



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, NOVEMBER 4, 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 the Fairbanks Economic Development Corporation (FEDC) Annual Report and Presentation and a 5:55 p.m. Work Session for the Explore Fairbanks Annual Report and Presentation, 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)
 Jake Merritt, Human Resources Director (remotely)
 Jeremiah Cotter, Public Works Director
 Andrew Coccaro, Fire Chief
 Ron Dupee, Police Chief (remotely)
 Kristi Merideth, FECC Manager (remotely)
 Robert Pristash, City Engineer
 Nicholas Clark, Fire Department Battalion Chief
 Jeff Whipple, Engineering Assistant
 Brynn Butler, Housing Coordinator (remotely)

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

At the request of Mayor Pruhs, **Ms. Tidwell** led the flag salutation.

CEREMONIAL MATTERS

Mayor Pruhs invited Fire Chief Coccaro to share details about a recent incident.

Chief Cocco shared about a recent emergency call to a house fire where an individual was found inside and unresponsive. He shared that the person was rescued, revived, and transported to Anchorage for treatment. He reported that the individual recovered and returned to visit the crew who saved them. Chief Cocco spoke to the high level of training and preparation that Fairbanks Fire Department (FFD) staff undertake to be ready to answer emergency calls. He presented awards to each member of the FFD who were on duty during the incident, including: Nicholas Clark, Dominic Lozano, Quinton Johnson, Hunter McDonald, Emma Ison, Peter McCann, David DeCaro, Blair Coomer, Allan Heineken, Colin Field, Austin DeLesline, Sam Bratten, and Tony Naber. He congratulated all personnel who helped ensure a positive outcome to the call.

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.]

Nicholas Clark, Battalion Chief at FFD – N. Clark spoke in support of Ordinance No. 6295 and the finalized labor agreement between the City and the Fairbanks Firefighters Union (FFU). He noted the yearlong process with many ups and downs and indicated that he was proud of the work that brought them to this point. He recognized the compromises from both sides as part of the negotiation process. He expressed hope that the ordinance would be advanced to a second reading and shared that he would be discussing the various aspects of the contract with the FFU membership and answering any of their questions to the best of his ability. N. Clark referenced the fiscal note which cited 16 new firefighters. He explained that does not mean the department would hire 16 new firefighters, though he would be in favor of that. He stated that FFU made a large concession by returning departmental control back to the Fire Chief for staffing levels and services, a change strongly sought by the City. He stated that he would be happy to answer questions.

Mr. Ringstad asked N. Clark how long the process takes as he goes back to talk with the FFU membership. N. Clark shared that there is a slight delay, as they prefer to not to hold a vote until after Council ratification of the Collective Bargaining Agreement (CBA). He stated that they will be about a half a step behind the Council.

Mr. Marney asked N. Clark if the FFU membership has been kept abreast of the FFU's negotiation activity over the last year. N. Clark shared that they typically meet monthly and provide general updates. He noted that the negotiation team was appointed by the members to bring back a tentative agreement, so they do not get into specifics at the meetings until this point in the process.

Ms. Therrien asked N. Clark if he had reviewed the fiscal note indicating that if they revert back to a 48/96 (hour) schedule it will cost almost 4.25 million dollars over the next three years. She asked N. Clark if he agreed with those numbers. N. Clark reported that he had only seen the numbers when the agenda packet was published the previous Thursday and added that he would like to sit down with CFO Margarita Bell to review the numbers.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Mr. Cleworth pulled item 12(a), Resolution No. 5142, and item 12(b), Resolution No. 5143, 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.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- a) Regular Meeting Minutes of October 14, 2024

APPROVED on the CONSENT AGENDA

SPECIAL ORDERS

- a) 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 #2847
To DBA:	HooDoo Brewing Co.
To Owner:	Fairbanks Fermentation, LLC
To Location:	1951 Fox Avenue, Fairbanks
From DBA:	Goldie's AK
From Owner:	Nash Holland, LLC
From Location:	659 5th Avenue, Fairbanks

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

Mayor Pruhs called for Public Testimony.

