



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, SEPTEMBER 9, 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 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
 June Rogers, Seat B
 Sue Sprinkle, Seat C
 Crystal Tidwell, Seat D
 Lonny Marney, Seat E

Absent: John Ringstad, Seat F

Also Present: D. Danyielle Snider, City Clerk
 Thomas Chard, City Attorney
 Michael Sanders, Chief of Staff
 Margarita Bell, Chief Financial Officer
 Richard Sweet, Deputy Police Chief
 Andrew Cocco, Fire Chief
 Jake Merritt, Human Resources Director (remotely)
 Kristi Merideth, FECC Manager (remotely)
 Brynn Butler, Housing Coordinator (remotely)

INVOCATION

The invocation was given by City Clerk Danyielle Snider.

FLAG SALUTATION

At the request of Mayor Pruhs, Deputy Police Chief Richard Sweet 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.]

Victor Buberger – V. Buberger complimented the Public Works department for patching potholes faster than he could complain about them. He praised the Council for its good work as well. He discussed the idea of establishing a casino in Fairbanks as a way to generate revenue and lower property taxes, claiming that such establishments are successful in other locations. He added that Fairbanks essentially had casino-like operations back in the 1970s. He indicated that he would keep an eye out for whether or not the streetlights along the Old Steese Highway have been repaired since last winter.

Valerie Therrien – V. Therrien encouraged the Mayor and Council to continue working on the ordinance to provide tax incentives for property development within the City. She shared having read a recent article about the Borealis Suite that the State built to provide more housing and noted that even more housing is needed, especially for younger residents. She expressed her belief that the City and Borough working together can encourage more housing construction in the Interior.

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

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Ms. Sprinkle pulled item 12(a), Ordinance No. 6290, 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 SPECIAL ORDERS

a) Regular Meeting Minutes of August 12, 2024

APPROVED on the CONSENT AGENDA

b) Regular Meeting Minutes of August 26, 2024

APPROVED on the CONSENT AGENDA

SPECIAL ORDERS

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

Lic. #	DBA	License Type	Licensee	Address
710	Mecca Bar	Beverage Dispensary	JRB, Inc.	549 2nd Avenue
4816	Mayan Palace	Beverage Dispensary	Taco Azteca, Inc.	3401 Airport Way
5266	Fushimi	Restaurant/Eating Place	Fushimi, LLC	607 Old Steese Highway

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

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

Ms. Sprinkle, seconded by **Mr. Marney**, moved to DIVIDE THE QUESTION by considering the Mecca Bar application separately.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO DIVIDE THE QUESTION BY CONSIDERING THE MECCA BAR APPLICATION SEPARATELY AS FOLLOWS:

YEAS: Marney, Cleworth, Sprinkle, Rogers, Tidwell

NAYS: None

ABSENT: Ringstad

Mayor Pruhs declared the MOTION CARRIED.

Ms. Sprinkle indicated that she believes the business associated with the license is problematic to the downtown area. She shared that she witnessed a disturbing incident the previous week that the property

owner claimed they were neither aware of nor had the capacity to police. She stated that more work should be done before waiving protest on the license.

Mr. Marney recounted how he had raised concerns about this license the last time it was before the Council, though the callout report at that time included six pages of calls. He acknowledged the lower call count attached to the present application.

Mr. Cleworth stated that he has always declared a conflict of interest with the Mecca Bar license in the past, noting that it is adjacent to his own business and that financial interests would be gained should the bar no longer be in operation. He shared that the last two times it has been before the Council, he has sat out on the vote to prevent any perception of a benefit to himself. **Mayor Pruhs** asked if Mr. Cleworth or anyone in his family owns a portion of the business or if he is a frequent visitor of the establishment. **Mr. Cleworth** answered no to each question. **Mayor Pruhs** ruled that Mr. Cleworth did not have a conflict of interest on the matter.

Ms. Rogers expressed disappointment with trying to work through concerns on any license without a representative from the business in attendance.

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

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

City Attorney Thomas Chard explained that Fairbanks General Code (FGC) Chapter 14 gives guidance on how the City Council will review license applications. He noted that these factors include the character of the surrounding neighborhood and whether issuance of a license adversely affects the health, welfare, or public safety of the neighborhood. He indicated that by not waiving protest, the Council put in play an action that will involve a more thorough review by the State's Alcohol & Marijuana Control Office (AMCO). Clerk Snider reported that there is one more Council meeting before the October 1 deadline for the City to respond to AMCO.

