A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, June 23, 2016 in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 809 Pioneer Road, Fairbanks, Alaska.

There were present:

John Davies, Presiding Officer and
Kathryn Dodge, Van Lawrence, Lance Roberts, Janice Westlind
Diane Hutchison, Christopher Quist (6:45 p.m.), Guy Sattley, Matthew Cooper (7:30 p.m.)

Comprising a quorum of the Assembly, and

Karl Kassel, Borough Mayor
Jim Williams, Chief of Staff
René Broker, Borough Attorney
Carolyn Yurkovich, Chief Procurement Officer
Kellen Spillman, Acting Community Planning Director
John Haas, Acting Parks and Recreation Director
Dan Sloan, Public Works Director
Glenn Miller, Transportation Director
Bernard Gatewood, City of Fairbanks Representative
Mayor Ward, City of North Pole Representative (6:45 p.m.)
Wendy Dominique, School Board Representative
Peggy Macdonald, Treasury/Budget Manager
Ron Lovell, Air Quality Manager
David Bredlie, Chief Civil Engineer
Sandra Wagner, Land Management Manager
Nanci Ashford-Bingham, MMC, Borough Clerk
April Trickey, CMC, Deputy Borough Clerk

Absent & Excused

NONE
PRESENTATIONS
Track 1, 02:40

Mayor Kassel read and presented a proclamation to John Haas, Parks Superintendent for May employee of the month.

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS
Track 1, 5:31

NONE

CITIZEN’S COMMENTS
Track 1, 5:45

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.

NONE

b. Items that are not scheduled on the agenda.

Stosh Solski, resident of the borough, thanked the Assembly for their help and spoke about his ongoing interaction with the Animal Control Division and Animal Control Commission.

APPROVAL OF AGENDA AND CONSENT AGENDA
Track 1, 18:35

Assemblymember Hutchison declared a possible conflict of interest on item 9. d:

IFB Award: IFB Number 16061
Pioneer Park Water Connection

Approval of Base Bid as submitted by GBC, Inc. in the amount of $598,000.00.

GBC, Inc is a client of Ms. Hutchison’s firm, although they are not her clients. The Chair ruled Ms. Hutchison did not have conflict of interest because she bears no substantial financial or work interest with GBC, Inc.

Assemblymember Roberts removed under Consideration of Calendar – New Business – Resolution item number 16.b from the consent of the agenda:
APPROVAL OF AGENDA AND CONSENT AGENDA – continued

RESOLUTION NO. 2016-29. A Resolution Authorizing The Mayor To Grant A Lease On Borough Owned Land Located On A Portion Of Tract A, Section 11, Township 3 North, Range 2 West, Fairbanks Meridian. (Himalaya Heights Subdivision) (Sponsor: Mayor Kassel)

RESOLUTION NO. 2016-20. A Resolution Establishing The Rate Of Levy Of 2016 Real Property Taxes For Areawide, Non-Areawide, Solid Waste Collection District, And Service Areas Jurisdictions. (Sponsor: Mayor Kassel)

LAWRENCE, Seconded by HUTCHISON moved to approve the agenda and consent agenda as amended and read.

WITHOUT OBJECTION, SO ORDERED.

APPROVAL OF MINUTES
Track 1, 18:35

a. Regular Assembly Meeting minutes of June 9, 2016.

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

LAWRENCE, Seconded by HUTCHISON moved to approve.

WITHOUT OBJECTION, SO ORDERED.

COMMUNICATIONS TO THE ASSEMBLY
Track 1, 18:35

a. Memorandum from Mayor Kassel recommending the appointment of various Fire Service Area Commissioners.

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

LAWRENCE, Seconded by HUTCHISON moved to concur.

WITHOUT OBJECTION, SO ORDERED.

b. Memorandum from Mayor Kassel recommending the appointment of various Service Area Commissioners.

Without objection the measure was introduced, read and approved by title only.
COMMUNICATIONS TO THE ASSEMBLY – continued

LAWRENCE, moved to concur.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

c. Memorandum from Mayor Kassel recommending the appointment of Catherine Cahill to the Air Pollution Control Commission.

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

LAWRENCE, moved to concur.
Seconded by HUTCHISON

WITHOUT OBJECTION, SO ORDERED.

d. IFB Award: IFB Number 16061
Pioneer Park Water Connection

Approval of Base Bid as submitted by GBC, Inc. in the amount of $598,000.00.

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

LAWRENCE, moved to approve IFB Number 16061
Seconded by HUTCHISON
Pioneer Park Water Connection approval of
Base Bid as submitted by GBC, Inc. in the
amount of $598,000.00.

WITHOUT OBJECTION, SO ORDERED.

e. IFB Award: IFB Number 16088

Borough-wide Sprinkler System Long Term Inspection, Testing & Maintenance

Approval of Base Bid and Alternate One as submitted by Chinook Fire Protection, Inc. in the amount of $83,522.00 for the initial contract period and an estimated amount of $417,610.00 if all four (4) one-year renewal options are exercised.

Without objection the measure was introduced, read and approved by title only.
COMMUNICATIONS TO THE ASSEMBLY – continued

LAWRENCE, Seconded by HUTCHISON
moved to approve IFB Number 16088 Borough-wide Sprinkler System Long Term Inspection, Testing & Maintenance approval of Base Bid and Alternate One as submitted by Chinook Fire Protection, Inc. in the amount of $83,522.00 for the initial contract period and an estimated amount of $417,610.00 if all four (4) one-year renewal options are exercised.

WITHOUT OBJECTION, SO ORDERED.

MESSAGES FROM THE BOROUGH MAYOR
Track 1, 25:14

Mayor Kassel reported:

• The Goldpanner’s season began with good public turnout.
• Alaska’s State Improvement Plan (SIP) was filed with the EPA for approval. There are community concerns that the EPA regulation are not stringent enough. A lawsuit was filed against the EPA by local interest groups over air quality.

REPORTS OF SPECIAL AND STANDING COMMITTEES
Track 1, 32:20

Assemblymember Hutchison reported the Audit Committee discussed upcoming audit schedules and also requested a presentation to the Finance Committee from the Finance Department regarding arbitrage.

Assemblymember Roberts reported the July ARSAC meeting will likely be canceled due to lack of agenda items.

REPORTS FROM REPRESENTATIVES
Track 2, 00:17

a. Report from the City of Fairbanks Representative.

Fairbanks City Council Member Gatewood reported:

• The City is interested in changing its filing period to match the Borough’s filing period. It would require a change to the city’s Charter. The council hopes to have the question on this year’s ballot.
REPORTS FROM REPRESENTATIVES

b. Report from the City of North Pole Representative.

Mayor Ward reported:

- 4th of July Independence Day festivities are coming up soon. The parade will begin at 11:00 a.m. on July 4, 2016 and this year’s theme is “Freedom in Motion”.
- Muffins with the Mayor is on the third Friday of every month from 8 – 10 a.m. at City Hall.
- City has undergone its primary audit, however they are still waiting for PERS numbers from the State which is delaying finalizing the audit.
- Every ten years a mandated Charter Review Committee is formed and this year the Committee will form and meet.
- There are two vacant city council seats in this year’s election. North Pole changed its filing period to match the Borough’s.

c. Report from the School Board Representative.

School Board Representative Domonique reported:

- Tom Bartells was appointed on June 1, 2016 to fill a vacant school board seat.
- Three school board seats are up for election this year.
- The budget was approved on June 1, 2016.
- Intersession Graduation is at Herring Auditorium on June 30, 2016 at 7:00 p.m.
- The next school board meeting is on August 2, 2016 at 7:00 p.m.

SPECIAL ORDERS – PUBLIC HEARING

a. Marijuana License – New – Standard Cultivation Facility – License #10156

Elevated Innovations, LLC
DBA: Elevated Innovations, LLC
405 Ream Lane
Fairbanks, AK 99712
Track 2, 8:09

RESOLUTION NO. 2016-25. A Resolution Protesting New Standard Cultivation Facility Marijuana License #10156 Elevated Innovations, LLC.
(Sponsor: Assemblymember Roberts)
PUBLIC HEARING – continued

Jim Williams, Chief of Staff, gave a staff report.

Assemblymember Roberts gave a staff report regarding Resolution No. 2016-25.

The Presiding Officer called for public testimony.

Ole Christenson, resident of the borough, stated there is no legal access to the property. He expressed his concerns with the Planning Commission and the lack of notification to surrounding property owners.

Rod Boyce, resident of the borough, spoke about the permitting process and felt he should have had notification of this permit.

Jim Ostlind, resident of the borough, spoke about issues with the permitting process.

Lawrence Bento and Christopher Konopka, residents of the borough and applicants, spoke to the concerns in Resolution No. 2016-25 protesting the marijuana license.

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

HUTCHISON, Seconded by ROBERTS
moved to adopt Resolution No. 2016-25.

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2016-25.

Yeses: Hutchison, Roberts

Noes: Lawrence, Cooper, Quist, Sattley, Westlind, Dodge, Davies

MOTION FAILED 2 Yeses, 7 Noes

DODGE, Seconded by LAWRENCE
moved to file no protest against Marijuana License #10156 – New – Standard Cultivation Facility.

Discussion ensued.
PUBLIC HEARING – continued

VOTE ON MOTION TO FILE NO PROTEST AGAINST MARIJUANA LICENSE #10156 – NEW – STANDARD CULTIVATION FACILITY.

Yees: Westlind, Sattley, Quist, Lawrence, Cooper, Dodge, Davies

Noes: Hutchison, Roberts

MOTION CARRIED 7 Yees, 2 Noes

b. Marijuana License – New- Standard Cultivation Facility – License #10288

Glen Kroshus
DBA: Foxy Enterprises
2330 Gunner Lane
Fairbanks, AK 99712
Track 3, 07:20

RESOLUTION NO, 2016-26. A Resolution Protesting New Standard Cultivation Facility Marijuana License #10288 Foxy Enterprises. (Sponsor: Assemblymember Roberts)

Jim Williams, Chief of Staff, gave a staff report.

Assemblymember Roberts gave a staff report regarding Resolution No. 2016-25.

The Presiding Officer called for public testimony.

Jim Ostlind, resident of the borough, spoke in opposition to this marijuana license and asked the assembly to look up the word vigilantism because that is what some members of the assembly are doing.

Glenda Kroshus and Glen Kroshus, resident of the borough and applicants, made themselves available for questions.

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

HUTCHISON, Seconded by ROBERTS

moved to adopt Resolution No. 2016-26.

Discussion ensued.
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2016-26.

Yeses:          Hutchison, Roberts

Noes:          Cooper, Quist, Lawrence, Westlind, Sattley, Dodge, Davies

MOTION FAILED  2 Yeses, 7 Noes

LAWRENCE,  Seconded by DODGE  moved to file no protest against Marijuana License #10288 – New – Standard Cultivation Facility.

VOTE ON MOTION TO FILE NO PROTEST AGAINST MARIJUANA LICENSE #10288– NEW – STANDARD CULTIVATION FACILITY.

Yeses:          Lawrence, Sattley, Westlind, Quist, Cooper, Dodge, Davies

Noes:          Roberts, Hutchison

MOTION CARRIED  7 Yeses, 2 Noes

c.  Marijuana License – New – Limited Cultivation Facility – License #10189

Karl R. Hough
DBA: Subsistence Products
440 Bias Drive
Fairbanks, AK 99712
Track 3, 17:13

(Sponsor: Assemblymember Roberts)

Jim Williams, Chief of Staff, gave a staff report.

Assemblymember Roberts gave a staff report regarding Resolution No. 2016-27.

The Presiding Officer called for public testimony.

Jim Ostlind, resident of the borough, spoke regarding marijuana and his concern regarding the location of this facility.
PUBLIC HEARING – continued

Karl Hough and Morgan Hough, resident of the borough and applicants, spoke in support of this application and answered questions of the assembly.

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

HUTCHISON, Seconded by ROBERTS moved to adopt Resolution No. 2016-27.

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2016-27.

Yeses: Hutchison, Roberts
Noes: Quist, Westlind, Cooper, Sattley, Lawrence, Dodge, Davies

MOTION FAILED 2 Yeses, 7 Noes

DODGE, Seconded by LAWRENCE moved to file no protest against Marijuana License #10189 – New – Standard Cultivation Facility.

VOTE ON MOTION TO FILE NO PROTEST AGAINST MARIJUANA LICENSE #10189 – NEW – STANDARD CULTIVATION FACILITY.

Yeses: Sattley, Lawrence, Westlind, Quist, Dodge, Davies
Noes: Roberts, Hutchison, Cooper

MOTION CARRIED 6 Yeses, 3 Noes

d. ORDINANCE NO. 2016-31. An Ordinance Amending Ordinance 2016-16 Regarding The Ballot Question Language To Increase By 1% The Authorized Exemption For Marijuana Products Sales Taxed By The Cities. (Sponsors: Assemblymembers Quist and Lawrence)

Assemblymember Quist gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.
PUBLIC HEARING – continued

LAWRENCE, Seconded by QUIST

move to adopt.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-31.

Yeses: Westlind, Cooper, Sattley, Quist, Lawrence, Roberts, Hutchison, Dodge, Davies

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes


Track 3, 44:05

PROPOSED SUBSTITUTE BY Mayor Kassel


Mayor Kassel gave a staff report.

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

HUCHISON, Seconded by WESTLIND

move to adopt.

Discussion ensued.

FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting Minutes

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DODGE, Seconded by WESTLIND move to postpone to July 28, 2016 Regular Assembly meeting for another Public Hearing on the original and the Proposed Substitute by Mayor Kassel. Discussion ensued.

ROBERTS, Died for Lack of Second move to amend the amendment to postpone to August 11, 2016.

VOTE ON MOTION TO POSTPONE ORDINANCE NO. 2016-32 TO JULY 28, 2016.

Yeses: Hutchison, Westlind, Sattley, Quist, Lawrence, Cooper, Dodge, Davies

Noes: Roberts

MOTION CARRIED 8 Yeses, 1 Noes

ORDINANCE NO. 2016-35. An Ordinance Of The Fairbanks North Star Borough Authorizing The Issuance Of General Obligation Bonds Of The Borough In An Amount Not To Exceed $13,215,000 To Finance All Or Part Of The Cost Of A Plan Of Capital Maintenance Of Certain Borough Facilities; And Providing For Submission To The Borough’s Voters, At An Election To Be Held On October 4, 2016, Of A Proposition Approving The Plan, Approving This Ordinance, And Ratifying The Authorization Of Bonds. (Sponsor: Mayor Kassel)

Mayor Kassel gave a staff report.

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

LAWRENCE, Seconded by WESTLIND move to adopt.

Discussion Ensued.
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-35.

Yeses: Lawrence, Sattley, Westlind, Hutchison, Quist, Cooper, Dodge, Davies

Noes: Roberts

MOTION CARRIED 8 Yeses, 1 Noes

g. ORDINANCE NO. 2016-33. An Ordinance Amending Ordinance 2016-21 Regarding The Enhanced Voluntary, Removal, Replacement And Repair Program Qualification Requirements. (Sponsor: Mayor Kassel)

Track 3, 1:04:35

Mayor Kassel gave a staff report.

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

WESTLIND, Seconded by DODGE

move to adopt.

Discussion ensued.

ROBERTS, Seconded by SATTLEY

move to amend Line 34 by removing the words “within the air quality zone”.

Discussion ensued.

DODGE, Seconded by ROBERTS

move to amend the amendment to replace “air quality zone” with “non-attainment area”.

Discussion ensued.

The Presiding Officer ruled a vote on the amendment to the amendment would carry the main amendment.
PUBLIC HEARING – continued

VOTE ON MOTION TO AMEND THE AMENDMENT ON LINE 34 BY REPLACING “AIR QUALITY ZONE” WITH “NON-ATTAINMENT AREA”.

Yeses: Roberts, Cooper, Westlind

Noes: Hutchison, Lawrence, Quist, Sattley, Dodge, Davies

MOTION FAILED 3 Yeses, 6 Noes

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-33.

Yeses: Sattley, Lawrence, Roberts, Hutchison, Westlind, Cooper, Quist, Dodge, Davies

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

h. ORDINANCE NO. 2016-34. An Ordinance Amending Ordinance 2004-20-1B Regarding The Asset Replacement Reserve Fund To Remove Payments For Host-Based Software And Related Hardware As One Of The Authorized Purposes. (Sponsor: Assemblymember Roberts)

Track 4, 23:51

Assemblymember Roberts gave a staff report.

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

ROBERTS, move to adopt.

Seconded by HUTCHISON

Discussion Ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-34

Yeses: Roberts, Hutchison, Westlind, Sattley, Lawrence, Cooper, Dodge, Davies

Noes: Quist

MOTION CARRIED 8 Yeses, 1 Noes
PUBLIC HEARING – continued

i. ORDINANCE NO. 2015-20-2K. An Ordinance Amending The FY 2015-16 Budget By Appropriating $91,550 In Federal Pass-Through Grant Funding To The Capital Projects Fund For The Purpose Of Building A Playground At The Tanana Lakes Recreation Area. (Sponsor: Mayor Kassel)

Track 4, 27:32

John Haas, Parks Superintendent, gave a staff report.

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

WESTLIND, move to adopt.
Seconded by DODGE

Discussion Ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-20-2K.

Yeses: Cooper, Quist, Lawrence, Hutchison, Westlind, Sattley, Dodge, Davies

Noes: Roberts

MOTION CARRIED 8 Yeses, 1 Noes

j. ORDINANCE NO. 2015-20-2L. An Ordinance Amending The FY 2015-16 Budget By Appropriating $27,000 From The Haystack Road Service Area Fund Balance To The Capital Projects Fund For The Ice Overflow Repair Project.

(Sponsor: Mayor Kassel)

Track 4, 33:28

David Bredlie, Chief Civil Engineer, gave a staff report.

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

WESTLIND, move to adopt.
Seconded by DODGE
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-20-2L.

Yeses: Lawrence, Sattley, Roberts, Westlind, Hutchison, Quist, Cooper, Dodge, Davies

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

k. ORDINANCE NO. 2015-20-2M. An Ordinance Amending The FY 2015-16 Budget By Appropriating $50,000 From Goldstream Moose Creek Service Area – Moose Mountain Differential Tax Zone Fund Balance To The Capital Projects Fund For The Required Match For A Road Upgrade Project. (Sponsor: Mayor Kassel)

Track 4, 35:02

David Bredlie, Chief Civil Engineer, gave a staff report.

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

WESTLIND, Seconded by LAWRENCE

move to adopt.

Discussion Ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-20-2M.

Yeses: Hutchison, Roberts, Lawrence, Cooper, Quist, Sattley, Westlind, Dodge, Davies

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

I. ORDINANCE NO. 2015-20-2N. An Ordinance Amending The FY 2015-16 Budget By Reappropriating $500,000 From The Department Of Public Works In The General Fund To The Capital Projects Fund For The Purpose Of Providing Funding For Energy Reduction Projects. (Sponsor: Mayor Kassel)

Track 4, 36:30

Mayor Kassel gave a staff report.

The Presiding Officer called for public testimony, there being none public hearing was closed.
PUBLIC HEARING – continued

LAWRENCE,  
Seconded by WESTLIND

move to adopt.

Discussion Ensued.

ROBERTS,  
Seconded by HUTCHISON

move to amend the appropriation amount from “$500,000” to “$200,000”.

VOTE ON MOTION TO AMEND THE APPROPRIATION AMOUNT FROM “$500,000” TO “$200,000”.

Yeses:  
Hutchison, Roberts, Dodge

Noes:  
Cooper, Quist, Lawrence, Westlind, Sattley, Davies

MOTION FAILED  
3 Yeses, 6 Noes

ROBERTS,  
Seconded by SATTLEY

move to amend to add intent language requesting a report from the mayor when a project exceeds $10,000 or more.

Discussion ensued.

LAWRENCE,  
Seconded by HUTCHISON

move to amend the amendment to change the threshold amount from “$10,000” to “$50,000”.

VOTE ON MOTION TO AMEND THE AMENDMENT TO CHANGE THE THRESHOLD AMOUNT FROM “$10,000” TO “$50,000”.

Yeses:  
Westlind, Hutchison, Lawrence

Noes:  
Quist, Cooper, Sattley, Roberts, Dodge, Davies

MOTION FAILED  
3 Yeses, 6 Noes

VOTE ON MOTION TO AMEND TO ADD INTENT LANGUAGE REQUESTING A REPORT FROM THE MAYOR WHEN A PROJECT EXCEEDS $10,000 OR MORE.

WITHOUT OBJECTION, SO ORDERED.
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2015-20-2N, AS AMENDED.

Yeses: Westlind, Sattley, Quist, Lawrence, Cooper, Davies
Noes: Roberts, Hutchison, Dodge

MOTION CARRIED 6 Yeses, 3 Noes

m. ORDINANCE NO. 2015-20-2O. An Ordinance Amending The FY 2015-16 Budget By Appropriating $10,000 From The General Fund Fund Balance To The Multi-Year General Subfund For The Georgetown University Energy Prize Project. (Sponsor: Mayor Kassel)

Track 5, 20:05

Jim Williams, Chief of Staff, gave a staff report.

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

LAWRENCE, move to adopt.
Seconded by COOPER

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2016-20-2O.

Yeses: Sattley, Lawrence, Hutchison, Westlind, Cooper, Quist, Dodge, Davies
Noes: Roberts

MOTION CARRIED 8 Yeses, 1 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.

NONE
CONSIDERATION OF CALENDAR – New Business – Resolutions

a. RESOLUTION NO. 2016-28. A Resolution Granting Local Planning Authority Approval Of The Northern Region Deep Culverts Replacement Stage II Project. (HP2016-004) (Sponsor: Mayor Kassel)

Track 1, 18:35

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

LAWRENCE, 
Seconded by HUTCHISON

moved to adopt.

WITHOUT OBJECTION, SO ORDERED.

b. RESOLUTION NO. 2016-29. A Resolution Authorizing The Mayor To Grant A Lease On Borough Owned Land Located On A Portion Of Tract A, Section 11, Township 3 North, Range 2 West, Fairbanks Meridian. (Himalaya Heights Subdivision) (Sponsor: Mayor Kassel)

Track 1, 33:24

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

Assemblymember Lawrence declared a possible conflict of interest. He represented the lessee in the past year, assisting with creating the LLC that was formed for the purpose of operating a business in this matter. The chair ruled a conflict existed and Mr. Lawrence was excused from the dais.

Sandra Wagner, Land Management Manager, gave a staff report.

HUTCHISON, 
Seconded by DODGE

moved to adopt.

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2016-29.

Yeses: Roberts, Hutchison, Westlind, Sattley, Dodge, Davies

Noes: None

Other: Quist (not present) Cooper (not present) Lawrence (conflict of interest)

MOTION CARRIED 5 Yeses, 0 Noes.