Bobby Wilken, Owner of HooDoo Brewing Co. – B. Wilken shared that when he and his wife opened the company in 2012, they were aware of the challenging State laws. He explained the different types of licenses they are required to obtain in order to make and sell beer but that many restrictions are in place regarding hours of operation, consumption, gaming activities, the number of seats at the bar, live music for special events, and more. He stated that they have been diligent in following the rules for over a decade, finding appropriate workarounds to hold larger events at the brewery, though it feels like growth and success are constantly stifled. He noted that companies elsewhere in the country enjoy opportunities to do many more fun and exciting things that Alaskan breweries cannot take part in due to State law unless they hold a beverage dispensary license. He

shared that the opportunity to purchase a beverage dispensary license will allow them to maintain their fundamental business while removing certain guardrails and allowing creativity to flourish.

Ms. Sprinkle asked B. Wilken if HooDoo's operating hours would change and if they will start selling liquor in addition to beer. B. Wilken stated that they could make those changes someday but that neither are currently planned. He explained that the primary changes will be no longer having to track the ounces every patron consumes each time they are served thus eliminating a negative but required interaction from a customer service and compliance standpoint. He added that they have become so accustomed to apologizing and saying "no" when fun ideas have been suggested, and he reiterated how the additional license would allow their creativity to flourish.

Mr. Ringstad asked B. Wilken if Goldie's AK is still doing anything with the license. B. Wilken explained that they typically operate only in the summer, so they are already in their off season. **Mr. Ringstad** recalled being stunned during a meeting many years prior when the State allegedly put out a proposed regulation that said companies like B. Wilken's were "not allowed to have fun."

Mayor Pruhs discussed the many examples of community outreach that HooDoo participates in and thanked B. Wilken for being a positive component to the Fairbanks business scene.

Ms. Therrien thanked B. Wilken for coming to share details and context for his application.

Mayor Pruhs, hearing no requests for additional comments, declared Public Testimony closed.

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Pruhs shared that the City Hall Halloween Trick-or-Treat event was a great time, with over 1,500 people coming through the building, and he thanked the Councilmembers who participated. He reviewed a report from Police Chief Ron Dupee regarding recruitment at the Fairbanks Police Department (FPD). He noted that three lateral transfer hires were incoming and another four officers, including some additional laterals, would attend oral boards in November.

COUNCILMEMBERS' COMMENTS

All Councilmembers indicated that they had no comments.

UNFINISHED BUSINESS

- a) Resolution No. 5141 – A Resolution Awarding a Contract to Design Alaska, Inc. in the Amount of \$316,686.00 to Design the City Hall Heating Upgrade Project. Introduced by Mayor Pruhs. POSTPONED from the Regular Meeting of October 28, 2024.

Note: Resolution No. 5141 was introduced at the Regular Meeting of October 28, 2024, with a motion to APPROVE made by Mr. Cleworth, seconded by Ms. Sprinkle. The resolution was postponed and the motion to APPROVE remained on the floor.

Mayor Pruhs invited City Engineer Bob Pristash to provide additional details about the project.

B. Pristash reviewed the overall purpose of the resolution, noting an estimated total project cost of \$3MM, with the design cost noted in the resolution as being about 10% of that amount. He indicated that he did not recall any past direction from the Council to limit the types of heating sources for the building as part of the project, acknowledging that he may be mistaken. He stated that the City asked the consultant to review the viability of hot water, steam, and natural gas. He noted that staff concluded that natural gas was likely not a feasible solution as it is more reasonable for smaller structures. B. Pristash shared that they held a preliminary meeting with the consultant who had come to the same conclusion, leading the focus to be towards steam or hot water. He expressed his view that it would be prudent to document why certain options were not chosen.

Mr. Cleworth stated that he was concerned that the City would be spending money for a consultant to review all options only to end with the same conclusions the City already reached. He asked if it was correct that the majority of the funds were going to be used for the actual design work rather than further exploring heating source options. B. Pristash confirmed that the work product for the contract would be a full set of drawings and a complete design ready to advertise.

Ms. Sprinkle asked B. Pristash if the building already uses steam and to clarify what the \$316,000 would be used for. B. Pristash confirmed that City Hall currently uses steam heat and that the funds in the resolution would pay for a complete project design. **Ms. Sprinkle** asked which was more expensive: hot water or steam. B. Pristash explained that the consultant's work would include identifying both the capital and operating costs. He spoke about some of the factors involving both source options, noting distances from access points and implementation versus maintenance costs. He reiterated that there are a lot of things to consider.