Mayor Pruhs stated that the Council should have a reason for protesting an application and that it would be appropriate for the Council to cite findings of fact. He asked Ms. Tidwell to share her thoughts, given her membership on the Planning Commission. **Ms. Tidwell** expressed her wish that someone from the business would have been present.

Ms. Sprinkle stated that she believes the establishment has a negative impact on the businesses it surrounds. **Mayor Pruhs** recommended that there be at least three findings of fact for a protest and suggested that the first would be negative influence to surrounding businesses.

Mr. Marney pointed out that the seasonal downtown assignments for the two Fairbanks Police Department (FPD) patrol officers have ended, which likely means that problems will get worse.

Mr. Cleworth noted that past precedent has been that the Legal Department would work on findings of fact after the Council made a decision to protest, rather than the Council coming up

with its reasons during a Council meeting. **Mayor Pruhs** acknowledged that approach and clarified that he would like to give some direction to the City Attorney.

Attorney Chard referenced FGC 14-178, which Clerk Snider projected onto the meeting room screen. He explained that the Code lists factors the Council can consider when reviewing an application, and the list includes concerns over the impact to the surrounding neighborhood along with actual and potential law enforcement problems. He clarified that since the Council had already voted to protest, his office would assist with drafting findings of fact; however, if the Council wished to reconsider the action, it could have the opportunity to do so at the next regular meeting.

Mayor Pruhs asked for guidance on any timeframes for reconsideration. Clerk Snider explained that any Councilmember may request reconsideration within the current meeting or within the next day. She added that if the desire was to postpone the decision of whether or not to protest, the Council would first need to pass a motion to reconsider, after which a motion to postpone could be made. She stated that, with direction, the Council could have the City Attorney draft findings of fact. She clarified that because the vote had already been taken, the application would be considered protested by the Council unless another action is taken. **Mayor Pruhs** confirmed that the options before the Council are to take no action and the protest would stand, move to reconsider and postpone within the current meeting, or file a request for reconsideration the following day.

Ms. Rogers explained that her lone vote to waive protest was based on the acknowledgement that a vast improvement has been shown through the significant reduction of police call volumes. She discussed the importance of working together with business owners on issues.

Mayor Pruhs asked if any of the four Councilmembers who voted to protest the application wished to make a motion for reconsideration. No requests were voiced.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST ON THE ALCOHOL LICENSE APPLICATIONS FOR RENEWAL FOR THE MAYAN PALACE AND FUSHIMI AS FOLLOWS:

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

Mayor Pruhs declared the MOTION PASSED.

- b) The Fairbanks City Council will hear interested citizens concerned with the following marijuana license application for renewal. Public testimony will be taken and limited to three minutes.

Lic. #	DBA	License Type	Licensee	Address
10589	Nature's Releaf	Retail Marijuana Store	Nature's Releaf, LLC	503 7th Avenue

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

Mayor Pruhs called for public testimony.

Kelly Paschall – K. Paschall shared that he is the owner of the property, that his wife is the licensee, and that they believe they have been a good community member and an integral part of the downtown area for the six years since the business opened. He highlighted the recent major improvements to the property and expressed pride in the efforts of his wife to grow the business. He thanked the Council for considering their application.

Mayor Pruhs asked K. Paschall if he could share details about the work they have done since purchasing the property. K. Paschall stated that they purchased the building in 2016, received a license to operate in 2018, and have made continual improvements since then. He discussed purchasing the neighboring lot, which included a derelict cabin, and how they demolished it a few years back in order to expand. **Mayor Pruhs** noted that the business also specializes in holistic and medical marijuana. K. Paschall confirmed that they consider marijuana a positive alternative to pharmaceuticals in the treatment of emotional and physical pain. He shared personal experience of using such products as a way to avoid opiates. **Mayor Pruhs** complimented the low number of calls on the report, given the area of town they are located in. K. Paschall stated that they are proud of their ability to take care of problems themselves.

