FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
January 24, 2019
6:02 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, January 24, 2019, in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska.

There were present:

Matt Cooper, Presiding Officer and
Leah Berman Williams. Liz Lyke
Marna Sanford Shaun Tacke
Christopher Quist Aaron Lojewski (Arr. 6:22 p.m./Ex. 9:20 p.m.)

Comprising a quorum of the Assembly, and

Bryce J. Ward, Borough Mayor
Jim Williams, Chief of Staff
Jill S. Dolan, Borough Attorney
Debbie Brady, Chief Financial Officer
Melissa Harter, Library Director
Dan Sloan, Public Works Director
Glenn Miller, Transportation Director
Tim Doran, School Board Representative (Arr. 6:07 p.m.)
Aino Welch, City of North Pole Representative (Arr. 7:10 p.m.)
Nick Czarnecki, Air Quality Manager
Jeff Stepp, Special Assistant to the Mayor
Brittany Smart, Special Assistant to the Mayor
Sandra Mota, Land Management Manager
April Trickey, CMC, Borough Clerk
Adena Benn, Deputy Clerk

Absent and Excused

Angela Major
Andrew M. Gray
NONSECTARIAN INVOCATION AND PLEDGE OF ALLEGIANCE
Track 1, 00:36

Presiding Officer Cooper gave a nonsectarian invocation and led the pledge of allegiance.

PRESENTATIONS
Track 1, 08:45

Mayor Ward presented the Employee of the Month for February to Amy Richards, Personnel Payroll Assistant.

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS
Track 1, 02:39

NONE

CITIZEN’S COMMENTS
Track 1, 10:53

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.

Scott Calder, resident of the borough, requested an amendment to Resolution No. 2018-36 to include “To Re-enact and Implement Ch. 117, SLA 1990”.

Kerri Mullis, resident of the borough, spoke in opposition to Resolution No. 2019-03.

Mike Musick, resident of the borough, spoke in support of Resolution No. 2019-03.

Frank Turney, resident of the borough, spoke in support of Resolution 2019-02.

Jimmy Fox, resident of the borough, spoke in support of Resolution No. 2019-03 and Resolution No. 2018-36.

Mike Prax, resident of the borough, spoke in opposition to Resolution No. 2019-03.
CITIZEN’S COMMENTS - continued

Shoshana Kun, resident of the borough, spoke in support of the Enhanced Home Heating Appliance Exchange program and Resolution 2018-36, specifically in support of taking marijuana off the list of controlled substances.

Patrice Lee, resident of the borough, spoke on Resolution No. 2018-36 and asked for the inclusion of additional legislative priorities. Ms. Lee spoke in support of a borough energy policy and possible commission to lead the state in energy policy.

Christopher Thompson, resident of the borough, spoke in support of Resolution No. 2018-36, specifically in support of removing marijuana from the list of controlled substances.

Pearson Robert Kennedy-Crosby, resident of the borough, spoke in support of Resolution No. 2018-36, specifically in support of removing marijuana from the list of controlled substances.

Sam Hachey, resident of the borough, spoke in support of Resolution No. 2018-36, specifically in support of removing marijuana from the list of controlled substances.

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

Track 4, 45:22

Frank Turney, resident of the borough, thanked the assembly for passing Resolution 2019-02.

APPROVAL OF AGENDA AND CONSENT AGENDA

Track 1, 51:40

The Clerk read the consent agenda.

TACKE, Seconded by WILLIAMS moved to approve the agenda and consent agenda as read.

WITHOUT OBJECTION, SO ORDERED.
APPROVAL OF MINUTES
Track 1, 51:40

a. Regular Assembly Meeting minutes of January 10, 2019.

Without objection this measure was read by title and approved under the consent agenda.

COMMUNICATIONS TO THE ASSEMBLY
Track 1, 51:40

a. Memorandums from Mayor Ward recommending the appointment and/or reappointment of members to the following commissions:
   - Annette Freiburger to the Chena Riverfront Commission.
   - Matthew Reckard and Patricia Peirsol to the Historic Preservation Commission.

Without objection this measure was read by title and approved under the consent agenda.

b. Memorandum from Mayor Ward recommending the appointment of Rick Hoegberg to the Tungsten Service Area Commission.

Without objection this measure was read by title and approved under the consent agenda.

MESSAGES FROM THE BOROUGH MAYOR
Track 5, 11:44

Mayor Ward provided a written report to the Assembly.

REPORTS OF SPECIAL AND STANDING COMMITTEES
Track 5, 11:57

Assemblymember Sanford reported the Assembly Road Service Area Committee met and received a presentation regarding service area annexations.

REPORTS FROM REPRESENTATIVES

a. Report from the City of Fairbanks Representative.

NONE
REPORTS FROM REPRESENTATIVES - continued

b. Report from the City of North Pole Representative.
   Track 4, 1:02:45

City Council Member Welch reported:

- City Council approved engineering for expansion of water utility services to Moose Creek.
- Two North Pole Police Department officers received “Above and Beyond” awards from the National Guard and Reserve.
- The Mayor has toured the 354th Support Squadron at Eielson Air Force Base.
- The Mayor has been shadowing employees in various departments.

c. Report from the School Board Representative.
   Track 2, 00:30

School Board Member Tim Doran reported:

- The Board passed resolutions declaring February as Black history month and recognizing Elizabeth Peratrovich day.
- The Board approved their legislative priorities and started working on FY 2019/2020 Budget.
- January 31st is early out and February 1st there is no school for professional development day.
- The next School Board Meeting is February 5th, at 6 p.m.
- Thanked the Assembly for introducing Ordinance No. 2019-07.

SPECIAL ORDERS — PUBLIC HEARING

a. Liquor License – Transfer – Beverage Dispensary – License #4504
   Track 2, 05:30

From: Upriver, Inc.
   DBA: Gold Rush Deli
   3399 Peger Road Suite C
   Fairbanks, AK 99701

To:  Go Alaska Media, LLC
   DBA: Venue Fairbanks
   514 2nd Ave
   Fairbanks, AK 99701

   Jim Williams, Chief of Staff, gave a staff report.
PUBLIC HEARING – continued

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

TACKE, Seconded by WILLIAMS
move to file no protest against Liquor License #4504 – Transfer – Beverage Dispensary.

VOTE ON MOTION TO FILE NO PROTEST AGAINST LIQUOR LICENSE #4504 – TRANSFER – BEVERAGE DISPENSARY.

Yesses: Tacke, Lyke, Lojewski, Williams, Quist, Sanford, Cooper

Noes: None

MOTION CARRIED 7 Yeses, 0 Noes

b. Liquor License – Transfer – Restaurant/Eating Place – License #3050

Track 2, 07:05

From: Gambardella’s II, Inc.
DBA: Gambardella’s Pasta Bella
No Premises

To: 3Giro, Inc.
DBA: Irashai
1448 South Cushman Street
Fairbanks, AK 99701

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

The Presiding Officer called for public testimony.

Alex June, resident of the borough and applicant, spoke in support of the liquor license and was available for questions.

The Presiding Officer called for further public testimony, there being none public hearing was closed.
moved to file no protest against Liquor License #3050 – Transfer – Restaurant/Eating Place.

Discussion ensued.

VOTE ON MOTION TO FILE NO PROTEST AGAINST LIQUOR LICENSE #3050 – TRANSFER – RESTAURANT/EATING PLACE.

Yeses: Williams, Tacke, Quist, Sanford, Lojewski, Lyke, Cooper

Noes: None

MOTION CARRIED 7 Yeses, 0 Noes

c. Marijuana License – New – Standard Cultivation Facility – License #16815

   Track 2, 10:28

Cut Above, LLC
DBA: Cut Above, LLC
1520 Raven Lake Street
Fairbanks, AK 99709

Assemblymember Tacke declared a potential conflict of interest on Marijuana License #16815 as he is part owner of a marijuana product manufacturing business. The Chair ruled a conflict did exist and Mr. Tacke was excused from the dais.

Assemblymember Quist declared a potential conflict of interest on Marijuana License #16815 as his in-laws own a marijuana cultivation license and are potential competitors of this license. The Chair ruled a conflict did exist and Mr. Quist was excused from the dais.

Assemblymember Sanford declared a potential conflict of interest on Marijuana License #16815 as she is part owner of a marijuana cultivation business. The Chair ruled a conflict did exist and Ms. Sanford was excused from the dais.

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

The Presiding Officer called for public testimony.

Mike Prax, resident of the borough, spoke on the lack of assembly members left at the dais to pass a vote on marijuana license #16815.
PUBLIC HEARING — continued

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

WILLIAMS, Seconded by LYKE moved to file no protest against Marijuana License #16815 – New – Standard Cultivation Facility.

Discussion ensued.

VOTE ON MOTION TO FILE NO PROTEST AGAINST MARIJUANA LICENSE #16815 – NEW – STANDARD CULTIVATION FACILITY.

Yeses: Williams, Lyke, Lojewski, Cooper
Noes: None
MOTION FAILED 4 Yeses, 0 Noes

Assemblymembers Tacke, Quist and Sanford returned to the dais.


Track 2, 15:43

PROPOSED SUBSTITUTE BY Mayor Ward and Assemblymember Lojewski


Clerk’s Note: On January 10, 2019 the assembly advanced Ordinance No. 2018-46 for another public hearing.

Assemblymember Lojewski and Mayor Ward gave a staff report on the proposed substitute.

The Presiding Officer called for public testimony.

Mike Prax, resident of the borough, spoke in support of Ordinance No. 2018-46.

Scott Calder, resident of the borough, spoke in support of Ordinance No. 2018-46.
PUBLIC HEARING – continued

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

Clerk’s Note: On January 10, 2019 Assemblymember Lojewski made a motion to adopt Ordinance No. 2018-46, seconded by Assemblymember Gray.

Discussion ensued.

LOJEWSKI, Seconded by TACKE

moved to amend Line 99 by deleting "at a rate of 0.67547 percent per year" and inserting "at a rate of 0.67547 percentage points per year".

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED

LOJEWSKI, Seconded by WILLIAMS


Discussion ensued.

LYKE, Seconded by LOJEWSKI

moved to amend to reinstate Line 102 "If the general fund is below 50% of its target reserve, the requirements of this subsection shall not apply in that fiscal year."

Discussion ensued.

LYKE, Seconded by LOJEWSKI

moved to amend the amendment to insert on Line 106 "If the general fund is below 50% of its target reserve, the contribution to the facilities maintenance reserve shall not apply in the fiscal year" after "as required for those projects."

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.
PUBLIC HEARING – continued

Discussion ensued.

VOTE ON MOTION TO AMEND THE AMENDMENT TO INSERT ON LINE 106 "IF THE GENERAL FUND IS BELOW 50% OF ITS TARGET RESERVE, THE CONTRIBUTION TO THE FACILITIES MAINTENANCE RESERVE SHALL NOT APPLY IN THE FISCAL YEAR" AFTER "AS REQUIRED FOR THOSE PROJECTS.", AS AMENDED.

Yeses: Lyke, Lojewski

Noes: Williams, Sanford, Quist, Tacke, Cooper

MOTION FAILED 2 Yeses, 5 Noes

Discussion ensued.

QUIST, Seconded by LOJEWSKI

moved to amend by replacing Lines 21-24 with "WHEREAS, the estimated replacement value for all FNSB owned buildings is $1.6 billion, including all building used by the school district and the fire service districts. This estimated replacement value is based on industry standards for 3.2 million square feet of facilities times an estimated $500 per square foot average replacement cost; and"

Discussion ensued.

VOTE ON MOTION TO AMEND BY REPLACING LINES 21-24 WITH "WHEREAS, THE ESTIMATED REPLACEMENT VALUE FOR ALL FNSB OWNED BUILDINGS IS $1.6 BILLION, INCLUDING ALL BUILDING USED BY THE SCHOOL DISTRICT AND THE FIRE SERVICE DISTRICTS. THIS ESTIMATED REPLACEMENT VALUE IS BASED ON INDUSTRY STANDARDS FOR 3.2 MILLION SQUARE FEET OF FACILITIES TIMES AN ESTIMATED $500 PER SQUARE FOOT AVERAGE REPLACEMENT COST; AND".

Yeses: Sanford, Cooper

Noes: Quist, Tacke, Williams, Lyke, Lojewski

MOTION FAILED 2 Yeses, 5 Noes
PUBLIC HEARING – continued

WILLIAMS,
Seconded by TACKE

moved to amend Line 97 by replacing “must” with “should”.

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 97 BY REPLACING “MUST” WITH “SHOULD”.

Yeses:
Williams

Noes:
Lojewski, Sanford, Tacke, Quist, Lyke, Cooper

MOTION FAILED
1 Yeses, 6 Noes

WILLIAMS,
Seconded by LOJEWSKI

moved to amend Line 20 to add “WHEREAS, the estimated replacement value for all FNSB owned buildings is $1.6 billion, including all building used by the school district and the fire service districts. This estimated replacement value is based on industry standards for 3.2 million square feet of facilities times an estimated $500 per square foot average replacement cost; and”

LOJEWSKI,
Seconded by QUIST

moved to amend the amendment by adding to the end of the whereas clause “This figure is not being used for the logic in the whereas clauses that follow.”

VOTE ON MOTION TO AMEND THE AMENDMENT BY ADDING TO THE END OF THE WHEREAS CLAUSE “THIS FIGURE IS NOT BEING USED FOR THE LOGIC IN THE WHEREAS CLAUSES THAT FOLLOW.”

Yeses:
Lojewski

Noes:
Sanford, Williams, Tacke, Lyke, Quist, Cooper

MOTION FAILED
1 Yeses, 6 Noes
PUBLIC HEARING – continued

VOTE ON MOTION TO AMEND LINE 20 TO ADD “WHEREAS, THE ESTIMATED REPLACEMENT VALUE FOR ALL FNSB OWNED BUILDINGS IS $1.6 BILLION, INCLUDING ALL BUILDING USED BY THE SCHOOL DISTRICT AND THE FIRE SERVICE DISTRICTS. THIS ESTIMATED REPLACEMENT VALUE IS BASED ON INDUSTRY STANDARDS FOR 3.2 MILLION SQUARE FEET OF FACILITIES TIMES AN ESTIMATED $500 PER SQUARE FOOT AVERAGE REPLACEMENT COST; AND”

Yeses: Quist, Williams, Lojewski, Sanford, Cooper

Noes: Tacke, Lyke

MOTION CARRIED 5 Yeses, 2 Noes

Discussion ensued.

LOJEWSKI, Seconded by TACKE move to amend by deleting Lines 106-109 “If the budget does not propose the contribution required by this subsection it must be justified with an explanation of the reason and possible alternatives (e.g., future bond proposals, grant funds, building closures)”.

Discussion ensued.

VOTE ON MOTION TO AMEND BY DELETING LINES 106-109 “IF THE BUDGET DOES NOT PROPOSE THE CONTRIBUTION REQUIRED BY THIS SUBSECTION IT MUST BE JUSTIFIED WITH AN EXPLANATION OF THE REASON AND POSSIBLE ALTERNATIVES (E.G., FUTURE BOND PROPOSALS, GRANT FUNDS, BUILDING CLOSURES)”.

Yeses: Quist, Lojewski, Williams, Tacke

Noes: Sanford, Lyke, Cooper

MOTION FAILED 4 Yeses, 3 Noes

TACKE, Seconded by LYKE moved to amend by reinserting Section 4, Lines 111-120.

Discussion ensued.
PUBLIC HEARING – continued

TACKE,
Seconded by LYKE

moved to amend the amendment by deleting the number 1 on Line 97, adding a period on Line 99 after “taxes”, and deleting the remainder of Lines 104-106 through the word “projects”.

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO AMEND THE AMENDMENT BY REINSERTING SECTION 4, LINES 111-120 AND BY DELETING THE NUMBER 1 ON LINE 97, ADDING A PERIOD ON LINE 99 AFTER “TAXES”, AND DELETING THE REMAINDER OF LINES 104-106 THROUGH THE WORD “PROJECTS”, AS AMENDED.

Yeses: Lyke, Williams, Lojewski, Sanford, Quist, Tacke, Cooper
Noes: None

MOTION CARRIED

7 Yeses, 0 Noes

QUIST,
Seconded by TACKE

moved to amend by deleting “suddenly” on Line 30, and inserting “suddenly” after “would” on Line 31.

WITHOUT OBJECTION, SO ORDERED.

SANFORD,
Seconded by QUIST

moved to amend Lines 30-31 to remove “or $14,664,234 to $29,328,468”.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO SUBSTITUTE ORDINANCE NO. 2018-46, AS AMENDED.

Yeses: Sanford, Williams, Cooper
Noes: Lyke, Quist, Lojewski, Tacke

MOTION FAILED

3 Yeses, 4 Noes
moved to amend by replacing the whereas in the original ordinance with the whereass, as amended, in the substitute as follows: amend Line 20 to add “whereas, the estimated replacement value for all FNSB owned buildings is $1.6 billion, including all building used by the school district and the fire service districts. this estimated replacement value is based on industry standards for 3.2 million square feet of facilities times an estimated $500 per square foot average replacement cost; and”; amend by deleting “suddenly” on Line 30, and inserting “suddenly” after “would” on Line 31; and amend Lines 30-31 to remove “or $14,664,234 to $29,328,468”.

Discussion ensued.

WITHOUT OBSESSION, SO ORDERED.

moved to amend by deleting Lines 100-101 “If the general fund is below 50% of its target reserve, the requirements of this subsection shall not apply in that fiscal year.”

Discussion ensued.

Yeses: Williams, Tacke, Sanford, Quist, Lojewski, Cooper

Noes: Lyke

MOTION CARRIED 6 Yeses, 1 Noes
MOVED TO AMEND LINE 97 BY REPLACING "6.7547" WITH "7", AND DELETE LINES 98-100 AS FOLLOWS "THE PROPOSED CONTRIBUTION SHALL INCREASE AT A RATE OF 0.67547 PERCENTAGE POINTS PER YEAR UNTIL IT REACHES 13.5095 PERCENT OF THE ESTIMATE OF AREAWIDE TAX REVENUES."

moved to divide the question with the first amendment to amend Line 97 by replacing "6.7547" with "7", and the second amendment to delete Lines 98-100 as follows "THE PROPOSED CONTRIBUTION SHALL INCREASE AT A RATE OF 0.67547 PER YEAR UNTIL IT REACHES 13.5095 PERCENT OF THE ESTIMATE OF AREAWIDE TAX REVENUES."

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO AMEND LINE 97 BY REPLACING "6.7547" WITH "7".

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.

MOVED TO AMEND THE AMENDMENT TO KEEP LINES 98-100 AND ON LINE 99 REPLACE ".67547" WITH ".7" AND REPLACE "13.5095" WITH ".14".

moved to amend the amendment to keep Lines 98-100 and on Line 99 replace ".67547" with ".7" and replace "13.5095" with ".14".

Discussion ensued.

VOTE ON MOTION TO AMEND THE AMENDMENT TO KEEP LINES 98-100 AND ON LINE 99 REPLACE ".67547" WITH ".7" AND REPLACE "13.5095" WITH ".14".

Yeses: Tacke, Quist, Lojewski

Noes: Williams, Sanford, Lyke, Cooper

MOTION FAILED 3 Yeses, 4 Noes
PUBLIC HEARING – continued

VOTE ON MOTION TO AMEND BY DELETING LINES 98-100 AS FOLLOWS "THE PROPOSED CONTRIBUTION SHALL INCREASE AT A RATE OF 0.67547 PER YEAR UNTIL IT REACHES 13.5095 PERCENT OF THE ESTIMATE OF AREAWIDE TAX REVENUES,"

Yeses: Lojewski, Lyke, Williams, Sanford, Cooper

Noes: Quist, Tacke

MOTION CARRIED 5 Yeses, 2 Noes

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2018-46, AS AMENDED.

Yeses: Quist, Tacke, Sanford, Lyke, Williams, Lojewski, Cooper

Noes: None

MOTION CARRIED 7 Yeses, 0 Noes

Clerk's Note: Assemblymember Lojewski was excused at 9:20 p.m.

e. ORDINANCE NO. 2019-02. An Ordinance To Amend FNSBC 21.28.040 Enhanced Voluntary Removal, Replacement And Repair (Wood Stove Change-Out) Program To Be Consistent With Federal Grant Requirements. (Sponsor: Mayor Ward)

Track 3, 51:56

Nick Czarnecki, Air Quality Manager, gave a staff report.

The Presiding Officer called for public testimony.

Jimmy Fox, resident of the borough, suggested amendments to Ordinance No. 2019-02.

Patrice Lee, resident of the borough, agreed with changes suggested by Mr. Fox.

Mike Prax, resident of the borough, expressed his concern about the economic impact of Ordinance No. 2019-02.

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

TACKE, Seconded by QUIST

moved to adopt Ordinance No. 2019-02.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-02.

Yeses: Lyke, Sanford, Tacke, Williams, Quist, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

f. ORDINANCE NO. 2018-20-1P. An Ordinance Amending The FY 2018-19 Budget By Appropriating $3,781,265 In Federal Pass-Through Grant Funding To The Transit Enterprise Projects Fund For The Voluntary Conversion Or Removal (Wood Stove Change-Out) Program. (Sponsor: Mayor Ward)

Track 4, 12:48

Nick Czarnecki, Air Quality Manager, gave a staff report.

The Presiding Officer called for public testimony.

Mike Prax, resident of the borough, expressed his concerns with Ordinance No. 2018-20-1P.

Patrice Lee, resident of the borough, spoke regarding hot-spot zones and the non-attainment area.

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

TACKE, Seconded by WILLIAMS

moved to adopt Ordinance No. 2019-20-1P.

Discussion ensued.
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-20-1P.

Yeses: Lyke, Williams, Quist, Sanford, Tacke, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

g. ORDINANCE NO. 2019-03. An Ordinance Amending FNSBC Title 8 To Add Waiver Of Use Agreement Fees By The Borough Mayor, Amending FNSBC Title 20 By Adding A Section Authorizing Use Agreements On Borough Land And Amending The Definition Of Temporary Use, And Amending Appendix E-User Fee Schedule/Assessing/Land Management Fees And Attachment C Of Ordinance No. 2018-20 (FY 2018-19) To Add Fees For Use Agreements. (Sponsor: Mayor Ward) Track 4, 21:05

Assemblymember Williams declared a potential conflict of interest on Ordinance No. 2019-03 as her husband works for the Folk School which is currently leasing buildings in Pioneer Park and may lease in the future. The Chair ruled a conflict did not exist.

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

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

TACKE, Seconded by WILLIAMS

moved to adopt Ordinance No. 2019-03.

Discussion ensued.
moved to amend Line 72 to add a sentence at the end of the subsection as follows “Non-continuous periods are consecutive periods of time not to exceed six months.”; Amend Line 76 to add a sentence at the end of the subsection as follows “Use agreements are revocable without cause and shall not allow for the construction of permanent improvements on borough land.”; Lines 86-87 by deleting the first sentence and replacing it with “Payment of use-related utility and maintenance costs is required if such costs are expected to be in excess of those incurred by a typical facility user and are subject to waiver by resolution of the Assembly only upon a finding that the agreement is for a compelling public purpose.”

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-03, AS AMENDED.

Yeses: Quist, Tacke, Lyke, Sanford, Williams, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

h. ORDINANCE NO. 2018-20-1Q. An Ordinance Amending The FY 2018-19 Budget By Appropriating $35,000 In Fairbanks Library Foundation Funding And $35,000 From The Library Special Revenue Fund To The Special Revenue Projects Fund For A Space Plan Study For The Noel Wien Library. (Sponsor: Mayor Ward) 

Track 4, 35:45

Melissa Harter, Library Director, gave a staff report.

The Presiding Officer called for public testimony.
PUBLIC HEARING – continued

Marie Angaiak, resident of the borough and Co-President of the Fairbanks Library Foundation, spoke in support of Ordinance No. 2018-20-1Q.

Mary Matthews, resident of the borough and Co-President of the Fairbanks Library Foundation and Library Commissioner, spoke in support of Ordinance No. 2018-20-1Q.

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

TACKE, Seconded by WILLIAMS

moved to adopt Ordinance No. 2019-20-1Q.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-20-1Q.

Yeses: Sanford, Lyke, Quist, Williams, Tacke, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

Clerk's Note: The Presiding Officer reordered the agenda to take up Item #15 a., Citizen Comments before Item #14 a., Unfinished Business.

CONSIDERATION OF CALENDAR – Unfinished Business

   (Sponsor: Assembly Capital Projects and Legislative Priorities Committee)
   Track 5, 1:02:34

   Assemblymember Sanford and Mayor Ward gave a staff report.

Clerks Note: On November 8, 2018, a motion to adopt Resolution No. 2018-36 was made by Gray and seconded by Sanford, and motion was made to to refer Resolution No. 2018-36 to the Capital Projects and Legislative Priorities Committee.
CONSIDERATION OF CALENDAR – Unfinished Business - continued

TACKE, moved to amend Line 31 to add "and regulate it like alcohol" at the end of the sentence to read as follows: "Remove marijuana from the schedule of controlled substances and regulate it like alcohol."

Seconded by WILLIAMS

VOTE TO AMEND LINE 31 TO ADD "AND REGULATE IT LIKE ALCOHOL" AT THE END OF THE SENTENCE TO READ AS FOLLOWS: "REMOVE MARIJUANA FROM THE SCHEDULE OF CONTROLLED SUBSTANCES AND REGULATE IT LIKE ALCOHOL."

Yeses: Quist, Tacke, Lyke, Sanford, Williams, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

QUIST, moved to amend Line 34 to delete "Sales or" and amend the corresponding backup under State Sales or Income Tax to delete "Sales or" and replace the narrative with "The State of Alaska should implement a state wide income tax."

Seconded by TACKE

Discussion ensued.

VOTE TO AMEND LINE 34 TO DELETE "SALES OR" AND AMEND THE CORRESPONDING BACKUP UNDER STATE SALES OR INCOME TAX TO DELETE "SALES OR" AND REPLACE THE NARRATIVE WITH "STATE OF ALASKA SHOULD IMPLEMENT A STATE WIDE INCOME TAX."

Yeses: Sanford, Williams, Tacke, Quist, Cooper

Noes: Lyke

MOTION CARRIED 5 Yeses, 1 Noes
CONSIDERATION OF CALENDAR — Unfinished Business—continued

SANFORD, Seconded by QUIST

Discussion ensued.

QUIST, Seconded by SANFORD

moved to substitute Resolution No. 2018-36.

moved to amend Line 103 to insert "Remove marijuana from the schedule of controlled substances and regulate it like alcohol" and with an intent statement of "Alaska Statue should be amended to reflect that marijuana is a regulated substance, similar to alcohol, and is not a controlled substance."

WITHOUT OBJECTION, SO ORDERED.

TACKE, Seconded by SANFORD

moved to amend by inserting after Line 24 "Whereas, if a statewide capital bond package is proposed the Borough desires to add projects for consideration not listed within this resolution; and","; amend Line 27 by replacing “those” with “many”; removing “fully” from line 64; amend Lines 87-88 by deleting on lines 87-88 “It is unknown what, if any, future reductions are planned for the next fiscal year(s)”; and amend by replacing Lines 135-144 with "Energy Conversion Programs. The FNSB supports efforts to create mechanisms for financing and funding of conversions to cheaper, cleaner and more efficient devices. Loan or grant programs that may aid in the ability of the local government and/or private business to finance conversions would be extremely valuable to projects such as the Interior Gas Utility expansion. Conversion programs may also aid in the reduction of air pollution, so that attainment can be achieved in the FNSB."

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.
**SUSPENSION OF THE RULES**

TACKE, Seconded by LYKE moved to suspend the rules and complete the agenda.

VOTE ON MOTION TO SUSPEND THE RULES TO COMPLETE THE AGENDA.

Yees: Williams, Quist, Tacke, Sanford, Lyke, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

**CONSIDERATION OF CALENDAR – Unfinished Business - continued**

QUIST, Seconded by SANFORD moved to amend Line 102 to insert under Legislature “The State of Alaska should implement a state-wide income tax.”

SANFORD, Seconded by WILLIAMS moved to amend the amendment on Line 162 to insert “The State of Alaska should implement a state-wide income tax.”

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO AMEND THE AMENDMENT ON LINE 162 TO INSERT “THE STATE OF ALASKA SHOULD IMPLEMENT A STATE-WIDE INCOME TAX.”, AS AMENDED.

Yees: Williams, Tacke, Sanford, Quist, Cooper

Noes: Lyke

MOTION CARRIED 5 Yeses, 1 Noes

Discussion ensued.

Clerk’s Note: Presiding Officer Cooper passed the gavel to Finance Committee Chair Quist.

COOPER, Seconded by TACKE moved to amend Line 30 to replace “will” with “intends to”.

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Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO SUBSTITUTE RESOLUTION NO. 2018-36, AS AMENDED.

Yeses: Sanford, Williams, Cooper

Noes: Lyke, Quist, Tacke

MOTION FAILED 3 Yeses, 3 Noes

WILLIAMS, Seconded by TACKE moved to amend by deleting lines 32-33 and inserting on Line 32 the bullet point “Energy Conversion Programs.” And add to backup material “The FNSB supports efforts to create mechanisms for financing and funding of conversions to cheaper, cleaner and more efficient devices. Loan or grant programs that may aid in the ability of the local government and/or private business to finance conversions would be extremely valuable to projects such as the Interior Gas Utility expansion. Conversion programs may also aid in the reduction of air pollution, so that attainment can be achieved in the FNSB.”

WITHOUT OBJECTION, SO ORDERED.
moved to amend Line 58 to insert "15. Pioneer Park Master Plan", and add to the backup material "Title: Pioneer Park Master Plan - $135,000 Project Cost: $150,000 Anticipated Borough Contribution: $15,000 Total Legislative Request: $135,000.

Pioneer Park was founded in 1967 to celebrate the 100th Anniversary of the purchase of Alaska from Russia and is Alaska's only historic park. The park contains 44 acres of historic, civic, and amusement activities that serve both tourists and local residents. A review of capital needs for the 8 most prominent park attractions identifies over $19M of projects needed within the next 6 years, but that does not include capital investment needs for the entire park. Unfortunately, funds are limited to properly maintain and protect these attractions. Decisions have to be made in the next few years that will significantly impact the park, such as the potential demolition of key park attractions due to public health and safety concerns. For example, the SS Nenana, the historic steam sternwheel passenger riverboat, has been closed to the public since April 2018.

The last Master Plan for Pioneer Park was completed in 2005. Funds will be used to update the Master Plan, with specific focus on current and future facility use. Plan development will include a comprehensive public engagement process, which will be used to guide decision making and investment that best preserves the character of the park while meeting the community's needs and expectations.

WITHOUT OBJECTION, SO ORDERED.
CONSIDERATION OF CALENDAR – Unfinished Business - continued

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2018-36, AS AMENDED.

Yeses: Williams, Tacke, Quist, Lyke, Cooper

Noes: Sanford

MOTION CARRIED 5 Yeses, 1 Noes

CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Continuation if needed)
Track 4, 42:59

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

Scott Calder, resident of the borough, spoke for an additional one minute regarding legislative priorities.

CONSIDERATION OF CALENDAR – New Business – Resolutions

a. RESOLUTION NO. 2019-03. A Resolution Supporting Conversion From Diesel And Gasoline To Compressed Natural Gas (CNG) Vehicles For All Transit Revenue Service Vehicles Within The Fairbanks North Star Borough Transportation Department. (Sponsor: Mayor Ward)
Track 5, 1:02:04

Glenn Miller, Transportation Director and Mayor Ward gave a staff report.

QUIST, moved to adopt Resolution No. 2019-03.
Seconded by TACKE

Discussion ensued.

QUIST, moved to refer Resolution No. 2019-03 to the February 7, 2019 Committee of the Whole Worksession; advance to February 14, 2019.
CONSIDERATION OF CALENDAR – New Business – Resolutions - continued

VOTE ON MOTION TO REFER RESOLUTION NO. 2019-03 TO THE FEBRUARY 7, 2019 COMMITTEE OF THE WHOLE WORKSESSION; ADVANCE TO FEBRUARY 14, 2019.

Yeses: Williams, Quist, Tacke, Sanford, Lyke, Cooper

Noes: None

MOTION CARRIED 6 Yeses, 0 Noes

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

Track 1, 51:40

a. ORDINANCE NO. 2019-07. An Ordinance Amending FNSBC Title 16 To Authorize The Procurement Of Supplies, Equipment And Services To School District Officials, And Authorizing The Delegation Of Procurement Authority For Certain Construction Projects. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Committee of the Whole on February 7, 2019; Advanced to February 14, 2019 Public Hearing.

b. ORDINANCE NO. 2018-20-1R. An Ordinance Amending The FY 2018-19 Budget By Appropriating $39,055 In Federal Pass-Through Grant Funding To The Special Revenue Fund To Offset The Cost Of The First Three Years Of Operations And Maintenance Of Motor Vehicle Plug-Ins Installed At The Fairbanks North Star Borough’s Noel Wien Library And North Pole Branch Library. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on February 7, 2019; Advanced to February 14, 2019 Public Hearing.
c. **ORDINANCE NO. 2018-20-1S.** An Ordinance Amending The FY 2018-19 Budget By Changing The Estimated Revenues For $48,154 Of The Match To The Federal Transit Administration, Section 5307 Transit Operating Assistance Grant From Local Sources To State Grant Funds And By Appropriating $48,154 To The Transit Enterprise Operating Fund To Continue The Increased Headway On The Red, Brown And Purple Lines. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on February 7, 2019; Advanced to February 14, 2019 Public Hearing.

d. **ORDINANCE NO. 2018-20-1T.** An Ordinance Amending The FY 2018-19 Budget By Appropriating $201,779 In Federal Grant Funding And $20,029 In Local Matching Funds From The General Fund Fund Balance To The Capital Projects Fund For The Restroom Replacement And Access Improvements Project At Chena Lake Recreation Area. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on February 7, 2019; Advanced to February 14, 2019 Public Hearing.

e. **ORDINANCE NO. 2019-06.** An Ordinance Amending FNSBC 18.104.020 Regarding Rezones. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Planning Commission on February 26, 2019 with recommendation due back no later than March 4, 2019; Referred to the Committee of the Whole on March 7, 2019; Advanced to March 14, 2019 Public Hearing.

**CITIZENS' COMMENTS – Limited To 3 Minutes (Continuation if needed)**

b. Items that are not scheduled on the agenda.

*Track 4, 45:26*

Steve Lowry, resident of the borough, spoke regarding Ordinance No. 2019-01.

Scott Calder, resident of the borough, spoke regarding the Mary Siah Recreation Center.

Mike Prax, resident of the borough, spoke regarding air quality in the borough and the National Air Quality Act.
CITIZENS' COMMENTS – Limited To 3 Minutes (Continuation if needed)

Don Gray, resident of the borough, thanked the Assembly for the work they have done and asked the Assembly to pressure the state government regarding revenue sharing.

ASSEMBLYMEMBER’S COMMENTS
Track 5, 12:53

Assemblymember Tacke asked to be added as a co-sponsor to Ordinance No. 2018-46.

Assemblymember Lyke commented positively on the work the assembly is doing with regard to Resolution No. 2018-36.

Assemblymember Quist thanked Bob Jordan, Solid Waste Manager, for his tour of the landfill. He recommends other assemblymembers take advantage of the opportunity to learn more about Public Works/Solid Waste. Mr. Quist is hosting “Office Hours”, a venue to interface with members of the public on February 12, and 26 from 6:00 p.m. to 8:00 p.m. in Room #3 of the Noel Wien Library. Mr. Quist extended an invitation for other assemblymembers to participate.

Assemblymember Williams reported Will Simpson, Professor of Chemistry with the College of Natural Sciences and Mathematics and Geophysical Institute at UAF, will host a presentation called “The Science of Smoke, Fairbanks’ Particulate Problem” January 29th at 7:00 p.m. at Raven Landing.

Assemblymember Sanford spent a great day at Denali Elementary in Ms. Dibert’s third grade class. Ms. Sanford encouraged other assemblymembers to spend time in classrooms to engage with students and teachers.

Assemblymember Cooper echoed Ms. Sanford’s comments on visiting and getting involved in local schools, and Mr. Quist’s comments on the FNSB’s Public Works/Solid Waste department tour. Mr. Cooper spoke in support of Resolution No. 2018-36 and his hopes the assembly will find a way to work with the Mayor to improve the process in the future.

Assembly Schedule for the week of January 28, 2019: No meetings scheduled

Assembly Schedule for the week of February 4, 2019:

- Thursday, February 7, 2019: Finance Committee at 5:30 p.m. in the Assembly Chambers with the Committee of the Whole worksession immediately following.
ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting adjourned at 12:04 a.m. on January 25, 2019.

Matt Cooper
Presiding Officer

ATTEST:

April Trickey, CMC
Borough Clerk

APPROVED: February 14, 2019