Mr. Ringstad asked what kind of life expectancy the City could expect for a new system. B. Pristash replied that the expectation is 50 years.

Mr. Marney asked if the neighborhood was plumbed for natural gas. B. Pristash stated that there are already eight-inch mains for natural gas all around the Cushman Street area.

Mr. Cleworth shared that when he served on the Public Utilities Board (PUB), they would solicit contracts for energy sources whether they be coal, fuel oil, etc. He discussed the experiences with pricing competition between different options and why he was concerned that the resolution was going to spend money on exploring multiple heating sources rather than the one or two they already

knew would be most appropriate for City Hall. He pointed out that hot water is simple and great, which is why much of downtown still uses it for heating. He noted that steam can be corrosive and expressed hope that the City ultimately goes with hot water.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5141 AS FOLLOWS:

YEAS: Tidwell, Sprinkle, Ringstad, Marney, Therrien, Cleworth
NAYS: None
Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5141 APPROVED.

- b) Ordinance No. 6294 – An Ordinance Amending the 2024 Operating and Capital Budgets for the Fourth Time. Introduced by Mayor Pruhs. SECOND READING AND PUBLIC HEARING.

Ms. Therrien, seconded by **Ms. Sprinkle**, moved to ADOPT Ordinance No. 6294.

Mr. Cleworth, seconded by **Ms. Therrien**, moved to AMEND Ordinance No. 6294 by substituting the hand-carried, proposed version.

Mayor Pruhs called for objection to the motion to AMEND Ordinance No. 6294 by substituting the amended, proposed version and, seeing none, declared the MOTION CARRIED.

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

CFO Bell reported that the only change in the hand-carried version was a \$273,000 increase to real property tax revenue. **Mayor Pruhs** noted that the Council had discussed the update in one of its meetings the prior week.

Ms. Sprinkle asked for details about the \$250,000 emergency fund listed under Public Works. CFO Bell explained that it is a pre-authorized amount, only available for use in the event of a declared emergency by the Mayor. She stated it would allow the department to quickly address snow removal needs in an emergency without waiting for another budget amendment ordinance.

Mr. Ringstad asked if the amount was already included in the current budget. CFO Bell indicated that it was not. She explained that the funds would revert back to the General Fund at the end of each year if they were unused and that a reallocation can only be done through an ordinance. **Mr. Ringstad** asked whether the Council should be including the item in the 2025 budget since it is something that is done each year. He asked for more details on the Public Works temporary positions. CFO Bell explained that the positions and the associated funds are almost entirely for winter snow removal jobs and include other related tasks such as sanding City streets.

Mr. Marney asked if the \$600,000 listed for FFD overtime would get them through the end of the year. CFO Bell stated that it would. She explained that currently they are not over budget but that

based on current spending, the proposed amounts are what would be necessary to get through December 31, 2024. **Mr. Marney** asked what the total amount for overtime would be by the end of the year. CFO Bell projected a final number of \$2.1MM. She stated that, including salary savings and the proposed ordinance, the net amount for overtime at year-end will be ~\$1.7MM.

Ms. Tidwell asked for more details about the Public Works increase, recalling a past conversation that the department was on track. CFO Bell explained that the department was at 80% for 2024 in September, but without the \$400,000 adjustment, they would run out of funding by year-end.

Ms. Sprinkle asked what would happen if the Council approved a lower amount. CFO Bell shared that if there is excessive snowfall and funds were exhausted, snow removal operations would have to cease unless and until the Council approved additional funding by ordinance, which takes two readings. She pointed out that the City tries to be proactive about the issue.

Mayor Pruhs shared that during his time on the Council, he and Mr. Cleworth experienced a situation one winter where Public Works ran out of funds before the year was over, and a storm hit. He spoke of the chaos that followed and stated that he would not want the current or any future Council to go through that experience.

Ms. Therrien indicated that she had no problem authorizing the emergency funding for Public Works because it will either be needed or it will not be, and waiting for two meetings or calling for special meetings during an emergency is a poor way to plan.

