A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, February 28, 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

Aaron Lojewski (Excused 9:42 p.m.) Liz Lyke
Christopher Quist Shaun Tacke
Andrew M. Gray Marna Sanford
Leah Berman Williams

Comprising a quorum of the Assembly, and

Jim Williams, Chief of Staff
Jill S. Dolan, Borough Attorney
Debbie Brady, Chief Financial Officer
Christine Nelson, Community Planning Director
Jerry Cleworth, City of Fairbanks Representative
Allyson Lambert, School Board Representative
Bryan Sehmel, Planner III - Code Enforcement
Floyd Sheesley, Rural Services Engineer
April Trickey, CMC, Borough Clerk
Melanie Desmond, Research Assistant

Absent and Excused

Angela Major
NONSECTARIAN INVOCATION AND PLEDGE OF ALLEGIANCE
Track 1, 00:15

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

PRESENTATIONS

NONE

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS
Track 1, 03:10

NONE

CITIZEN’S COMMENTS
Track 1, 04:03
Track 2, 07:48

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.

Joanne Sexton, resident of the borough, spoke in support of the Mary Siah Recreation Center and Ordinance No. 2019-20-1V.

Michelle Rosser, resident of the borough, spoke in support of the Mary Siah Recreation Center and Ordinance No. 2019-20-1V.

Asa Dowdy, Jr., resident of the borough, spoke against raising property taxes.

Scott Calder, resident of the borough, asked that the Assembly scrutinize the list of projects listed in Resolution No. 2019-07 and voiced his support for a new facility to replace the Mary Siah Recreation Center.

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

Frank Turney, resident of the borough, spoke in opposition to removing the cannabis ads from borough busses and spoke in support of CBD and the Mary Siah Recreation Center.
CITIZEN'S COMMENTS – continued

Kemp Lankford, resident of the borough, spoke regarding the CBD bus ads and asked for an explanation for their removal.

Trevor Burgess, resident of the borough, spoke regarding the groundwater protection overlay issues in North Pole.

Helen Renfrew, resident of the borough and Explore Fairbanks Representative, reported on the Golden Heart Gala awards ceremony, the 2019 Alaska Federation of Natives convention and the 2020 and 2021 Alaska State High School Hockey Championships, all of which will be held in Fairbanks.

Scott Calder, resident of the borough, spoke regarding an email he sent to the Assembly in support of Chapter 117, SLA Citizens Review Panel, and reported his thoughts on a recent transfer site experience.

Asa Dowdy, resident of the borough, spoke in support of the Alaska Permanent Fund Dividend and community volunteers taking up various improvement projects.

APPROVAL OF AGENDA AND CONSENT AGENDA
Track 2, 12:20

The Clerk read the consent agenda.

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

WITHOUT OBJECTION, SO ORDERED.

APPROVAL OF MINUTES
Track 2, 12:20

a. Regular Assembly Meeting minutes of February 14, 2019.

Without objection this measure was read by title and approved under the consent agenda.
COMMUNICATIONS TO THE ASSEMBLY
Track 2, 12:20

a. Memorandum from Mayor Ward recommending the appointment of various service area commissioners.

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

MESSAGES FROM THE BOROUGH MAYOR
Track 2, 16:35

Jim Williams, Chief of Staff, provided a written report to the Assembly and highlighted the following:

- Town Hall Meeting hosted by Mayor Ward regarding Governor Dunleavy's revised budget on March 9th at 2:00 p.m. at the West Valley Performing Arts Center.
- Pioneer Park exterior improvements update.

REPORTS OF SPECIAL AND STANDING COMMITTEES
Track 5, 12:17

Assemblymember Sanford reported she attended the Alaska Municipal League Winter Meeting in Juneau where they discussed the impact of Governor Dunleavy's budget, the high turnover rate of school district superintendents, principals and teachers, and emphasized that municipalities must work together.

Assemblymember Williams reported the Sustainability Commission presented the approved Sustainability Plan at the February 21st Committee of the Whole Worksession. A public presentation is planned for March 5th at 1:00 p.m. in the Noel Wien Library Conference Room.