Mr. Marney discussed the Council's desire to encourage development in the downtown area. He asked what the City could have done to better support the remodel and expansion of the Paschall's property. K. Paschall indicated that they would have liked the Building Department to be more responsive and cooperative. He suggested that the Building Department can be more of a deterrent than an asset or resource for downtown development. He discussed existing models in other states that have proven successful and suggested they look into ways other building departments foster development. **Mr. Marney** asked if he recalls the cost of tipping fees or other expenses when they demolished the derelict cabin on the adjacent property. K. Paschall reported that they only had to pay tipping fees at the Borough landfill once and that other materials were handled through a private contractor who utilized their own property for disposal.

Mr. Rogers asked K. Paschall what prompted them to establish their business in the downtown area rather than elsewhere in the City or Borough. She also asked if he had ideas of what downtown should look like in the future. K. Paschall stated that the decision to open the business was serendipitous, that they had owned the building for years as a rental but decided to turn it into something they were passionate about and could be proud of. He shared that he was born and raised in Fairbanks and believes in a bright future. He added that his deep community roots influenced their decision to open Nature's Relief at that location.

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

YEAS: Rogers, Marney, Sprinkle, Cleworth, Tidwell
NAYS: None
ABSENT: Ringstad
Mayor Pruhs declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Pruhs indicated that he had no comments or report.

COUNCILMEMBERS' COMMENTS

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

Mr. Cleworth referenced V. Buberger's idea of a casino in Fairbanks. He noted that State laws govern gambling and that V. Buberger's comments would be better directed to those who work in the State Legislature. He recalled that when the issue came up in the past in Juneau, fascinating discussions showed that many nonprofits that benefit from pull-tab revenue opposed the idea of implementing casinos.

UNFINISHED BUSINESS – None

NEW BUSINESS

- a) Ordinance No. 6290 – Amending the Collective Bargaining Agreement Between The City of Fairbanks and the Fairbanks Firefighters Union IAFF Local 1324 to Add Community Paramedic and Training Captain Positions. Introduced by Mayor Pruhs.

Ms. Tidwell, seconded by **Ms. Sprinkle**, moved to ADVANCE Ordinance No. 6290.

Ms. Sprinkle asked if this was something new or if the Council had already discussed the topic at a previous work session. **Mayor Pruhs** explained that the Council had already approved the Community Paramedic position in the budget, and it was just now ready to be added. He clarified that the Training Captain role used to be given as an assignment to an existing captain but will now be a designated position. **Ms. Sprinkle** asked if the Community Paramedic position was no longer going to be under the Mayor's Office. **Mayor Pruhs** confirmed that the position was initially going to be under the union, but he did not like how the role was evolving, so he pulled it back and gave a one-month deadline for them to figure things out. He shared that the parties were able to come together and resolve concerns, which is why the ordinance was introduced.

Mr. Cleworth asked if the Fire Chief would have the discretion to assign the Training Captain to fill shifts, should he determine that they could use an additional captain on the line. Chief of Staff Michael Sanders responded that that was not something intended for the position; he added that it is designed to be a Monday through Friday, 40-hours a week position, not subject to being put on the line to fill gaps. He clarified that the problems encountered in the past were largely a result of doing just that.

Mr. Marney asked if they were going to fill the position with someone already serving as a captain or if they would be hiring externally. M. Sanders stated that there are some internal promotions to the rank of captain occurring in the near future. He added that if no one was interested in applying for Training Captain, they would hire externally.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADVANCE ORDINANCE NO. 6290 AS FOLLOWS:

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

ABSENT: Ringstad
Mayor Pruhs declared the MOTION CARRIED and Ordinance
No. 6290 ADVANCED.

WRITTEN COMMUNICATIONS TO THE CITY COUNCIL

- a) Memorandum to Approve the Appointment of 2024 Election Officials

APPROVED on the CONSENT AGENDA

- b) Fairbanks Diversity Council Meeting Minutes of June 11, 2024

ACCEPTED on the CONSENT AGENDA

COMMITTEE REPORTS AND COUNCILMEMBERS' COMMENTS

Ms. Sprinkle reported that she looks forward to the Chena Riverfront Commission's meeting the following week, though the group has not met quorum requirements for its last two meetings.

Ms. Rogers acknowledged the effort Ms. Sprinkle put into highlighting problem properties in the community, which is not an easy subject nor does it involve easy solutions. She asserted that the City would do well to also highlight instances where owners have taken older, challenged properties and breathed new life into them. She praised these examples as opportunities to show what can be done to improve Fairbanks, rather than harping on the negative examples.