Mr. Cleworth, after confirming amounts for FFD overtime from the previous two years, asked what had changed in 2024 to make the overtime increase so much. CFO Bell suggested that FFD started the year understaffed and that vacant positions compounded existing overtime problems.

Mayor Pruhs invited Chief Cocco to provide additional details. Chief Cocco indicated that short-staffing, turnover, overlap during promotion processes, injuries, and regular leave requests contributed to the overtime problem. He reminded the Council of the well-known issue of minimum staffing levels which meant that with all these factors in play, overtime scheduling is unavoidable. He noted that the problem was unfortunate for the City, the department, and for the employees. He reviewed specifics in staffing parameters that created a nearly impossible situation.

Mr. Cleworth asked to confirm the amounts listed in the ordinance as necessary for the remainder of 2024. CFO Bell reiterated that the amounts she projected are based on current spending levels, factoring in all known aspects of work schedules for the rest of the year.

Ms. Sprinkle asked for more information on the added expense for a new City website. Clerk Snider recounted that some details had been shared in a previous work session but that in addition to the new website, the vendor would be creating a boards and commissions section that would integrate into the new platform, allowing the City to eliminate another existing software which had grown significantly in cost. She affirmed that this is a situation where more money would be spent upfront, with savings realized every year thereafter. Chief of Staff Michael Sanders noted that the \$65,000 listed in the ordinance for Information Technology was not only for a new website but

also for emergency operations software the City needs in order to be compatible with the State and Borough systems. He stated that the software represents about two-thirds of the expense shown.

Mr. Cleworth stated that he has a problem with forced overtime and that he had voted against the concept in the past. He read an excerpt from a past statement issued by the police union that highlighted the numerous negative impacts of forced overtime. He shared that he recognized the challenges it creates for staff's personal and family lives as well as the liability to the City.

Mr. Cleworth, seconded by **Mr. Ringstad**, moved to AMEND Ordinance No. 6294, as Amended, by reducing the line item of \$600,000 for increased FFD overtime expense by \$120,000.

Mr. Marney asked what the ramifications would be for the amendment. Chief Coccaro stated that typically when one liability door closes another one opens. He explained how reducing services and staffing violates the union labor contract and creates a potential for the department to be unable to respond to emergencies. He shared that the battalion chiefs strive to balance out forced overtime by assigning it to those who have the least amount, although there are certain groups that have few options to pick from due to specialized roles. Chief Coccaro reminded the Council that they are running calls every day and that the Council approved the third ambulance not long ago in order to meet the demand from the community. He acknowledged that there is no denying the concerns of staff being overworked and forced overtime but that reducing the level of services the City provides is also a concern that needs consideration.

Ms. Therrien asked if the solution to reducing overtime would be to hire more staff. Chief Coccaro confirmed that more personnel will always help with overtime. He explained that there used to be a gap between the number of budgeted positions and the mandated minimum staffing per shift, a gap which they are striving to restore. He reminded the Council that the department only has wiggle room of one person per shift, which is unsustainable given the factors outlined earlier. He cited the increase of thousands of calls per year, which only exacerbates the issue. **Ms. Therrien** asked if it was possible for the forecasted overtime for the rest of 2024 to be affected by hiring people before the end of the year. Chief Coccaro stated that, if approved, they would start the hiring process immediately and do their best; he stated, however, that the training period for new hires is six to eight weeks. He indicated that he does not want to be in a position to shut down vehicles and spoke against reducing services, recalling the unanimous support for adding the third ambulance in 2022 shortly after he was hired as the Assistant Fire Chief.

Ms. Sprinkle asked if there was a difference between overtime and forced overtime. Chief Coccaro explained the general overtime parameters in place with regular shift scheduling and existing labor laws. He stated that higher overtime levels occur when someone is forced to work beyond their regular shift. He recognized that this was not ideal but pointed out that when the third ambulance was added, appropriate staffing was not.