Assemblymember Lyke reported the Salcha-Badger Road Sub-Area Plan Working Group held their first open houses on February 25th from 6:30 p.m. – 8:30 p.m. at the North Pole Library, and on February 28th from 6:30 p.m. – 8:30 p.m. at the Salcha Senior Center. She reported the community appears to be strongly on board.

Assemblymember Tacke reported the FMATS/FAST Planning Technical Committee is seeking public comment on the Transportation Improvement Program (TIP), more information can be found on the FMATS website, fmats.us.
REPORTS FROM REPRESENTATIVES
Track 3, 1:16

a. Report from the City of Fairbanks Representative.

Councilmember Cleworth reported:

- The Intergovernmental Agreement was approved.
- The Fairbanks Metropolitan Area Transportation System’s (FMATS) Transportation Improvement Program (TIP) is out for public comment and can be found on the FMATS website, fmats.us.

b. Report from the City of North Pole Representative.

NONE

c. Report from the School Board Representative.

School Board Representative Allyson Lambert reported:

- The FY2019/20 recommended budget is being prepared and public comment can be submitted through the school district’s website k12northstar.org.
- A Budget Worksession will be held on March 4th at 6:30 p.m. Dr. Gaborik will speak regarding the potential impact of Governor Dunleavy’s proposed budget and public testimony will be taken.
- A Budget Worksession will be held on March 18th at 6:00 p.m.
- A Special School Board Meeting on March 20th will be held at 5:30 p.m. to approve the FY2019/20 proposed budget.
- Dr. Gaborik will host a Facebook Live event on March 6th at 5:30 p.m. to discuss the FY2019/20 budget.
- The Board passed a resolution honoring Traditional Chiefs Month and recognizing International Women’s Day (March 8, 2019).
- March is Music in our Schools month, more information is available at k12northstar.org.
- March is Youth Art Month, which will showcase Up with Art at the Bear Gallery at Pioneer Park.
- Spring Break is March 11-15.
- The next Regular School Board Meeting is March 5th at 6:00 p.m.
- Wrestling and basketball are wrapping up and volleyball will begin after spring break.
- The 2019 Interior Alaska Spelling Bee is on March 2nd at 9:00 a.m.
**SPECIAL ORDERS – PUBLIC HEARING**

a. Liquor License – New – Restaurant/Eating Place – License #5736  
   *Track 3, 10:58*

   Soba, LLC  
   DBA: Soba, LLC  
   535 2nd Ave, Suite 106  
   Fairbanks, AK 99701  

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

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

   GRAY, Seconded by TACKE

   VOTE ON MOTION TO FILE NO PROTEST ON NEW RESTAURANT/EATING PLACE - LIQUOR LICENSE #5736.

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

   Noes: None

   MOTION CARRIED 8 Yeses, 0 Noes

b. Liquor License – Duplicate – Beverage Dispensary – License #5734  
   *Track 3, 12:16*

   The Bakery Restaurant, Inc.  
   DBA: The Bakery Restaurant  
   44 College Road, Suite A  
   Fairbanks, AK 99701  

   Assemblemember Tacke declared a potential conflict of interest on Liquor License #5734 as his future brother-in-law is the applicant. The Chair ruled a conflict did exist and Mr. Tacke was excused from the dais.

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

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

QUIST, Seconded by GRAY
 moved to file no protest against Duplicate – Beverage Dispensary – License #5734.

VOTE ON MOTION TO FILE NO PROTEST ON DUPLICATE BEVERAGE DISPENSARY LICENSE #5734.

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

Noes: None

MOTION CARRIED 7 Yeses, 0 Noes

c. Marijuana License – New – Limited Cultivation Facility – License #17445

Track 3, 14:42

Dreaming Tree Farms, LLC
DBA: Two Birds One Stoned
338 Ream Road
Fairbanks, AK 99712

Assemblymember Sanford declared a potential conflict of interest on Marijuana License #17445 as she is an investor in a marijuana cultivation business. The Chair ruled a conflict did exist and Ms. Sanford was excused from the dais.

Assemblymember Quist declared a potential conflict of interest on Marijuana License #17445 as his mother-in-law and father-in-law own a marijuana cultivation business. The Chair ruled a conflict did exist and Mr. Quist was excused from the dais.

Assemblymember Tacke declared a potential conflict of interest on Marijuana License #17445 as he is part owner of a marijuana product manufacturing facility. The Chair ruled a conflict did exist and Mr. Tacke was excused from the dais.

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

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

GRAY,
Seconded by WILLIAMS

moved to file no protest against New – Limited Cultivation Facility – License #17445.

Discussion ensued.

VOTE ON MOTION TO FILE NO PROTEST ON NEW LIMITED CULTIVATION FACILITY - LICENSE #17445.

Yeses: Lojewski, Williams, Gray, Lyke, Cooper
Noes: None
MOTION CARRIED 5 Yeses, 0 Noes

Assemblymembers Quist, Sanford and Tacke returned to the dais.

d. ORDINANCE NO. 2019-08. An Ordinance Amending FNSBC Title 10 Regarding Abandoned Vehicles And Vehicle Impoundment, Chapter 12.04 FNSBC Regarding Encroachments, And Related Portions Of Chapter 1.20 FNSBC, Fine Schedule. (Sponsor: Mayor Ward)

Track 3, 16:53

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

The Presiding Officer called for public testimony.

Dan Portwine, resident of the borough, spoke in support of Ordinance No. 2019-08. Mr. Portwine suggested the addition of a definition for the word temporary, and stated if the ordinance cannot be enforced it should not be adopted.

Asa Dowdy, resident of the borough, spoke in opposition to Ordinance No. 2019-08 because he believes it cannot be enforced.

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

TACKE,
Seconded by GRAY

moved to adopt Ordinance No. 2019-08.

Discussion ensued.
PUBLIC HEARING – continued

TACKE, Seconded by GRAY

moved to amend Line 158 by inserting ", and persons known to be lawfully entitled to possession" after "if any".

WITHOUT OBJECTION, SO ORDERED.

TACKE, Seconded by GRAY

moved to amend Line 188 by inserting "or on the next business day" after "hours".

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-08, AS AMENDED.

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

Noes: None

MOTION CARRIED 8 Yeses, 0 Noes

e. ORDINANCE NO. 2019-09. An Ordinance Amending FNSB Code Of Ordinances To Modify Any And All Masculine And/Or Feminine Language To Gender Neutral Pronouns; And To Amend FNSBC 1.04.080 Regarding Gender.

(Sponsors: Assemblymembers Williams, Tacke, Cooper, Gray and Lyke)

Track 3, 47:05

Assemblymember Williams gave a staff report.

The Presiding Officer called for public testimony.

Lance Roberts, resident of the borough, spoke in opposition to Ordinance No. 2019-09.

Asa Dowdy, resident of the borough, spoke in opposition to Ordinance No. 2019-09.

Michael Wilcher, resident of the borough, spoke in opposition to Ordinance No. 2019-09.

Jimmy Fox, resident of the borough, spoke in support of Ordinance No. 2019-09.
PUBLIC HEARING — continued

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

TACKE, Seconded by GRAY  moved to adopt Ordinance No. 2019-09.

Discussion ensued.

LOJEWSKI, Seconded by QUIST  moved to amend Line 16 by replacing “genders” with “people”.

Discussion ensued.

QUIST, Seconded by LOJEWSKI  moved to amend the amendment by replacing Line 16 with “Whereas, People of all genders are created equal.”

The Chair ruled a vote on the amendment to the amendment would carry the amendment.

VOTE ON MOTION TO AMEND THE AMENDMENT BY REPLACING LINE 16 WITH “WHEREAS, PEOPLE OF ALL GENDERS ARE CREATED EQUAL.”

WITHOUT OBJECTION, SO ORDERED.

LOJEWSKI, Seconded by QUIST  moved to amend Table 2 by deleting from Column A and the corresponding Column B the words “heirs”, “manpower” and “manmade”.

VOTE ON MOTION TO AMEND TABLE 2 BY DELETING FROM COLUMN A AND THE CORRESPONDING COLUMN B THE WORDS “HEIRS”, “MANPOWER” AND “MANMADE”.

Yeses: Lojewski

Nees: Sanford, Williams, Tacke, Gray, Lyke, Quist, Cooper

MOTION FAILED  1 Yeses, 7 Noes

Discussion ensued.
PUBLIC HEARING – continued

TACKE,  
Seconded by GRAY  

Discussion ensued.

WILLIAMS,  
Seconded by TACKE  

moved to amend Line 16 by removing the word “created”.

VOTE ON MOTION TO AMEND THE AMENDMENT BY DELETING LINE 16.

Yeses:  
Lyke, Williams, Sanford, Tacke, Gray  

Noes:  
Lojewski, Quist, Cooper  

MOTION CARRIED  
5 Yeses, 3 Noes  

Discussion ensued.

VOTE ON MOTION TO AMEND BY DELETING LINE 16, AS AMENDED.

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

Noes:  
Lojewski, Quist  

MOTION CARRIED  
6 Yeses, 2 Noes  

TACKE,  
Seconded by GRAY  

moved to amend Table 2 under Column B by adding “or successors” after “beneficiaries”.

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.
PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-09, AS AMENDED.

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

Noes: None

MOTION CARRIED 8 Yeses, 0 Noes

CONSIDERATION OF CALENDAR – Unfinished Business

NONE

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

Track 4, 15:00

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

Lance Roberts, resident of the borough, spoke in opposition to Resolution No. 2019-05.

Jimmy Fox, resident of the borough, spoke in support of Resolution No. 2019-05.

Asa Dowdy, resident of the borough, spoke for one additional minute and thanked the assembly for the opportunity to speak.

Lance Roberts, resident of the borough, spoke for one additional minute about Governor Dunleavy’s FY 2020 proposed budget and its effects on the permanent fund.

CONSIDERATION OF CALENDAR – New Business – Resolutions

a. RESOLUTION NO. 2019-07. A Resolution Authorizing The Issuance Of General Obligation Bonds Of The Borough In A Principal Amount Not To Exceed $11,000,000 To Finance The Cost Of Capital Improvements To Certain Borough Facilities, As Authorized By Ordinance No. 2016-35 (Ratified By The Borough’s Voters At An Election Held On October 4, 2016); Authorizing Tax Levies To Pay The Principal Thereof And Interest Thereon; And Authorizing The Sale Of The Bonds To The Alaska Municipal Bond Bank On The Terms And Conditions Provided In This Resolution. (Sponsor: Mayor Ward)

Track 4, 26:38
CONSIDERATION OF CALENDAR – New Business – Resolutions - continued

Debbie Brady, Chief Financial Officer, David Thompson, Bond Counsel and Alex Handler, Financial Advisor, gave a staff report.

TACKE, Seconded by WILLIAMS moved to adopt Resolution No. 2019-07.

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2019-07.

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

Noes: Lojewski

MOTION CARRIED 7 Yeses, 1 Noes

b. RESOLUTION NO. 2019-05. A Resolution Opposing Governor Dunleavy’s Proposed FY2020 Budget Priorities And Related Legislation. (Sponsors: Assemblymembers Williams and Cooper)

Track 4, 42:36

Assemblymember Williams gave a staff report.

LOJEWSKI, Seconded by TACKE moved to adopt Resolution No. 2019-07.

Discussion ensued regarding potential conflicts of interest.

Presiding Officer Cooper passed the gavel to Finance Committee Chair Quist and declared a potential conflict of interest on Resolution No. 2019-05 as he is employed by the University of Alaska Fairbanks. Assemblymember Quist ruled a conflict did not exist and passed the gavel back to Presiding Officer Cooper.

LOJEWSKI, DIED FOR LACK OF A SECOND moved to appeal the decision of The Chair regarding Mr. Cooper’s potential conflict of interest.

Assemblymember Williams declared a potential conflict of interest on Resolution No. 2019-05 as she is employed by the University of Alaska Fairbanks. The Chair ruled a conflict did not exist.
CONSIDERATION OF CALENDAR – New Business – Resolutions – continued

Assemblymember Quist declared a potential conflict of interest on Resolution No. 2019-05 as he is employed by the University of Alaska Fairbanks. The Chair ruled a conflict did not exist.

Assemblymember Gray declared a potential conflict of interest on Resolution No. 2019-05 as he is employed by the University of Alaska Fairbanks. The Chair ruled a conflict did not exist.

Discussion ensued.

Presiding Officer Cooper passed the gavel to Finance Chair Quist.

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2019-05.

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

Noes: Lojewski

MOTION CARRIED 7 Yeses, 1 Noes

Finance Chair Quist passed the gavel back to Presiding Officer Cooper.

c. RESOLUTION NO. 2019-06. A Resolution In Support Of A Law Enforcement Firing Range & Training Facility For Interior Alaska. (Sponsor: Mayor Ward)

Track 2, 12:20

Without objection this measure was read by title and approved under the consent agenda.
CONSIDERATION OF CALENDAR — New Business — Ordinances To Be Referred To Committees Or Commissions

a. ORDINANCE NO. 2019-11. An Ordinance Rezoning Approximately 584 Acres, Including Silver Creek Subdivision Lots 1 Through 6, Tract A And Tract B, And South Half (S½) Of Southeast One-Quarter (SE¼), Section 35, T2N R1W FM From General Use 1 (GU-1) To Rural And Agricultural 5 (RA-5) Or Other Appropriate Zone, And; Northeast One-Quarter (NE¼) And North Half (N½) Of Southeast One-Quarter (SE¼), Section 35, T2N R1W FM From General Use 1 (GU-1) To Rural Estate 2 (RE-2) Or Other Appropriate Zone (Located On The North Side Of Goldstream Road, Approximately One Mile West Of The Old Steese Highway) (RZ2019-003). (Sponsor: Mayor Ward)

Track 2, 12:20

Without objection this measure was read by title and referred under the consent agenda to the Planning Commission with recommendation due back no later than April 15, 2019.

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

Track 2, 12:20

(Sponsors: Mayor Ward and Assemblymember Cooper)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Assembly Worksession on March 2, 2019; Referred to the Committee of the Whole on March 21, 2019; Advanced to April 11, 2019 for Public Hearing.

b. ORDINANCE NO. 2018-20-1V. An Ordinance Amending The FY 2018-19 Budget By Appropriating $1,043,038 From The Facilities Maintenance Reserve To The Capital Projects Fund For The Mary Siah Recreation Center Improvement Project.
(Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on March 7, 2019; Advanced to March 14, 2019 for Public Hearing.
CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing - continued

c. ORDINANCE NO. 2018-20-1W. An Ordinance Amending The FY 2018-19 Budget By Reallocating $227,244 Within The Capital Projects Fund To Be Used As A Required Match For The Tanana River Recreation Area Access Improvements Project Located Within The Tanana Lakes Recreation Area To Be Constructed By The Federal Highway Administration. (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 12, 2019; Referred to the Committee of the Whole on March 21, 2019; Advanced to March 28, 2019 for Public Hearing.

CITIZENS’ COMMENTS – Limited To 3 Minutes (Continuation if needed)
Track 5, 11:55

b. Items that are not scheduled on the agenda.

NONE

ASSEMBLYMEMBER’S COMMENTS
Track 5, 16:50

Assemblymember Quist commented he is looking forward to the Saturday Assembly Worksession. Mr. Quist is holding his “Office Hours” sessions on Tuesdays preceding Assembly Meetings at the Noel Wien Library from 6:00 p.m. – 8:00 p.m.

Assemblymember Williams congratulated the Fairbanks City Council for passing Ordinance 6093.

Assemblymember Sanford also congratulated the Fairbanks City Council for passing Ordinance 6093.

Assembly Schedule for Saturday, March 2\textsuperscript{nd} and the week of March 4, 2019:

- Saturday, March 2\textsuperscript{nd} Assembly Worksession at 9:00 a.m. in the Prow Room at the Carlson Center. Please note after the agenda was published the room location changed from the Pioneer to Prow Room.

- Thursday, March 7\textsuperscript{th} 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 9:46 p.m.

Matt Cooper
Presiding Officer

ATTEST:

April Trickey, CMC
Borough Clerk

APPROVED: March 14, 2019