Mr. Cleworth referenced a letter that was provided to all Councilmembers from Karen Parr, who shared an experience with a door-to-door solicitation for monetary contributions by someone representing the "National Police Association." He indicated that he is not familiar with the organization and was unsure if it was legitimate or a scam. DC Sweet reported that the "National Police Association" is not an organization he has any knowledge of and that an internet search seems to suggest it may be a scam. He acknowledged that there would need to be some additional research done on the matter. He affirmed that, as far as he was aware, the FPD had never had any association with the group. **Mr. Cleworth** thanked DC Sweet for the information and committed to follow up with K. Parr.

Mr. Marney stated that he heard on the radio that the Mayor had begun assisting with traffic control along Trainor Gate Road in the mornings before school. He recognized that DC Sweet had participated, along with Police Captain Nathan Warner. He asked if that had been successful. **Mayor Pruhs** shared that it has been an eye-opening experience to see the morning traffic conditions along that road and thanked Representative Will Stapp for bringing the issue to his attention. He stated that he and City Engineer Bob Pristash met to discuss what options the City could implement to help mitigate the concerns in that area. He shared that his presence with a "SLOW" sign and an assigned patrol officer are beginning to create a calming effect on traffic. He discussed options to improve conditions, recognizing that some will not be feasible until 2025.

Ms. Sprinkle asked if there was a safety patrol individual at the primary intersection by the school. **Mayor Pruhs** stated that there is and acknowledged the incredible risk that someone accepts by

serving in that capacity. He noted the long stretch of straight road where drivers often ignore posted speed limits. He reiterated that the temporary police presence will have a slowing effect.

Ms. Rogers recalled that a very effective safety patrol program was used many years ago when City Hall was still Main School. **Mayor Pruhs** agreed that efforts have been successful and drivers are deliberately slowing down. He expressed joy in the opportunity to wave to hundreds of Fairbanksans each morning and shared his commitment to be out there with his sign through September, after which they will determine the next best steps. He concluded by claiming that the City's real superpower is its ability to immediately step in to help with situations such as this, whereas other government entities may respond at a slower place.

Mr. Marney expressed support for the efforts on Trainor Gate Road. He stated that he wishes such focus could be duplicated in other school locations around town. He indicated that frequent traffic offenses, which seem to be common around many school zones in Fairbanks, would likely be a significant revenue source. DC Sweet confirmed that State statutes include hefty consequences for fines and point deductions from driver's licenses for violations within school zones.

Ms. Tidwell reported that she attended a meeting of the Economic Development Commission last week to review Ordinance 2024-21, referred to it by the Borough Assembly regarding tax incentives for construction of multi-family housing. She shared that after lengthy conversation, the ordinance was referred back to the Assembly. She indicated that data from the last time a similar incentive was implemented showed that most construction focused on one- and two-bedroom dwellings, and that this endeavor would be restricted only to projects that included five or more units with at least three bedrooms. She noted that the Commission is suggesting an amendment that clearly outlines an application period so Borough assessments can be completed prior to the Borough's budget process. **Ms. Tidwell** stated that she is looking forward to the Council's continued work on its own ordinance to encourage development through a tax rebate. She expressed the hope that the City could get direct input from builders as part of its research.

CITY CLERK'S REPORT

Clerk Snider indicated that she had nothing to report.

CITY ATTORNEY'S REPORT

Attorney Chard stated that he had no report. He thanked Councilmembers for their commitment to the community.

EXECUTIVE SESSION

Mr. Cleworth, seconded by **Ms. Tidwell**, moved to ENTER into Executive Sessions to discuss PSEA Labor Negotiations and FFU Labor Negotiations.

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 (*entered at 7:30 p.m.*)
- b) FFU Labor Negotiations (*entered at 8:27 p.m.*)

Mr. Cleworth noted that the Council met in Executive Sessions to discuss PSEA Labor Negotiations and FFU Labor Negotiations. He affirmed that no action was taken.

ADJOURNMENT

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

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

Mayor Pruhs declared the meeting adjourned at 8:53 p.m.



DAVID PRUHS, MAYOR

ATTEST:



D. DANYIELLE SNIDER, MMC, CITY CLERK

Transcribed by: CC