Mr. Ringstad asked what the difference in rate was between regular overtime versus forced. Chief Coccaro stated that it is a matter of time-and-a-half versus double-time. **Mr. Ringstad** pointed out that another \$600,000 in overtime for the remaining eight weeks of the year comes out to an extra \$10,000 in wages per employee. He asked if anything was going to change between now and the new year or if there was even anything that could be done at this point. Chief Coccaro noted that

the City always has the ability to hire more people as that is not tied to the labor contract. **Mr. Ringstad** recalled an earlier comment that training can take as long as eight weeks, thus nothing the Council does can change the amount of estimated overtime. Chief Cocco agreed that the sooner staffing is increased, the sooner the bleeding will stop. He stated that CFO Bell has done a lot of work to accurately forecast the overtime based on current spending, including a little cushion to prevent a last-minute crisis, similar to the proactive approach with the amendment to Public Works' payroll budget. He reported that the department has more staffing than it did at the beginning of the year, which has helped, but overtime is a reality they cannot escape, given the current parameters and demands of the contract. CFO Bell clarified that her estimates were based on the date in October when the ordinance was introduced.

Mr. Cleworth distributed a handout to Councilmembers which included a newspaper article from 2017 and selections from the FGC, particularly Sec. 2-655 which addresses multi-year contracts and the requirement for funding sources to be identified for the duration of a contract. He shared that the article from 2017, an opinion piece from the Fairbanks Daily News-Miner, discussed a situation where the Council approved a three-year labor contract earlier that year without specifying the funding source, which resulted in funding challenges later on. **Mr. Cleworth** referenced the current situation, where a Letter of Agreement (LOA) was signed despite the associated resolution having no fiscal note. He pointed out that the LOA resulted in doubling overtime costs, and the implications of failing to identify a funding source is what the Council is dealing with now. He strongly asserted that what took place was wrong and he does not believe the LOA should be active. He clarified that his goal is to amend the ordinance to remove forced overtime, and he provided an explanation of how the proposed number was identified. He pointed out that the previous LOA included a minimum staffing of 11 with three ambulances and two fire engines in operation. He asked what level of staffing is set forth in the contract and ordinance before the Council. Chief Cocco stated that it was 11 people. **Mr. Cleworth** questioned why the department is forcing a minimum staffing of 13 and suggested that action be taken to allow employees to be back home with their families.

Ms. Tidwell expressed frustration that hiring additional staff could reduce overtime, yet the ordinance she introduced over a month prior to do just that was postponed. She discussed the impact of taking away \$120,000 from an overtime adjustment and the contract violation that would result. She explained that the City could have had more staff hired and would be close to completing training had the Council not postponed that ordinance. She indicated she does not support the motion on the floor.

Mr. Marney asked for a legal opinion on Ms. Tidwell's comments. Attorney Chard indicated that he had not run any numbers or spoken to CFO Bell about the financial specifics. He stated that the only way he could see that the City would not break the contract is if there are sufficient salary savings to cover the overtime cost. He explained that if salary savings were insufficient and the City reached its budget limit, the Fire Chief would have no alternative but to break the contract.

Mr. Ringstad asked how much remained in salary savings. CFO Bell reported that \$545,000 remained as of October 15. **Mr. Ringstad** asked how much of that amount would be needed cover the projected overtime. CFO Bell stated that there may be around \$100,000 if spending continues at its current rate. **Mr. Ringstad** shared that he is not a fan of forced overtime either, but he

understands that it is sometimes necessary. He acknowledged that trying to change the way the department does business over the next eight weeks is not feasible but that the City must work to get more management authority returned to the Fire Chief in the future.

Mr. Cleworth stated that he disagrees with the notion that the City would be breaking the contract. He reiterated that when the resolution tied to the LOA was written, it did not include a fiscal note nor identify a funding source for the duration of the contract. He stated he does not understand how that can be ignored and reiterated that the Chief should be permitted to revert to a minimum staffing level of 11 rather than 13. He agreed that the Chief needs to have control of the matter.

Ms. Therrien shared that she would not vote to reduce the \$600,000, given that if it does not get used it would simply go back into the fund balance. She acknowledged that the Council would not have time in the final stretch of the year to meet and authorize an additional amount, if necessary, and expressed support for the projections and advice of the CFO. She spoke against the amendment and asked for the City Attorney to speak to the matter of breaking the contract.

Attorney Chard indicated that he and Mr. Cleworth have a difference of opinion. He pointed out that a projection for overtime through year-end had been provided and that the Council is dealing with complicated parameters, high dollar amounts, and tight timelines. He stated that he shares the concern that was expressed earlier regarding breaking the contract.

Ms. Sprinkle stated that the issue goes back to the City not hiring more staff when it should have. She suggested that the Council move forward for 2024 and address the issues in the new contract.

Mr. Ringstad acknowledged Mr. Cleworth's point that things may not have been done correctly but that they have been living with the contract for quite some time. He pointed out that the City has never tried to challenge it in court and that such was unlikely to happen by the end of the year, nor would a ruling be issued anytime soon. He asked if it was correct, from a practical point, that the legal issue could not be resolved by the end of the year. Attorney Chard confirmed that was correct. **Mr. Ringstad** stated that although he believes Mr. Cleworth is right, the Council has painted itself into a corner, that no win-win scenario exists, and that a budget amendment would not fix the problem.

Ms. Therrien, seconded by **Ms. Tidwell**, moved to CALL THE QUESTION.

Upon request for clarification, Clerk Snider explained that the effect of a successful motion to call the question would be to stop debate and immediately vote on the amendment on the floor.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO CALL THE QUESTION AS FOLLOWS:

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

Mr. Cleworth explained that by not having a fiscal note, in his opinion, the Council did not follow City Code. He expressed respect for the City Attorney but strongly disagreed with the assertion of contractual obligations. He reiterated that there was nothing on record to confirm how the expense would be covered and that, just like other instances in the past, the Council had to consider what the point of the FGC was if it was not going to be followed. He clarified that he was not suggesting that the matter go to court but rather that he hopes others will recognize that a mistake had been made. **Mr. Cleworth** stated it was ironic that the FPD is not at the national average for staffing, but they do not use forced overtime. He pointed out that FFD is at national average levels but does use forced overtime. He suggested that if FPD can find a way to make it work, FFD should be able to do the same. He added that he would be pretty upset, as a resident, to learn that \$2.1MM in taxpayer money was being spent on overtime when only \$900,000 had been budgeted. He concluded by saying that he was simply proposing that the Council not allow forced overtime for the next two months and that FFD use a minimum staffing of 11, which coincides with what is in the newly drafted contract.

Ms. Tidwell pointed out that one big difference between the FPD and the FFD is that there is a four-hour period during the day where no police officers are out on the roads, yet all FFD services are available 24 hours a day, as they should be.

Ms. Sprinkle indicated that that Council is at a point of considering eliminating the third ambulance, which means the City would be going backwards in services available to residents.

Mr. Ringstad asked whether all overtime or just some overtime would be eliminated if the minimum staffing was 11. Chief Cocco declared that while it would certainly reduce some overtime, it would not be eliminated completely because of the unavoidable shuffling of personnel due to injuries, personal leave, etc. He noted that reducing services equates to putting lives at risk and that with 7,500 calls a year, the FFD is busier than it should be for the size of the city. He declared that he wants citizens in need to be able to get help regardless of day of the week or time of day that they call. **Mr. Ringstad** asked the Chief if he has the ability to not use forced overtime over the holidays if he does not see a need. Chief Cocco declared that he would continue to staff at 13, based on the existing agreement, and that he would not budge from that number. He recalled that people waited up to an hour for help prior to the third ambulance being added. He explained that it took a lot of work to get to this point and that given the call volume, eliminating the third ambulance would be unacceptable. Chief Cocco declared that the cost of public safety is almost always the highest expense for cities across the nation, given the significant role it plays and the unpredictable nature of emergencies. He stated that he will continue to advocate for the right level of staffing for the services his department is expected to provide. He explained that the only way to maintain the current level of service while reducing overtime was to increase staff.

Mr. Ringstad asked how many vacancies currently exist at the FFD. Chief Cocco reported that there are no vacancies for rank-and-file positions but that some will be created soon with upcoming promotions. He shared that an Assistant Fire Chief position is open as well as a Training Captain and Community Paramedic. He noted that a few injuries are also currently affecting scheduling.

Mr. Marney noted that the FFD is a small, close-knit community. He asked Chief Cocco if he has heard disgruntled commentary regarding forced overtime. Chief Cocco shared that things

ebb and flow and that on any given day or time he can overhear chatter that is completely positive or negative. He disagreed with the earlier comment that the FFD is at the national standard for staffing based on the call volume and stated that more people are needed to do their jobs properly. He reported that there have been times when staff has been stressed to their limits, but they have remained because they are proud of what they do and the role they play in the community.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO AMEND ORDINANCE NO. 6294, AS AMENDED, BY REDUCING THE LINE ITEM OF \$600,000 FOR INCREASED FFD OVERTIME EXPENSE BY \$120,000 AS FOLLOWS:

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

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 6294, AS AMENDED, AS FOLLOWS:

YEAS: Ringstad, Therrien, Marney, Sprinkle, Tidwell
NAYS: Cleworth
Mayor Pruhs declared the MOTION CARRIED and Ordinance No. 6294, as Amended, ADOPTED.

Ms. Therrien, seconded by **Ms. Tidwell**, moved to RECONSIDER the motion to ADOPT Ordinance No. 6294, as Amended.

Ms. Therrien stated that given the worry it could create for the Fire Chief should the issue be rehashed again before the end of the year, she wanted to reconsider now rather than later. She admitted that she hoped the motion would fail.

Mr. Cleworth pointed out that by the time the Council could reconsider the ordinance another way, there would be even less of the year remaining. He recounted how the action of reconsideration has rarely been used by the Council, primarily only in cases where additional information later comes to light. He noted that the Borough Assembly uses the action regularly to eliminate any opportunity for a legitimate reconsideration. He stated that he believes it is an improper use of Robert's Rules of Order to call for reconsideration immediately after a vote.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO RECONSIDER THE MOTION TO ADOPT ORDINANCE NO. 6294, AS AMENDED, AS FOLLOWS:

YEAS: None
NAYS: Sprinkle, Therrien, Cleworth, Marney, Ringstad, Tidwell
Mayor Pruhs declared the MOTION FAILED.

NEW BUSINESS

- a) Resolution No. 5142 – A Resolution Authorizing the City of Fairbanks to Accept Funds from the Alaska Division of Homeland Security for the FFY2023 State and Local Cybersecurity Grant Program (SLCGP). Introduced by Mayor Pruhs.

Mr. Marney, seconded by **Ms. Sprinkle**, moved to APPROVE Resolution No. 5142.

Mr. Cleworth asked if there would be licensing fees for the program in future years and if the City would have to pay for someone to learn the system or if it would be covered by the current contractor. Chief of Staff Sanders confirmed that the item would be managed by AlasConnect, the City's current Information Technology (IT) contractor but that there is no way to know about future operating costs until it goes out to bid. He acknowledged that there would likely be an annual licensing fee but that it would probably be a fraction of the \$65,000. **Mr. Cleworth** noted that although it would be covered by grant funds, the program would not be free from future expenses. Chief of Staff Sanders agreed but explained that the increased instances of cybersecurity attacks and the potential for their devastating financial impact, makes services like this invaluable.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5142 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5142 APPROVED.

- b) Resolution No. 5143 – A Resolution Authorizing the City of Fairbanks to Participate in the Alaska Department of Environmental Conservation's Environmental Protection Agency (EPA) Community-Wide Assessment Grant Application. Introduced by Mayor Pruhs.

Mr. Marney, seconded by **Ms. Therrien**, moved to APPROVE Resolution No. 5143.

Mr. Cleworth asked for more information about the resolution. City Engineer Bob Pristash explained that the grant would help them identify whether soil contamination exists in upcoming projects for Minnie Street and Barnette Street. He noted that it would also assist in coordinating with a consultant to draft plans to mitigate risks, if any, when construction commences. He compared it to the summer project on Cowles Street. He stated that the grant would move projects forward and reduce costs since the work will happen regardless.

Ms. Sprinkle asked if there was contamination already identified in the projects mentioned. B. Pristash referenced the attached exhibits which annotate locations of concern due to the presence of past businesses such as a gas station and a car wash in or near the project area. He explained how previously identified underground plumes of contamination can spread through groundwater. He clarified that once contamination sources cease, a plume dissipates and boundaries change.

Mr. Marney stated that this kind of work in advance covers the City's actions. B. Pristash agreed but added that doing the work also allows projects to progress quicker, using the Cowles Street project as an example.

Ms. Tidwell asked whether there would be a study involving homeowner participation. B. Pristash clarified that the samples are only taken from within the right-of-way.

Mr. Cleworth asked B. Pristash if the City would have to go through the process anyway. B. Pristash stated that it is not necessarily required, but if there is a reason to expect contamination, it should be done. He explained that projects in other areas where no contamination concerns exist do not have to have the soil examined. **Mr. Cleworth** asked if this would save money for FAST Planning. B. Pristash confirmed that it would and reiterated that it also speeds up the process.

Mayor Pruhs asked B. Pristash if the Department of Environmental Conservation (DEC) has put a "No Further Action" determination at the old gas station at Barnette Street and 4th Avenue. B. Pristash stated that he believes that the site itself is considered closed – as in fully mitigated – but contamination still exists beyond the property boundaries within the right-of-way. He admitted that it is difficult to do construction anywhere in Fairbanks without some sort of contamination. **Mayor Pruhs** asked if other projects overseen by State or Federal entities would be cancelled if costs increase too greatly due to contamination concerns. B. Pristash indicated that such problems could result in projects being delayed or potentially scrapped altogether. He cited the project at Airport Road and Gaffney Road, noting it was a \$20MM project that increased by another \$20MM due to contamination. He stated that \$40MM for an intersection of that size is almost unbelievable.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE RESOLUTION NO. 5143 AS FOLLOWS:

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

NAYS: None

Mayor Pruhs declared the MOTION CARRIED and Resolution No. 5143 APPROVED.

- c) Ordinance No. 6295 – An Ordinance Ratifying a Collective Bargaining Agreement Between the City of Fairbanks and the Fairbanks Firefighters Union, IAFF Local 1324. Introduced by Mayor Pruhs.

ADVANCED on the CONSENT AGENDA

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Reappointment to the Building Code & Landscape Review & Appeals Commission

APPROVED on the CONSENT AGENDA

- b) Appointment to the Clay Street Cemetery Commission

APPROVED on the CONSENT AGENDA

- c) Chena Riverfront Commission Meeting Minutes of April 24, 2024

ACCEPTED on the CONSENT AGENDA

- d) Chena Riverfront Commission Meeting Minutes of September 10, 2024

ACCEPTED on the CONSENT AGENDA

COMMITTEE REPORTS AND COUNCILMEMBERS' COMMENTS

Mr. Ringstad stated he had no report or additional comments.

Mr. Marney stated that he had a great time at City Hall's Halloween event, that he enjoyed participating with other Councilmembers, and that he will be back next year.

Ms. Sprinkle agreed that the Halloween event was great and that she was proud of the effort.

Ms. Therrien shared that the Legislative Committee would meet on November 25 to discuss plans. She asked that if any Councilmembers have projects for legislators to consider that they get those to the Committee as soon as possible. She stated that the Council will have a special meeting with legislators on December 16. She reminded everyone to vote in the upcoming election.

Mr. Cleworth stated he plans to vote the following day and commented on the large number of people taking advantage of the early voting option. He reported that his grandkids attended the City Hall Halloween event and had a great time. He shared that he recently enjoyed watching the UAF women's volleyball team play. He stated they have a great roster, and he encouraged others to attend a match.

Ms. Tidwell reported that the Halloween event was awesome and that she thinks the Council can win the competition next year.

CITY CLERK'S REPORT

Clerk Snider shared that her written quarterly report would be sent to the Council by email the following day.

CITY ATTORNEY'S REPORT

Attorney Chard expressed appreciation for Clerk Snider's earlier invocation regarding diverse opinions and perspectives being respected while working together for common goals. He thanked Councilmembers for their continued commitment to the community they serve.

EXECUTIVE SESSION

Mr. Cleworth, seconded by **Mr. Ringstad**, moved to ENTER into an Executive Session to discuss PSEA Labor Negotiations: Guidance from Council.

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) PSEA Labor Negotiations: Guidance from Council [permissible under State law, including the provision at AS 44.62.310(c)(1)] *(entered at 8:29 p.m.)*

Mr. Cleworth brought the City Council out of the Executive Session, noting that the Council met to discuss PSEA Labor Negotiations. He affirmed that no action was taken.

ADJOURNMENT

Ms. Therrien, 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 9:10 p.m.



DAVID PRUHS, MAYOR

ATTEST:



D. DANIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC