

FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
February 12, 2015
6:00 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, February 12, 2015, in the Mona Lisa Drexler Assembly Chambers of the Borough Administrative Offices, 809 Pioneer Road, Fairbanks, Alaska.

There were present:

Karl Kassel, Presiding Officer and

Diane Hutchison
Van Lawrence
Janice Golub
John Davies

Kathryn Dodge
Christopher Quist
Guy Sattley
Lance Roberts

Comprising a quorum of the Assembly, and

Luke T. Hopkins, Borough Mayor
Jeff Jacobson, Chief of Staff
Jill Dolan, Acting Borough Attorney
Carolyn Yurkovich, Chief Procurement Officer
Christine Nelson, Community Planning Director
Scott Johnson, Public Works Director
Glenn Miller, Transportation Director
Michael Bredlie, Rural Services Manager
Bob Jordan, Solid Waste Manager
Blake Moore, Application Services Manager
Sue Hull, School Board Representative (6:50 p.m.)
David Pruhs, City of Fairbanks Representative
Michael Welch, North Pole Representative
Nanci Ashford-Bingham, MMC, Borough Clerk
April Trickey, Deputy Borough Clerk
Adena Benn, Research Assistant

Absent & Excused

NONE

PRESENTATIONS

Track 1, 2:30

Mayor Hopkins read into the record a proclamation honoring the Employee of the Month, Jim Desrochers, Computer Services Department.

Mayor Hopkins read and presented a proclamation to Randy Zarnke declaring the week of February 15, 2015 as Hockey Week in the Fairbanks North Star Borough.

Track 1, 56:20

Assemblymember Golub read and presented Resolution No. 2015-05 to Principle Barbara Sperl congratulating Crawford Elementary on receiving a 2014 National Blue Ribbon School Award.

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS

Track 1, 53:00

The Presiding Officer revised the agenda to allow the remaining four citizens signed up on Citizen Comments Item "a" to testify after public hearing and prior to unfinished business.

WITHOUT OBJECTION, SO ORDERED.

CITIZEN'S COMMENTS

Track 1, 9:12

- a. A citizen may speak on agenda items not scheduled for public hearing. Memorandums, Bid Awards, Unfinished Business (items postponed from previous meetings, reconsideration, or notice of intent to rescind), Resolutions, or Ordinances being advanced to a public hearing on a different date.

David Throop, resident of the borough, spoke in opposition to Ordinance No. 2015-01.

Angie Tallant, resident of the borough and representative of the Greater Fairbanks Board of Realtors, spoke in opposition to Ordinance No. 2015-01.

John Corning, resident of the borough, spoke in opposition to Ordinance No. 2015-01, specifically the fine amounts.

Mike Musick, resident of the borough, spoke in support of Ordinance No. 2015-01.

Jimmy Fox, resident of the borough, spoke in support of Ordinance No. 2015-01, thanked the Assembly for its work on the Ordinance, and for taking the time to listen to the large amount of public comments.

CITIZEN'S COMMENTS – continued

Barbara Sperl, resident of the borough and principal of Crawford Elementary School, thanked the Assembly for Resolution No. 2015-05.

Lynn Larsen, resident of the borough, spoke in support of Ordinance No. 2015-01.

Ronald Yarnell, resident of the borough, spoke in support of Ordinance No. 2015-01.

David Pruhs, resident of the borough, spoke in opposition to Ordinance No. 2015-01.

Scott Calder, resident of the borough, spoke in opposition to Ordinance No. 2015-01.

Clerk's Note: Continuation of Citizen Comments Item "a" for the remaining four citizens signed up to speak.

Track 3, 13:27

Joan Franz, resident of the borough, spoke in support of Ordinance No. 2015-01.

Lou Brown, resident of the borough, spoke in support of Ordinance No. 2015-01.

Lee Bridgman, resident of the borough, spoke in opposition to Ordinance No. 2015-01.

Patrice Lee, resident of the borough, spoke in support of Ordinance No. 2015-01.

b. Items other than those appearing on the agenda (this is the section to speak on anything **Not Scheduled** on the agenda).

NONE

APPROVAL OF AGENDA AND CONSENT AGENDA

Track 1, 55:50

HUTCHISON,
Seconded by DODGE

moved to approve the agenda and consent agenda, as amended and read.

WITHOUT OBJECTION, SO ORDERED.

APPROVAL OF MINUTES

Track 1, 55:50

- a. Regular Assembly Meeting minutes of January 29, 2015.

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to approve.
Seconded by DODGE

WITHOUT OBJECTION, SO ORDERED.

COMMUNICATIONS TO THE ASSEMBLY

Track 1, 55:50

- a. Memorandums from Mayor Hopkins regarding appointments of members to the following commissions:

- Air Pollution Control Commission
- Animal Control Commission
- Land Management Advisory Commission
- North Star Fire Service Area Commission
- Senior Citizens Advisory Commission

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to concur.
Seconded by DODGE

WITHOUT OBJECTION, SO ORDERED.

- b. IFB Award: IFB Number 15039
University Park Elementary School Replace/Upgrade Roof

Approval of the Base Bid as submitted by Interior Alaska Roofing, Inc. in the amount of \$1,627,577.00.

Track 3, 7:30

Carolyn Yurkovich, Chief Procurement Officer, and Scott Johnson, Public Works Director, gave a staff report.

DAVIES, moved to approve IFB No. 15039 University
Seconded by GOLUB Park Elementary School Replace/Upgrade
Roof base bid as submitted by Interior
Alaska Roofing, Inc. in the amount of
\$1,627,577.00

Discussion ensued.

COMMUNICATIONS TO THE ASSEMBLY – continued

VOTE ON MOTION TO APPROVE IFB NO. 15039 BASE BID AS SUBMITTED BY INTERIOR ALASKA ROOFING, INC. IN THE AMOUNT OF \$1,627,577.00.

Ayes: Quist, Golub, Hutchison, Dodge, Sattley, Roberts, Lawrence, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

MESSAGES FROM THE BOROUGH MAYOR

This item was not heard due to time constraints.

REPORTS OF SPECIAL AND STANDING COMMITTEES

This item was not heard due to time constraints.

REPORTS FROM REPRESENTATIVES

Track 2, 00:50

a. Report from the City of Fairbanks Representative.

Councilmember David Pruhs reported on:

- Actions taken at the City Council meeting on Monday, February 9, 2015.

b. Report from the City of North Pole Representative.

Councilmember Michael Welch reported on:

- Mayor Ward's recent trip to Juneau.
- The council's official "no position" on FNSB Ordinance No. 2015-01.
- Their next meeting will be held Tuesday, February 17, 2015 at 7 p.m.

REPORTS FROM REPRESENTATIVES – continued

c. Report from the School Board Representative.

School Board Representative Sue Hull reported on:

- The Assembly’s recognition of Crawford Elementary with Resolution No. 2015-05.
- Her recent trip to Juneau and the continuing work on the school district’s budget.

SPECIAL ORDERS – PUBLIC HEARING

a. Liquor License – Transfer – Package Store – License # 89

From: McPeak’s Badger Store
McPeak’s Inc.
711 Badger Rd.

To: The Liquor Well
The Liquor Well, Inc.
711 Badger Rd.
Track 2, 16:54

Jeff Jacobson, Chief of Staff, gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.

DAVIES, moved to file no protest.
Seconded by DODGE

Discussion ensued.

VOTE ON MOTION TO FILE NO PROTEST.

Ayes: Hutchison, Roberts, Lawrence, Dodge,
Quist, Sattley, Golub, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

PUBLIC HEARING – continued

- b. ORDINANCE NO. 2015-04. An Ordinance Providing For An Election For Tax Cap Revision To The Bear’s Den Road Service Area. (Sponsor: Mayor Hopkins)
Track 2, 18:40

Michael Bredlie, Rural Services Manager, gave a staff report.

The Presiding Officer called for public testimony.

Deke Naaktgeboren, resident of the borough, spoke regarding the Bear’s Den Service Area.

The Presiding Officer called for further public testimony, there being none public hearing was closed.

DAVIES, moved to adopt.
Seconded by GOLUB

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-04.

Ayes: Roberts, Hutchison, Golub, Sattley, Quist,
Lawrence, Dodge, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- c. ORDINANCE NO. 2015-05. An Ordinance Providing For An Election For Tax Cap Revision To The Becker Ridge Service Area. (Sponsor: Mayor Hopkins)
Track 2, 26:47

Michael Bredlie, Rural Services Manager, gave a staff report.

The Presiding Officer called for public testimony.

Jean James, resident of the borough, spoke in support of Ordinance No. 2015-05.

The Presiding Officer called for further public testimony, there being none public hearing was closed.

DAVIES, moved to adopt.
Seconded by GOLUB

PUBLIC HEARING – continued

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-05.

Ayes: Dodge, Quist, Lawrence, Hutchison,
Roberts, Golub, Sattley, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- d. ORDINANCE NO. 2015-06. An Ordinance Providing For An Election For Tax Cap Revision To The Borda Road Service Area. (Sponsor: Mayor Hopkins)
Track 2, 38:20

Michael Bredlie, Rural Services Manager, gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.

DAVIES, moved to adopt.
Seconded by GOLUB

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-06.

Ayes: Lawrence, Sattley, Roberts, Golub,
Hutchison, Quist, Dodge, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- e. ORDINANCE NO. 2015-03. An Ordinance Rezoning Approximately 26,552 Square Feet From Multiple-Family Residential (MF) To General Commercial (GC) Or Other Appropriate Zone. The Property Is Described As Lots 1 And 2 Of Halvorson Subdivision. (Located at 3690 Widener Lane On The Corner Of University Avenue, Widener Lane And Halvorson Road) (RZ2015-004) (Sponsor: Mayor Hopkins)
Track 2, 40:10

Christine Nelson, Community Planning Director, gave a staff report.

PUBLIC HEARING – continued

The Presiding Officer called for public testimony, there being none public hearing was closed.

LAWRENCE, moved to adopt.
Seconded by GOLUB

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-03.

Ayes: Quist, Golub, Hutchison, Dodge, Sattley, Roberts, Lawrence, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- f. ORDINANCE NO. 2015-07. An Ordinance Amending Title 18 Regarding Variances And Allowing For Administrative Approval Of Yard Setback Variances In Limited Circumstances And Adding Administrative Variances And Appeals To The Fee Schedule. (Sponsor: Planning Commission)
Track 2, 46:40

Angela Major, Planning Commission Vice Chair and Christine Nelson, Community Planning Director, gave a staff report.

The Presiding Officer called for public testimony.

David Throop, resident of the borough, spoke in opposition to Ordinance No. 2015-07.

Asa Dowdy, resident of the borough, spoke in opposition to Ordinance No. 2015-07.

The Presiding Officer called for further public testimony, there being none public hearing was closed.

SATTLEY , moved to adopt.
Seconded by DAVIES

Discussion ensued.

PUBLIC HEARING – continued

SATTLEY ,
Seconded by HUTCHISON

moved to remand to the Planning Commission and request they consider increasing the setback variance request percentage; revising the requirements of notifications on administrative hearings and on those variances that may be approved by the Planning Director and the ability of exempting some of the older properties, with the intent to return the Ordinance to the Assembly for another public hearing.

VOTE ON MOTION TO REMAND ORDINANCE NO. 2015-07 TO THE PLANNING COMMISSION.

Ayes: Hutchison, Roberts, Lawrence, Dodge, Quist, Sattley, Golub, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

- g. ORDINANCE NO. 2015-08. An Ordinance Amending FNSBC 8.21.035 Regarding The PM2.5 Enhanced Voluntary Removal Replacement And Repair Program To Provide For Priority Ranking Based On Income Level And Availability Of Other Adequate Source Of Heat.
(Sponsors: Assemblymembers Davies and Dodge)
Track 2, 01:04:08

Assemblymember Davies gave a staff report.

The Presiding Officer called for public testimony.

Asa Dowdy, resident of the borough, spoke in opposition to Ordinance No. 2015-08.

Scott Winners, resident of the borough, spoke to the wood stove change out program.

David Throop, resident of the borough, spoke in opposition to Ordinance No. 2015-08.

Patrice Lee, resident of the borough, spoke in opposition to the wood stove change out program.

PUBLIC HEARING – continued

The Presiding Officer called for further public testimony, there being none public hearing was closed.

DAVIES , moved to adopt.
Seconded by DODGE

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-08.

Ayes: None

Noes: Quist, Golub, Hutchison, Dodge, Sattley,
Roberts, Lawrence, Davies, Kassel

MOTION FAILED 0 Ayes, 9 Noes

CONSIDERATION OF CALENDAR – Unfinished Business

- a. ORDINANCE NO. 2015-01. An Ordinance Amending Chapter 8.21 Of The FNSB Code Of Ordinances Regarding The PM2.5 Air Quality Control Program, Amending 2.48.120 Regarding The Air Pollution Control Commission’s Duties, And Amending 1.04.050 Regarding The Fine Schedule To Add Violations Of The PM2.5 Air Quality Control Program.
(Sponsors: Assemblymembers Davies, Dodge and Golub)
Track 3, 29:13

DAVIES, moved to adopt.
Seconded by DODGE

SATTLEY, moved to substitute.
Seconded by DODGE

The Presiding Officer ruled the substitute will carry the main motion.

CONSIDERATION OF CALENDAR – Unfinished Business – continued

Discussion ensued.

SATTLEY,
Seconded by HUTCHISON

moved to create an Air Quality Control Zone by adding the following definition to Section 2: “Air Quality Control Zone” means the area of the Fairbanks North Star Borough currently contained in the EPA designated nonattainment area, which uses the nonattainment area southern, western and eastern boundaries as modified by their respective intersection with the following northern boundary described as; beginning at the Tanana River on the southwest corner of the EPA designated non-attainment area continuing east then north at the intersection of Rosie Creek and Chena Pump Road then east along the length of Chena Pump Road, and continuing north on the Parks Highway to Sheep Creek Road, then Sheep Creek Road to Miller Hill Road, then north on Miller Hill Road to East on Yankovich Road to north on Dalton Trail to the crest of the Farmer’s Loop Ridge, then follow the geographic crest of Farmer’s Loop Ridge to its intersection with the New Steese Highway, then south on the New Steese Highway to its intersection with Chena Hot Springs Road, and Chena Hot Springs Road to the eastern boundary of the EPA designated non-attainment area, and a conceptual amendment to replace in the ordinance “borough-wide” or “non-attainment area” with “Air Quality Control Zone”.

Discussion ensued.

HUTCHISON,
Seconded by SATTLEY

moved to amend the amendment by adding “until the intersection with Chena Ridge Road following Chena Ridge Road back to Chena Pump Road” after “then east along the length of Chena Pump Road”

CONSIDERATION OF CALENDAR – Unfinished Business – continued

VOTE ON MOTION TO AMEND THE AMENDMENT BY ADDING “UNTIL THE INTERSECTION WITH CHENA RIDGE ROAD FOLLOWING CHENA RIDGE ROAD BACK TO CHENA PUMP ROAD” TO THE DEFINITION OF THE AIR QUALITY CONTROL ZONE.

Ayes: Golub, Dodge, Sattley, Quist, Lawrence, Roberts, Hutchison, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

Discussion ensued.

DAVIES,
Seconded by DODGE

moved to amend the amendment by striking “borough-wide” from the conceptual amendment. Leaving the conceptual amendment to replace only “non-attainment area” with “Air Quality Control Zone”.

Discussion ensued.

VOTE ON MOTION TO AMEND THE AMENDMENT BY STRIKING “BOROUGH-WIDE” FROM THE CONCEPTUAL AMENDMENT.

Ayes: Lawrence, Dodge, Quist, Golub, Davies

Noes: Hutchison, Roberts, Sattley, Kassel

MOTION CARRIED 5 Ayes, 4 Noes

Discussion ensued.

VOTE ON MOTION TO AMEND BY CREATING AN AIR QUALITY CONTROL ZONE, AS AMENDED

Ayes: Sattley, Lawrence, Roberts, Hutchison, Golub, Kassel

Noes: Dodge, Quist, Davies

MOTION CARRIED 6 Ayes, 3 Noes

CONSIDERATION OF CALENDAR – Unfinished Business – continued

ROBERTS,
Seconded by HUTCHISON

moved to amend at line 297 by adding a new subsection A to read “There is no obligation to apply for a ‘No Other Adequate Source of Heat’ determination prior to contact from the borough concerning a violation of an alert or advisory restriction. During the investigation a potentially qualifying owner(s) or other person with a property or managerial interest must be provided a ‘No Other Adequate Source of Heat’ application and a final determination must be made on the application prior to completing the investigation.” And amend line 259 to add “or other person with a property or managerial interest in the building” after “building owner”; lines 277 to add “or other person with a property or managerial interest in the building” after “building owner” and delete “a previously” and replace with “an”; Amend line 297 to add “or other person with a property or managerial interest in the building” after “building owner”; adding “if” after “Division”; Amend line 299 to add “or other person with a property or managerial interest in the building, deleting the word “must” and changing “apply to “applies”; Amend line 301 to add “or other person with a property or managerial interest in the building, deleting the word “must” and changing “file” to “files”.

Discussion ensued.

GOLUB,
Seconded by DODGE

moved to divide the question to address adding a new subsection A separately from the proposed amendments to lines 259, 277, 297-302.

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.

CONSIDERATION OF CALENDAR – Unfinished Business – continued

VOTE ON MOTION TO AMEND BY ADDING A NEW SUBSECTION A.

Ayes: Sattley, Roberts, Hutchison, Kassel

Noes: Lawrence, Golub, Quist, Dodge, Davies

MOTION FAILED 4 Ayes, 5 Noes

Discussion ensued.

VOTE ON MOTION TO AMEND LINES 259, 277, 297-302.

Ayes: Quist, Golub, Hutchison, Dodge, Sattley, Roberts, Lawrence, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

DAVIES,
Seconded by GOLUB

moved to amend line 303 to add to the end of the sentence “or that economic hardships require the applicant’s use of a solid fuel burning appliance.”

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 303 TO ADD “OR THAT ECONOMIC HARDSHIPS REQUIRE THE APPLICANT’S USE OF A SOLID FUEL BURNING APPLIANCE.

Ayes: Lawrence, Roberts, Hutchison, Golub, Dodge, Quist, Davies, Kassel

Noes: Sattley

MOTION CARRIED 8 Ayes, 1 Noes

CONSIDERATION OF CALENDAR – Unfinished Business – continued

ROBERTS,
Seconded by SATTLEY

moved to amend at line 218 to add a new subsection J to read “J. Any complaints brought under this chapter must meet the following conditions: 1. To initiate a complaint the alleged violation must personally and adversely affect a matter to which a person has a specific interest or property right in a way different than that of the general public. To the extent the underlying violation specifically requires impact to a neighboring property, the complaint must be signed by a person having a property or management interest in the alleged impacted property. 2. The complainant bears the burden of proving the adverse effect the alleged violation has on the complainant’s property. 3. The complaint shall be in writing, include statements of support and/or other evidence supporting the allegations, and shall state in ordinary and precise language the provisions of this chapter alleged to have been violated and the facts alleged to constitute the violation. 4. The borough may investigate a complaint, provided that the above conditions have been met.”

Discussion ensued.

QUIST,
DIED FOR LACK OF SECOND

moved to amend the amendment to strike all the language after the first sentence, leaving only: “To initiate a complaint the alleged violation must personally and adversely affect a matter to which a person has a specific interest or property right in a way different than that of the general public.”

Discussion ensued.

CONSIDERATION OF CALENDAR – Unfinished Business – continued

VOTE ON MOTION TO AMEND AT LINE 218 TO ADD A NEW SUBSECTION J.

Ayes: Sattley, Roberts

Noes: Golub, Dodge, Quist, Lawrence, Hutchison, Davies, Kassel

MOTION FAILED 2 Ayes, 7 Noes

DAVIES,
Seconded by GOLUB

moved to amend line 229 to add a sentence “The obligations imposed in this sub-section do not require, absent specific funding for that purpose, any actions to be taken outside of the borough’s normal business days and hours of operation.” And line 234 to add a sentence “The obligations imposed in this sub-section do not require, absent specific funding for that purpose, any actions to be taken outside of the borough’s normal business days and hours of operation.”

Discussion ensued.

VOTE ON MOTION TO AMEND LINES 229 AND 234.

Ayes: Lawrence, Sattley, Golub, Hutchison, Quist, Dodge, Davies, Kassel

Noes: Roberts

MOTION CARRIED 8 Ayes, 1 Noes

Discussion ensued.

ROBERTS,
Seconded by HUTCHISON

moved to amend to delete the last sentence in Section 4(c)(2), lines 144-146: “Smoke visible from a chimney, flue or other exhaust duct in excess of the opacity standard shall constitute prima facie evidence of unlawful operation of an applicable solid fuel combustion appliance.”

CONSIDERATION OF CALENDAR – Unfinished Business – continued

QUIST,
Seconded by HUTCHISON

moved to amend the amendment to keep the language and add on line 145 after the word “standard” “for a period exceeding 20 minutes”.

AMENDMENT WITHDRAWN.

VOTE ON MOTION TO AMEND SECTION 4(C)(2) DELETING THE LAST SENTENCE ON LINES 144-146.

Ayes: Hutchison, Sattley, Roberts

Noes: Quist, Golub, Dodge, Lawrence, Davies, Kassel

MOTION FAILED 3 Ayes, 6 Noes

HUTCHISON,
Seconded by LAWRENCE

moved to amend line 145 to add after the word “standard” “for a period in excess of 20 minutes”.

Discussion ensued.

AMENDMENT WITHDRAWN.

HUTCHISON,
Seconded by LAWRENCE

moved to amend line 145 to add after the word “standard” “for a period in excess of 30 minutes”.

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 145 TO ADD AFTER THE WORD “STANDARD” FOR A PERIOD IN EXCESS OF 30 MINUTES.

Ayes: Hutchison, Roberts, Lawrence, Dodge, Quist, Sattley, Golub, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

CONSIDERATION OF CALENDAR – Unfinished Business – continued

DODGE,
Seconded by HUTCHISON

moved to amend by deleting lines 129-134 and replacing with: “All persons selling property within the Air Quality Control Zone with an unlisted installed solid fuel burning appliance that will not be removed before sale must, if the solid fuel burning appliance was not listed by the Borough as qualifying at the time of installation, provide a written disclosure to the buyer and to the Division prior to closing.”

Discussion ensued.

DAVIES,
Seconded by DODGE

moved to amend the amendment to add after “persons” “owning and” to read “All persons owning and selling property...”

Discussion ensued. The Presiding Officer asked without objection?

ALL OBJECTED, MOTION FAILED.

DAVIES,
Seconded by DODGE

moved to amend the amendment to add after “persons” the words “owning and”; and after “selling” the word “their” to read “All persons owning and selling their property...”

