existing budget covers both scenarios. **Mayor Pruhs** noted that Mr. Cleworth was acknowledging that the proposal would equate to a paid day off for City Hall employees.

Mr. Ringstad discussed the overall scope of paid time off benefits that exist across the City's departments. He indicated that the one-off decisions for holidays that apply to everyone tend to bother him because the impact is not the same for every employee. He stated that the Council should be able to know how many days off staff members across the different departments, unions, and contracts are getting each year so that it can assess if things are being applied fairly.

Mr. Cleworth explained that employees are given eight paid holidays and two floating personal days. He added that employees also receive six weeks of paid leave once they reach five years of City employment. He noted that, all things considered, that equates to two months each year where the City pays someone who is not on the clock. He shared that when he first joined the Council, leave accrual was even higher until department heads at the time started to express concerns over the challenges with staff being gone all the time. He recalled the fight over the issue and the unity that the Council had in addressing it, which led to the current system. **Mr. Cleworth** reiterated that the City deals with four separate bargaining units which each push for different things and may or may not want to incorporate MLK Day the same way as others.

Mayor Pruhs asked again if the resolution would mean that everyone is paid as normal for the day. **Mr. Cleworth** concurred that it would be a paid day whether employees come to work or not.

Ms. Therrien cautioned everyone to not lose sight of the reason for the resolution, which is to recognize the significance of the holiday for the entire country. She asserted that the City is the only local municipal entity that does not observe MLK Day and that it has been a long time coming.

Ms. Sprinkle asked what the real difference was between the resolution and the ordinance and about how one would cost the City something but the other nothing. **Mayor Pruhs** stated that one of the issues is that the resolution only states that City Hall would be closed, but it does not specify whether it is a paid day off, a required day of work, or something different altogether. **Ms. Sprinkle** asked if that meant the resolution would cause MLK Day to be considered a holiday.

Attorney Chard shared that between the four different union contracts with the City, some observe MLK Day as a holiday, others do not but offer a floating holiday instead to use at the employee's discretion, and others do neither. He noted that the trouble with declaring it a City-observed holiday is that the various contracts would treat it differently, meaning it would either add a new benefit for some, enhance an existing benefit, or provide no change whatsoever. Attorney Chard acknowledged that it would be a tight rope to walk but noted that the resolution language clearly indicates that it is not the intention of the Council to declare MLK Day as a holiday. **Ms. Sprinkle** stated that seems to be a way to walk a fine line to get to where they want to be.

Mayor Pruhs pointed out that the Council will still have to consider Ordinance No. 6301 and that the resolution would simply close City Hall for the day. He explained that the ordinance would dictate how employee pay is addressed for the day. Attorney Chard stated that the way it is written, the resolution implies that employees would be paid just as they are on any other workday, but City Hall employees would be excused from work on that day, if possible. **Mayor Pruhs** asserted that would equate to a paid holiday and repeated that the ordinance must still be dealt with. He suggested that if the Council passes the resolution, it should be prepared to pass the ordinance as well to ensure that it is legal.

Ms. Sprinkle stated that it sounded as though the Mayor and the City Attorney were conveying different messages and asked for clarification.

Mr. Ringstad summarized the situation by saying that City Hall employees would be paid for the day regardless of whether they show up to work or not. **Mayor Pruhs** confirmed that is how he will implement the resolution if that is the Council's wish, but he wants to ensure it is legal.

Mr. Marney spoke about the various activities and events discussed during Citizens' Comments and indicated that the City could encourage employees to participate in those events and activities on MLK Day. He stated he hopes that organizations in the community would share with the City where they would like to see personnel on the day honoring Dr. King.

Mr. Ringstad asked if, should there be no pressing need for plowing the roads, the City might give Public Works employees the same option to not work but get paid. **Mayor Pruhs** clarified that the resolution only addresses City Hall employees. **Mr. Ringstad** noted that City Hall employees represent a small percentage of overall City staff. **Mayor Pruhs** confirmed that there are only 30 employees in City Hall out of the 208 total personnel at the City.

Ms. Tidwell suggested that doing something for the 30 employees at City Hall does not convey what they are wanting to express by recognizing the significance of the holiday. She indicated that if there is potential for conflict through the passing of both items, she would rather see the ordinance adopted than the resolution. She acknowledged that the City would need to address the issue at the time of each labor contract's next negotiation period and that, until then, it would affect the various groups of employees differently. **Ms. Tidwell** asserted that doing something that equates to a paid holiday for only 30 people is not fair to all City employees, nor is it in line with the spirit of the effort to recognize the importance of the day. She stated she would not support the resolution.

Mayor Pruhs indicated that the primary difference between the two documents is that the ordinance makes MLK Day a City-observed holiday and addresses the fiscal impact of such. He suggested that if the Council passes the resolution, it should be willing to pass the ordinance.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5151 AS FOLLOWS:

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

Mayor Pruhs stated that Ordinance No. 6301 is now back before the Council, and he spoke in favor of the ordinance.

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

Ms. Sprinkle concurred with Mayor Pruhs' statement and with Ms. Tidwell's previous comments. **Mayor Pruhs** stated that if the Council is going to do something, it should be done right.

Mr. Cleworth shared that for many years, each Mayor has continued the practice of granting individuals the opportunity to take time off during MLK Day to participate in community events relating to the holiday. He suggested that could be extended to all other departments and that it is hard to celebrate the holiday when one has to work. He asserted that the ordinance will still only award time off for some employees while others would just get paid more for working that day. He noted that the fiscal note shows a cost of \$33,000 and reminded the Council that there is less than \$500,000 in reserves in 2025. **Mr. Cleworth** stated that he does not see how the City will stay out of the red for the year and that there are some big problems coming. He indicated that a lot of time and effort was put into Resolution No. 5151 to determine how to commemorate the day while complying with all the contracts. He indicated he is unsure how it will work if the ordinance is enacted and multiple contracts have to be changed. He asserted that the Council is getting itself into a mess, that he is saddened the resolution failed, and that the cosponsor did not vote for it.

Ms. Sprinkle asked if there was any legal concern with the adopting Ordinance No. 6301. Attorney Chard reiterated that the unions treat MLK Day differently. He explained that there would be no issues with those contracts that already recognize it as a holiday and that those that do not will simply have the holiday added as an additional benefit. He indicated that if the ordinance was adopted, he would draft a legal opinion to send to each union informing them of the Council's decision regarding the holiday.

Mayor Pruhs suggested that he cannot imagine a union whose contract with the City does not currently observe the holiday being opposed to adding it as a benefit. He stated that the worst outcome might be that the City may need to consider a letter of agreement (LOA) for an additional day off for any union whose contract with the City already observes the holiday.

Mr. Ringstad stated that the primary concern he heard was that it was time for the City to finally recognize the holiday, which he believes would have been accomplished with the resolution. He stated that the conversation now seems focused on who will actually get a day off and who will just get extra pay. He asserted that if the argument is that they need to be fair for everyone, then the ordinance does not meet that goal and that some will benefit while others will not. He stated he believes the City is better off to leave things as they are.

Mr. Cleworth concurred that any perceived unfairness of the resolution is replicated and perhaps exacerbated with the ordinance. He suggested that it is discriminatory to certain employees to approach the matter in this way.

Ms. Tidwell explained that the ordinance would have the City of Fairbanks recognize MLK Day as an official City holiday, which was the original intent, whereas the resolution did not. She declared that this is what the Council should do and accept that there is an associated cost.

Ms. Sprinkle asked if the City would have to address the update to labor contracts immediately or if the City would simply inform the unions that it intends to incorporate a newly declared City holiday, if adopted, at the start of the next respective negotiation period with each union. **Mayor Pruhs** assured Ms. Sprinkle that he would make sure it is taken care of one way or another.

Ms. Therrien stated that the Mayor's suggestion of drafting LOAs would be a prudent way to resolve the matter, which she believes will keep the cost down. She shared that after hearing the discussion on Resolution No. 5151, she felt she needed to vote against it despite being a cosponsor.

Mr. Cleworth asked what kind of LOA would be required and what exactly the City would be asking for. **Mayor Pruhs** indicated that he does not foresee it being an issue with any of the unions but that his earlier questions of how Resolution No. 5151 would be implemented made it clear that the day would be treated as a paid holiday without calling it such, which he believed would be problematic. **Mr. Cleworth** stated that the resolution would have simply formalized a tradition where City Hall employees would be excused to have the day off to celebrate the holiday as they choose. He suggested that what the Council is doing now will make it so that some employees will have 11 paid holidays while some will have only 10. He alleged that the Fairbanks General Code (FGC) does not allow for such, that employees must be treated equally, and that the Council would be out of compliance with the labor section of City Code.

Ms. Sprinkle asked if Chief of Staff Sanders could share anything he has heard from employees. M. Sanders reported that he does not believe City Hall employees would want the day off if everyone else was not getting it as well, as it would create a greater divide between City Hall employees and City personnel. He referred to a 2014 resolution by former Mayor Eberhart designating MLK Day as a day of service, which he believes would be the appropriate approach if it would not be made a City holiday for everyone. He explained that any employee is currently welcome to coordinate with their supervisor to participate in a service opportunity within the community as a way to commemorate the holiday. He affirmed that he could not recall a time when City Hall employees were told that they could just go home for the day with pay. **Mr. Cleworth** asked M. Sanders if he recommended continuing that practice or doing something different. M. Sanders expressed the belief that the 2014 resolution is better than the one that just failed and that the City will continue to follow that 2014 resolution if nothing changes. He suggested that if the Council is going to make MLK Day a paid holiday in any way, it should be a paid holiday for everyone. He indicated that he would be happy to connect with each of the unions to let them know that a holiday was being added for everyone. He declared that no one would be opposed unless they were being asked to give up a personal holiday in return.

Mr. Ringstad asked M. Sanders if he believed employees would be willing to give up another day off in exchange for adding MLK Day. M. Sanders explained that the City does not provide sick leave -- only one paid leave category -- thus making the personal days very important to staff. **Mr. Ringstad** asked if that meant employees would prefer another flexible, personal holiday instead of a holiday on a fixed date. M. Sanders clarified that the Fairbanks Firefighters Union (FFU) contract is the only that already observes MLK Day as a holiday. He explained that the other unions would be happy to hear that the City was designating an additional fixed holiday and that to be fair, the firefighters would receive an additional day in whatever manner was agreeable.

Ms. Sprinkle asked M. Sanders if he thought all parties would be open to simply exchanging Presidents Day for MLK Day. M. Sanders indicated that would require some negotiation and that he believes it would be a stretch to see that idea come to fruition. He shared that he has been unsuccessful with getting MLK Day added labor contracts when it involves the union giving up something else.

Attorney Chard stated that what M. Sanders was suggesting could potentially adjust the fiscal note of the ordinance and that it would be prudent for the CFO to speak to the matter. CFO Bell shared that the final statement on the fiscal note explains that if the FFU was to receive another personal holiday, the total cost for the implementation of the ordinance would be \$128,490.

Ms. Sprinkle asked if the City had to provide an extra holiday to the Fire Department since they already observe MLK Day. **Mayor Pruhs** pointed out that giving an additional holiday to every employee except firefighters was not appropriate and would not be viewed favorably.

Ms. Therrien suggested that some unions may be willing to give up a personal holiday and that the City would never know unless the question was asked. Attorney Chard indicated that he would recommend against that approach. He reminded the Council that coming to an agreement with four bargaining units would be very labor intensive. He expressed appreciation for the spirit of the suggestion but conveyed that contractually it would be a nightmare.

Mr. Cleworth pointed out that the fiscal note cannot reasonably be considered as \$33,885 since what the Council is suggesting is an approach that would raise the cost to \$128,490. He again expressed frustration that the resolution, which he believed would honor the day, was voted down.

Mr. Cleworth, seconded by **Mr. Ringstad**, moved to POSTPONE Ordinance No. 6301 to the regular meeting of January 13, 2025.

Ms. Therrien pointed out that the proposed date of postponement is very close to the actual holiday and that she would not be in favor of postponing.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO POSTPONE ORDINANCE NO. 6301 TO THE REGULAR MEETING OF JANUARY 13, 2025 AS FOLLOWS:

YEAS: Marney, Ringstad, Cleworth, Sprinkle

NAYS: Therrien, Tidwell

Mayor Pruhs declared the MOTION CARRIED.

- e) Ordinance No. 6302 – An Ordinance Adopting the 2025 Lavery Transportation Center Budget. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

Ms. Sprinkle, seconded by **Ms. Tidwell**, moved to ADOPT Ordinance No. 6302.

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

Ms. Sprinkle expressed appreciation for the chance the Council had with Ordinance No. 6302 to learn a little more about the parking garage and the parameters of the City-owned property. She thanked the CFO and Mayor for providing informative materials for the Council to review.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6302 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6302 ADOPTED.

NEW BUSINESS

- a) Resolution No. 5150 – A Resolution Authorizing the City of Fairbanks to Apply for Funds from the United States Department of Homeland Security for the FFY2024 Assistance to Firefighters Grant (AFG). Introduced by Mayor Pruhs.

APPROVED on the CONSENT AGENDA

[Clerk Note: New Business item (b), Resolution No. 5151, was addressed under Unfinished Business with consensus of the Chair and Councilmembers.]

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Discretionary Fund Committee Meeting Minutes of November 5, 2024

ACCEPTED on the CONSENT AGENDA

- b) Discretionary Fund Committee Meeting Minutes of December 5, 2024

ACCEPTED on the CONSENT AGENDA

COMMITTEE REPORTS AND COUNCILMEMBERS' COMMENTS

Ms. Tidwell thanked the group of AmeriCorps members for their service to the community. She shared that she would have committee reports at the next meeting as the Fairbanks Economic Development Corporation (FEDC) meeting was postponed due to the recent snowstorm.

Mr. Marney reported that the Discretionary Fund Committee recently held its presentation and award meetings which he believed went well. He shared that he had attended the Explore Fairbanks Board of Directors meeting which had also been positive. He noted that the organization encountered some issues with their 2024 audit, that additional revenue needed to be recorded, and that they would be communicating with CFO Bell soon.

Ms. Ringstad discussed the great work done by Public Works in clearing snow. He commented on high snow berms being sometimes left at the end of driveways which can make it very difficult for vehicles to get in and out. He suggested that issue should receive some attention.

Ms. Sprinkle reported that she had attended her first meeting with the Chamber of Commerce Board of Directors and that she had also attended their Governmental Affairs Committee meeting, which she looks forward to being a part of. She agreed that Public Works has done an excellent job clearing snow. She thanked fellow Councilmembers for postponing Ordinance Nos. 6283 and 6285, as both need some work and she wants to make sure they can be proud of the final products.

Ms. Therrien shared that she attended the Alaska Municipal League (AML) annual conference, that she stayed for about 12 hours each day, attending every possible presentation and taking notes, and that she felt it was very worthwhile. She stated that she intends to email some key takeaways to the Council when she has some time. She shared that one significant idea from other communities is to pursue memorandums of agreement with local Alaska Native organizations to jointly pursue projects where the City may not have enough funding. **Ms. Therrien** indicated that she had extended an invitation to the leadership at Tanana Chiefs Conference to have someone speak with the Council to advise whether they agreed with the City's list of legislative priorities. She noted that she had not received a response but had shared the list regardless and that the organization had its own meeting on the same day as the Council which may have been a factor. She reported that the President of the Senate and Speaker of the House are working on education funding as a primary issue for the State of Alaska and that they did not support the Governor's position of a \$3,000 Permanent Fund Dividend (PFD). She stated that both individuals also shared that they intend to look into defined benefits and come up with a program that will work, as the population of Alaska continues to decline. She committed to sharing a more detailed briefing of her experience at the conference.

Mr. Cleworth pointed out that it was the last meeting of 2024 and wished everyone a Merry Christmas.

Mayor Pruhs jokingly claimed to have personally directed Public Works to ensure a particularly challenging snow berm had been left at the edge of Mr. Ringstad's driveway.

CITY CLERK'S REPORT

Clerk Snider expressed her appreciation for the group of homeschool students who had read the Bill of Rights at the beginning of the meeting. She shared that the same group had come to City Hall for a field trip to learn about local government and that they had participated in a mock City Council meeting, sitting in the same chairs as the Councilmembers, which had been a wonderful experience. She stated that City staff would appreciate the opportunity to hold a work session regarding updating the process for license applications, citing the issue of data and reports not being useful as Ms. Sprinkle had mentioned earlier. She shared that she and the City Attorney had been speaking more recently about parts of the FGC that may need to be reviewed and updated.

CITY ATTORNEY'S REPORT

Attorney Chard stated that could not believe how quickly 2024 went by and that he is looking forward to the new year. He thanked Councilmembers for their service to the community.

EXECUTIVE SESSION

Mr. Cleworth, seconded by **Ms. Tidwell**, moved to ENTER into an Executive Session to discuss FFU/COF Labor Negotiations and the *Chapman v. City of Fairbanks* legal case.

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) FFU/COF Labor Negotiations [permissible under State law, including the provision at AS 44.62.310(c)(1)] (*entered at 8:19 p.m.*)
- b) *Chapman v. City of Fairbanks* [permissible under State law, including the provision at AS 44.62.310(c)(3)] (*entered at 9:19 p.m.*)

Mr. Cleworth stated that the Council met in Executive Session to discuss FFU/COF Labor Negotiations and the *Chapman v. City of Fairbanks* legal case. He affirmed that direction was given, and no action was taken.

ADJOURNMENT

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

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

Mayor Pruhs declared the meeting adjourned at 9:35 p.m.



DAVID PRUHS, MAYOR

ATTEST:



D. DANYELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC