

FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
January 15, 2015
6:04 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, January 15, 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
Guy Sattley
John Davies

Kathryn Dodge
Christopher Quist
Lance Roberts

Comprising a quorum of the Assembly, and

Jeff Jacobson, Chief of Staff
René Broker, Borough Attorney
Jim Cobb, Computer Services Director
Scott Johnson, Public Works Director
Glenn Miller, Transportation Director
Kellen Spillman, Community Planning Deputy Director
Melissa Kellner, Community Planner
Mayor Ward, North Pole Representative
April Trickey, Deputy Borough Clerk
Adena Benn, Research Assistant

Absent & Excused

Janice Golub

PRESENTATIONS

Track 1, 3:25

Jeff Jacobson, Chief of Staff, on behalf of Mayor Hopkins, presented and read a proclamation honoring the Employee of the Month, Judy Countryman, Noel Wien Library.

Jeff Jacobson, Chief of Staff, on behalf of Mayor Hopkins, presented and read a proclamation regarding the "Don't Be Fuelish Competition."

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

Track 2, 00:39

Assemblymember Roberts, seconded by Assemblymember Hutchison, moved to remove from the consent agenda Item 18 a under Consideration of Calendar – New Business – Ordinances to Be Introduced and Advanced to Public Hearing:

- 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.
(Sponsor: Assemblymembers Davies, Dodge and Golub)

CITIZEN'S COMMENTS

- 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.

Track 1, 10:00

Tammie Wilson, resident of the borough and State Representative, spoke against Ordinance No. 2015-01.

Steve Vincent, resident of the borough and representative of Auto Trim Designs located in Fairbanks, spoke on the use of the coal burner used at the business and asked that they be grandfathered in within Ordinance No. 2015-01.

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

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

CITIZEN'S COMMENTS – continued

Ron Yarnell, resident of the borough, urged the Assembly to advance Ordinance No. 2015-01 and spoke in support of cleaning up the air.

Lynn Larsen, resident of the borough, thanked the Assembly for their efforts to clean up the air and spoke in support of Ordinance No. 2015-01.

Aaron Lojewski, resident of the borough, stated he felt the Ordinance No. 2015-01 would negatively affect the housing market and requested the Assembly delete lines 126-130.

Andrew Keller, resident of the borough, complemented the Assembly on the work done on Ordinance No. 2015-01.

Kathy Potter, resident of the borough, commended the borough for everything the Borough as done to help clean up the air, and 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).
Track 1, 44:05

Mystiek Lockery, resident of the borough, spoke regarding the health effects or lack thereof of marijuana use.

Amanda Watkins, resident of the borough, spoke in support of the MACS Orange Line bus stop at the Fairbanks Community Health Services.

Marlynn Memory, resident of the borough, spoke in support of the MACS Orange Line bus stop at the Fairbanks Community Health Services.

APPROVAL OF AGENDA AND CONSENT AGENDA

Track 2, 5:32

LAWRENCE,
Seconded by HUTCHISON

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

APPROVAL OF MINUTES

- a. Regular Assembly Meeting minutes of December 11, 2014.
Track 2, 5:32

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

LAWRENCE, moved to approve.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

COMMUNICATIONS TO THE ASSEMBLY

- a. Memorandum from Mayor Hopkins, regarding reappointments of members to the Trails Advisory Commission.
Track 2, 5:32

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

LAWRENCE, moved to concur.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

MESSAGES FROM THE BOROUGH MAYOR

Track 3, 37:16

Jeff Jacobson, Chief of Staff, commented on:

- The Noel Wien Library is currently closed due to a frozen sewer line. Operations are expected to be running again soon.
- There has been no communication from the Transportation Department regarding the status of the MACS Orange Line funding to the public.

REPORTS OF SPECIAL AND STANDING COMMITTEES

Track 3, 40:00

Assemblymember Hutchison reported the Audit Committee met and accepted the Auditors reports from the IGU, School District and the FNSB. The Assembly Citizens' Budget Review Committee is meeting on January 26, 2015 at 6:30 p.m.

Assemblymember Dodge also reminded everyone of the Assembly Citizens' Budget Review Committee meeting.

REPORTS OF SPECIAL AND STANDING COMMITTEES – continued

Assemblymember Lawrence reported the Economic Development Commission is meeting January 20, 2015 at 3:30 p.m.

Assemblymember Roberts reported the Assembly Road Service Area Committee met earlier this week. The Committee changed the meeting schedule to convene every other month as opposed to monthly and the new meeting time will be at 6 p.m. Mr. Roberts also reported the Land Management Advisory Commission will meet on January 21, 2015 at 12 p.m.

REPORTS FROM REPRESENTATIVES

Track 2, 6:15

- a. Report from the City of Fairbanks Representative.

None

- b. Report from the City of North Pole Representative.

Mayor Ward reported on:

- Recent Resolutions passed by the City.
- The release of their Legislative Priorities requests.
- Workshop on January 22, 2015 at 6:30 p.m. regarding the retail sale of marijuana within the City.

- c. Report from the School Board Representative.

None

SPECIAL ORDERS – PUBLIC HEARING

- a. ORDINANCE NO. 2014-66. An Ordinance Amending The Contingency Language In Ordinance 2013-20-2D For The Ruth Burnett Sport Fish Hatchery Visitor Center. (Sponsor: Mayor Hopkins)

Track 2, 9:56

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

The Presiding Officer called for public testimony.

Kari Burrell, resident of the borough and acting UAF Vice Chancellor for Administrative Services, spoke in support of Ordinance No. 2014-66.

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. 2014-66.

Ayes: Lawrence, Dodge, Quist, Davies, Kassel

Noes: Hutchison, Roberts, Sattley

MOTION CARRIED 5 Ayes, 3 Noes

- b. ORDINANCE NO. 2014-20-1X. An Ordinance Amending The FY 2014-15 Budget By Authorizing The Change Of Two 0.5 Full-Time Equivalent Employee Positions From Grant-Funded To Operating-Funded And By Appropriating An Estimated \$100,790 From The Transit Enterprise Operating Fund Unrestricted Net Assets To Fund The Change In Funding Source. (Sponsor: Mayor Hopkins)
Track 2, 28:14

Glenn Miller, Transportation Director, gave a staff report.

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

LAWRENCE, moved to adopt.
Seconded by HUTCHISON

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2014-20-1X.

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

Noes: Roberts, Sattley

MOTION CARRIED 6 Ayes, 2 Noes

PUBLIC HEARING – continued

- c. ORDINANCE NO. 2014-44. An Ordinance Amending FNSBC Section 18.20.020 Regarding Use Regulations In The Rural Residential District To Permit Three Dwelling Units. (Sponsor: Assemblymember Roberts)
Track 2, 42:45

Assemblymember Roberts gave a staff report.

The Presiding Officer called for public testimony.

Jerry McBeath, resident of the borough and a member of the Planning Commission, spoke against Ordinance No. 2014-44 and answered questions of the Assembly.

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

ROBERTS moved to adopt.
Seconded by DAVIES

HUTCHISON, moved to substitute.
Seconded by DODGE

Discussion ensued.

DAVIES, moved to amend line 78 by adding to the
Seconded by DODGE end of the sentence “on lots not less than 80,000 square feet in area.”

Discussion ensued.

VOTE ON MOTION TO AMEND THE SUBSTITUTE BY ADDING “ON LOTS NOT LESS THAN 80,000 SQUARE FEET IN AREA TO LINE 78.

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

Noes: Kassel

MOTION CARRIED 7 Ayes, 1 Noes

Discussion ensued.

PUBLIC HEARING – continued

Clerk’s Note: The Chair ruled a vote on the substitute would carry the main motion.

VOTE ON MOTION TO ADOPT SUBSTITUTE ORDINANCE NO. 2014-44, AS AMENDED.

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

Noes: None

MOTION CARRIED 8 Ayes, 0 Noes

CONSIDERATION OF CALENDAR – Unfinished Business

NONE

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

- a. Items that are not scheduled for public hearing – continuation.
Track 3, 8:50

NONE

CONSIDERATION OF CALENDAR – New Business – Resolutions

- a. RESOLUTION NO. 2015-01. A Resolution Commending Major Matthew Altman, U.S. Air Force Fellow For U.S. Senator Lisa Murkowski For Invaluable Service To The Fairbanks North Star Borough In Its Efforts To Have Eielson Air Force Base Named The Air Force’s Preferred Alternative For Basing Two Squadrons Of F-35s And For Helping On All Military Issues Affecting The Fairbanks North Star Borough. (Sponsors: Assemblymembers Hutchison and Kassel)
Track 2, 5:32

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

LAWRENCE, moved to adopt.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Resolutions – continued

- b. RESOLUTION NO. 2015-02. A Resolution Commending Chief Master Sergeant Lavor Kirkpatrick, U.S. Air Force Fellow For U.S. Senator Mark Begich For Invaluable Service To The Fairbanks North Star Borough In Its Efforts To Have Eielson Air Force Base Named The Air Force’s Preferred Alternative For Basing Two Squadrons Of F-35s And For Helping On All Military Issues Affecting The Fairbanks North Star Borough.
(Sponsors: Assemblymembers Hutchison and Kassel)
Track 2, 5:32

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

LAWRENCE, moved to adopt.
Seconded by HUTCHISON

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

Clerk’s Note: This item was removed from the consent agenda.

- 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.
(Sponsor: Assemblymembers Davies, Dodge and Golub)
Track 3, 9:25

ROBERTS, moved to refer to the Air Pollution Control
Seconded by HUTCHISON Commission on January 20, 2015; refer to a
Town Hall Meeting at the call of the chair;
advance the Finance Committee and Public
Hearing at the call of the chair.

Discussion ensued.

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

VOTE ON MOTION TO REFER ORDINANCE NO 2015-01 TO THE AIR POLLUTION CONTROL COMMISSION ON JANUARY 20, 2015; REFER TO A TOWN HALL MEETING, FINANCE COMMITTEE MEETING AND PUBLIC HEARING AT THE CALL OF THE CHAIR.

Ayes: Roberts, Hutchison, Kassel

Noes: Sattley, Quist, Lawrence, Dodge, Davies

MOTION FAILED 3 Ayes, 5 Noes

Discussion ensued.

HUTCHISON,
Seconded by DODGE

moved to refer to the Air Pollution Control Commission on January 20, 2015; Refer to the Finance Committee on January 22, 2015; Advance to January 29, 2015 for Public Hearing, as stated on the agenda.

VOTE ON MOTION TO REFER ORDINANCE NO 2015-01 TO THE AIR POLLUTION CONTROL COMMISSION ON JANUARY 20, 2015; REFER TO THE FINANCE COMMITTEE ON JANUARY 22, 2015; ADVANCE TO JANUARY 29, 2015 FOR PUBLIC HEARING.

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

Noes: Roberts

MOTION CARRIED 7 Ayes, 1 Noes

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

- b. ORDINANCE NO. 2015-02. An Ordinance Amending Title 3 Of The Fairbanks North Star Borough Code Allowing For Appeal To The Board Of Equalization For All Property Tax Exemption Determinations.
(Sponsor: Assemblymember Roberts)
Track 2, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

moved to refer to the Committee of the Whole on January 22, 2015; Advance to January 29, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- c. ORDINANCE NO. 2014-20-1Y. An Ordinance Amending The FY2014-15 Budget By Appropriating \$250,000 From The Solid Waste Disposal Enterprise Operating Fund Unrestricted Net Position To The Solid Waste Disposal Enterprise Project Fund For The Heavy Equipment Maintenance Fuel Station Replacement And Improvements. (Sponsor: Mayor Hopkins)
Track 2, 5:32

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

LAWRENCE ,
Seconded by HUTCHISON

moved to refer to the Finance Committee on January 22, 2015; Advance to January 29, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

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

- d. ORDINANCE NO. 2014-20-1Z. An Ordinance Amending The FY 2014-15 Budget By Appropriating \$3,076,000 From The Solid Waste Disposal Enterprise Operating Fund Unrestricted Net Position To The Solid Waste Disposal Enterprise Project Fund For The Replacement Or Rebuild Of Heavy Equipment. (Sponsor: Mayor Hopkins)
Track 2, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

moved to refer to the Finance Committee on January 22, 2015; Advance to January 29, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- 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, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

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

WITHOUT OBJECTION, SO ORDERED.

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

- f. 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, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

moved to refer to the Finance Committee on February 5, 2015; Advance to February 12, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- g. 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, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

moved to refer to the Finance Committee on February 5, 2015; Advance to February 12, 2015 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

- h. 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, 5:32

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

LAWRENCE,
Seconded by HUTCHISON

moved to refer to the Finance Committee on February 5, 2015; Advance to February 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).

Track 3, 42:30

NONE

ASSEMBLYMEMBER'S COMMENTS

Track 3, 42:37

Assembly Schedule:

Monday, January 19, 2014:

Borough Offices are closed in celebration of Martin Luther King, Jr. Day.

Thursday, January 22, 2015:

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

Committee of the Whole immediately following.

Assemblymember Quist stated he was pleased that Ordinance No. 2015-01 is advancing.

Assemblymember Roberts spoke regarding Ordinance No. 2015-01.

Assemblymember Sattley thanked the Borough staff for providing maps of the non-attainment area.

Assemblymember Davies stated he also appreciated the maps provided and he appreciated Mr. Roberts' review of Ordinance No. 2015-01 and commented on the measure. Mr. Davies also commented on the recent passing of Joe Guttenberg, who will be missed.

Assemblymember Hutchison commented on the passing of several distinguished members of our community: Joe Guttenberg, Karl Heflinger, and Bev Fantazzi. She congratulated the Employee of the Month, Judy Countryman on her 43 years of service and also the winners of the Don't Be Fuelish competition.

Assemblymember Lawrence also commented on the recent passing of prominent members of our community.

ASSEMBLYMEMBER'S COMMENTS – continued

ASSEMBLYMEMBER'S COMMENTS – continued

Assemblymember Dodge stated she was happy with the advancement of Ordinance No. 2015-01 and she appreciated the review of the ordinance by Mr. Roberts.

Assemblymember Kassel commented Bob Compeau also passed away and will be missed. He reminded everyone the UAF Nanooks Hockey team will be playing for the Governor's Cup this weekend.

ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 8:56 p.m.



Karl Kassel
Presiding Officer

ATTEST:



April Trickey, Deputy Clerk
For Nanci Ashford-Bingham, MMC
Borough Clerk

APPROVED: January 29, 2015