Clerk’s Note: Mr. Lawrence returned to the dais.
CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Referred To Committees Or Commissions
Track 1, 18:35

Clerk’s Note: The following ordinances have been written in accordance with the adopted renumbering and reorganization to be effective July 15, 2016 (Ordinance 2016-30).

a. ORDINANCE NO. 2016-41. An Ordinance Amending Title 18 To Amend The Definition Of Agriculture, Define “Agriculture, Indoor” And Include It As A Permitted Use In The Agricultural, Industrial Commercial And Any Other Appropriate Zone. (Sponsor: Assemblymember Roberts)

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

LAWRENCE, Seconded by HUTCHISON
moved to refer to the Planning Commission on August 2, 2016 with recommendation due no later than August 9, 2016.

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

WITHOUT OBJECTION, SO ORDERED.

CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing
Track 1, 18:35

Clerk’s Note: The following ordinances have been written in accordance with the adopted renumbering and reorganization to be effective July 15, 2016 (Ordinance 2016-30).

[Currently known as Title 8]

a. ORDINANCE NO. 2016-37. An Ordinance Amending Title 21 Regarding No Other Adequate Source Of Heat Determinations. (Sponsor: Mayor Kassel)

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 July 21, 2016; Advance to July 28, 2016 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED.

[Currently known as Chapter 9.17]
CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing – continued

b. ORDINANCE NO. 2016-38. An Ordinance Amending Chapter 9.12 FNSBC Regarding Marijuana Regulations To Add Sections Concerning Marijuana Licenses. (Sponsor: Assemblymember Roberts)

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 July 21, 2016; Advance to July 28, 2016 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED

[Currently known as Chapter 9.17 and Section 1.20.080]

c. ORDINANCE NO. 2016-39. An Ordinance Amending Chapter 9.12 To Prohibit Onsite Consumption At Marijuana Establishments And Marijuana Clubs And Amending 1.20.080 Regarding The Fine Schedule To Add Violations Of Chapter 9.12. (Sponsors: Assemblymembers Hutchison and Satt ley)

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

Clerk’s Note: *This item will be on the Finance Committee agenda on July 21, 2016, due to the ordinance affecting the fine schedule.*

LAWRENCE, Seconded by HUTCHISON moved to refer to the Committee of the Whole on July 21, 2016; Advance to July 28, 2016 for Public Hearing.

WITHOUT OBJECTION, SO ORDERED

d. ORDINANCE NO. 2016-40. An Ordinance Amending The Fairbanks North Star Borough Code Of Ordinances To Address Issues Raised In The Recodification Process And Accompanying Legal Review That Require Updating, Clarification Or Other Changes To Reflect Current Codification And Legal Standards. (Sponsors: Assemblymembers Davies and Dodge)

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 July 21, 2016; Advance to July 28, 2016 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).

NONE

**ASSEMBLYMEMBER’S COMMENTS**
Track 5, 23:01

Assemblymember Roberts spoke regarding the State of Alaska’s marijuana permit buffer distance measurements or lack thereof. He stated the Community Planning Department issued a conditional use permit for a marijuana facility that will immediately be in violation of State law.

Assemblymember Sattley commented the recent election in Britain saw a 72% turn out. He also announced several outcry auctions coming up throughout the community this week.

Assemblymember Westlind commented on the Britain election.

Assemblymember Quist commented on the Britain election. He also commented on Assemblymember Roberts’ “crusade” to measure buffer distances. Mr. Quist is interested in learning about how the borough disposes of surplus equipment.

Assemblymember Hutchison congratulated Mr. Haas on receiving the employee of the month award.

Mayor Kassel commented he will provide the assembly with borough auction statistics. He also commented on measuring buffer distances.

Assemblymember Davies congratulated Mayor Kassel and applauded his work with the Goldpanner’s Association.

Assembly Schedule for the week of June 27, 2016:

NONE
ADJOURNED

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 11:04 p.m.

John Davies
Presiding Officer

ATTEST:

Nanci Ashford-Bingham, MMC
Borough Clerk

APPROVED: August 1, 2016