Discussion ensued.

VOTE ON MOTION TO AMEND THE AMENDMENT SO THE FIRST SENTENCE READS “ALL PERSONS OWNING AND SELLING THEIR PROPERTY...”

Ayes: Quist, Golub, Hutchison, Dodge, Sattley, Roberts, Lawrence, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

Discussion ensued.

CONSIDERATION OF CALENDAR – Unfinished Business – continued

VOTE ON MOTION TO AMEND BY DELETING LINES 129-134 AND REPLACING WITH NEW LANGUAGE, AS AMENDED.

Ayes: Hutchison, Golub, Quist, Lawrence, Dodge, Davies, Kassel

Noes: Roberts, Sattley

MOTION CARRIED 7 Ayes, 2 Noes

DODGE, moved to amend line 191 to add the sentence "This section does not apply to solid fuel burning device that transfer pursuant to a sale of property."
Seconded by GOLUB

Discussion ensued. The Presiding Officer asked without objection?

ALL OBJECTED, MOTION FAILED.

DODGE, moved to amend line 191 to add the sentence "This section does not apply to appliances or stoves that transfer pursuant to a sale of property."
Seconded by GOLUB

VOTE ON MOTION TO AMEND LINE 191 TO ADD THE SENTENCE "THIS SECTION DOES NOT APPLY TO APPLIANCES OR STOVES THAT TRANSFER PURSUANT TO A SALE OF PROPERTY."

Ayes: Golub, Dodge, Sattley, Quist, Lawrence, Roberts, Hutchison, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

DAVIES, moved to amend line 3 of the fine schedule Code Section 8.21.025(B) by replacing the word "remove" with "disclose" and changing the fine from \$1000.00 to \$500.00.
Seconded by DODGE

Discussion ensued.

CONSIDERATION OF CALENDAR – Unfinished Business – continued

LAWRENCE, moved to divide the question.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 3 OF THE FINE SCHEDULE CODE SECTION 8.21.025(B) TO REPLACE THE WORD “REMOVE” WITH “DISCLOSE”.

Ayes: Lawrence, Sattley, Golub, Hutchison, Quist,
Dodge, Davies, Kassel

Noes: Roberts

MOTION CARRIED 8 Ayes, 1 Noes

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 3 OF THE FINE SCHEDULE CODE SECTION 8.21.025(B) BY CHANGING THE FINE FROM \$1000.00 TO \$500.00.

Ayes: Golub, Hutchison, Dodge, Sattley, Roberts,
Davies, Kassel

Noes: Quist, Lawrence

MOTION CARRIED 7 Ayes, 2 Noes

DAVIES, moved to suspend the rules to complete
Seconded by GOLUB Ordinance No. 2015-01.

Clerk’s Note: A 2/3 vote (6 ayes) is required to suspend the rules.

VOTE ON MOTION TO SUSPEND THE RULES TO COMPLETE ORDINANCE NO. 2015-01.

Ayes: Golub, Davies

Noes: Sattley, Lawrence, Roberts, Hutchison,
Dodge, Quist, Kassel

MOTION FAILED 2 Ayes, 7 Noes

CONSIDERATION OF CALENDAR – Unfinished Business – continued

ROBERTS,
DIED FOR LACK OF SECOND

moved to amend by deleting Section 4(B) lines 129-134 and re-alphabetize the remaining sections; removing the line referencing 8.21.025(B) from the fine schedule and remove the sentence in lines 317-318 “and FNSBC 8.21.025 B (sale of property) which shall be effective on May 1st, 2015,”

DAVIES,
Seconded by DODGE

moved to amend line 226 by adding after the word “declared” a new sentence: “An alert or advisory may apply to the Air Quality Control Zone as a whole, or to one or more sub-areas designated by the division.” And delete lines 251-252 and 269-270; and renumber the respective sections accordingly.

VOTE ON MOTION AMEND LINE 226 AND DELETE LINES 251-252 AND 269-270.

Ayes: Hutchison, Roberts, Lawrence, Dodge, Quist, Sattley, Golub, Davies, Kassel

Noes: None

MOTION CARRIED 9 Ayes, 0 Noes

DODGE,
Seconded by GOLUB moved to suspend the rules until midnight.

Clerk’s Note: A 2/3 vote (6 ayes) is required to suspend the rules.

VOTE ON MOTION TO SUSPEND THE RULES UNTIL MIDNIGHT.

Ayes: Golub, Lawrence, Dodge, Davies, Kassel

Noes: Roberts, Hutchison, Sattley, Quist

MOTION FAILED 5 Ayes, 4 Noes

CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

- a. items that are not scheduled for public hearing – continuation.

This item was not heard due to time constraints.

CONSIDERATION OF CALENDAR – New Business – Resolutions

- a. RESOLUTION NO. 2015-05. A Resolution Congratulating And Honoring Crawford Elementary School On Receiving A 2014 National Blue Ribbon School Award From The U.S. Department Of Education And Being Selected As One Of Alaska's Top Three Schools. (Sponsor: Assemblymember Golub)
Track 1, 55:50

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to adopt.
Seconded by DODGE

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Referred To Committees Or Commissions

NONE

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing

- a. ORDINANCE NO. 2015-10. An Ordinance Amending 9.20 Compulsory Attendance To Authorize Absences Related To Homelessness And Absences Listed In School Board Policy.
(Sponsors: Mayor Hopkins and Assemblymember Kassel)
Track 1, 55:50

Without objection the measure was introduced, read and approved by title only.

HUTCHISON, moved to refer to the Committee of the
Seconded by DODGE Whole on February 19, 2015; Advance to
February 26, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing – continued

- b. ORDINANCE NO. 2014-20-2A. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$1,000,000 From The General Fund Fund Balance To The Transit Enterprise Projects Fund For The Enhanced Voluntary Removal, Replacement, and Repair Program For Solid Fuel Burning Appliances. (Sponsors: Assemblymembers Dodge and Davies)
Track 1, 55:50

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by DODGE

moved to refer to the Finance Committee on February 19, 2015; Advance to February 26, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- c. ORDINANCE NO. 2015-11. An Ordinance Rezoning Government Lot 14, Section 12, Township 1 South, Range 2 West, Fairbanks Meridian From Rural Estate 2 (RE-2) To Light Industrial (LI) Or Other Appropriate Zone (Located On The Northwest Corner Of Hoselton Road And Cranberry Street.) (RZ2015-005) (Sponsor: Mayor Hopkins)
Track 1, 55:50

Without objection the measure was introduced, read and approved by title only.

HUTCHISON,
Seconded by DODGE

moved to refer to the Committee of the Whole on March 5, 2015; Advance to March 12, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)

- b. Items other than those appearing on the agenda (this is the section to speak on anything **Not Scheduled** on the agenda).

This item was not heard due to time constraints.

ASSEMBLYMEMBER'S COMMENTS

Assembly Schedule:

Monday, February 16, 2015:

Borough Offices are closed in observance of Presidents Day

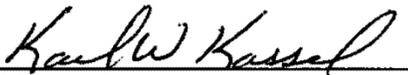
Thursday, February 19, 2015:

Finance Committee meets at 5:30 p.m. in the Mona Lisa Drexler Assembly Chambers.

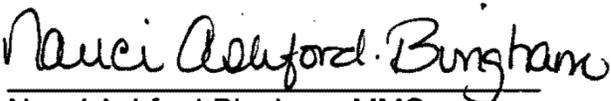
Committee of the Whole immediately following.

ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 11:28 p.m.


Karl Kassel
Presiding Officer

ATTEST:


Nanci Ashford-Bingham, MMC
Borough Clerk

APPROVED: March 12, 2015