FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
March 28, 2019
6:00 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, March 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 (Ex. 9:15 p.m.)  Liz Lyke
Christopher Quist                  Shaun Tacke
Andrew M. Gray                    Marna Sanford
Leah Berman Williams              Angela Major

Comprising a quorum of the Assembly, and

Bryce J. Ward, Borough Mayor
Jim Williams, Chief of Staff
Ben Jaffa, Assistant Borough Attorney
Christine Nelson, Community Planning Director
Cory Beal, Chief Procurement Officer
David Bredlie, Public Works Director
Perry Walley, City of North Pole Representative (Arr. 6:37 p.m.)
Allyson Lambert, School Board Representative (Arr. 6:37 p.m.)
Bob Jordan, Solid Waste Manager
Steve Taylor, Recreation Superintendent
Shelley Rowton, Land Officer
Eric Muehling, Planning Commission Vice Chair
April Trickey, CMC, Borough Clerk
Melanie Desmond, Research Assistant

Absent and Excused

NONE
NONSECTARIAN INVOCATION AND PLEDGE OF ALLEGIANCE  
Track 1, 00:23

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, 01:55

Presiding Officer Cooper removed items 16. a. and 16. b. under Consideration Of Calendar – New Business – Resolutions from the consent agenda:

RESOLUTION NO. 2019-12. A Resolution Calling On The Alaska State Legislature To Remove The Mandatory Exemptions Established In AS 29.45.030 For Senior Citizens And Disabled Veterans. (Sponsor: Mayor Ward)

RESOLUTION NO. 2019-13. A Resolution Authorizing The Mayor To Grant An Easement To The State Of Alaska, Department Of Transportation And Public Facilities Within Section 35, T.1S., R.1E., F.M. (Flood Control Drainage Channel B). (Sponsor: Mayor Ward)

CITIZEN'S COMMENTS  
Track 1, 02:40

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.

Anna Nelson, resident of the borough, spoke against Resolution No. 2019-12.

Dirk Nelson, resident of the borough, spoke against Resolution No. 2019-12.

Dr. Jeanne Olson, resident of the borough, spoke against Resolution No. 2019-12.

Shellie Wyatt, resident of the borough, spoke against Resolution No. 2019-12.

Scott Calder, resident of the borough, spoke against Resolution No. 2019-12.
CITIZEN'S COMMENTS – continued

Don Ross, resident of the borough, spoke against Resolution No. 2019-12.

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

Dr. Jeanne Olson, resident of the borough, reported on the activities of Citizen’s for Clean Air.

Patrice Lee, resident of the borough and member of Citizen’s for Clean Air, reported on the electrostatic precipitators (ESPs) co-op formation and suggested the implementation of a regional energy policy.

Mikki Rosser, resident of the borough, thanked the Assembly and the Mayor for passing Ordinance No. 2018-20-1V. Ms. Rosser invited the Assembly to the Spring Swim at Mary Siah Recreation Center on April 9th from 3:30-4:45 p.m.

Steve Lowry, resident of the borough, spoke against Ordinance No. 2019-01, and encouraged the Assembly to listen to the public regarding this matter.

Gary Newman, resident of the borough, spoke about the lack of broadband in the Fairbanks area, and the time it takes to download assembly packets.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

*Track 1, 50:05*

The Clerk read the consent agenda.

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

WITHOUT OBJECTION, SO ORDERED.

**APPROVAL OF MINUTES**

*Track 1, 50:05*

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

Without objection this measure was read by title and approved under the consent agenda.
COMMUNICATIONS TO THE ASSEMBLY

a. IFB Award: IFB Number 19051
   Fire Extinguisher Inspections and Maintenance

   Approval of Lot One as submitted by Arctic Fire & Safety, Inc. in the amount of $34,140.45 for the initial contract period, and an estimated amount of $170,702.25 if the four one-year renewal options are exercised.

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

b. IFB Award: IFB Number 19046
   Badger Transfer Site Expansion Phase II

   Approval of Base Bid in the amount of $439,440.00, Alternate 1 of $97,000.00 and Alternate 2 of $35,000.00 as submitted by Great Northwest Inc., for a total amount of $571,940.00.

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

c. Memorandum from Mayor Ward recommending the appointment of Ruben Mardes Clayton III to the Ester Fire Service Area Commission.

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

d. Memorandum from Mayor Ward recommending the appointment of Jacqueline Morton to the Platting Board.

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

MESSAGES FROM THE BOROUGH MAYOR

Clerk’s Note: This item was not heard due to time limitations as set forth in FNSBC 3.16.010(I).

REPORTS OF SPECIAL AND STANDING COMMITTEES

Clerk’s Note: This item was not heard due to time limitations as set forth in FNSBC 3.16.010(I).
REPORTS FROM REPRESENTATIVES
Track 2, 00:46

a. Report from the City of Fairbanks Representative.

NONE

b. Report from the City of North Pole Representative.

Councilmember Walley reported:

- Ordinance 19-03 and 19-04 were adopted creating routes for commercial traffic in the City of North Pole.
- The vacant North Pole Police Department position was filled.
- A new ambulance has been ordered and will be delivered soon.
- The Homestead pedestrian path Old Richardson Highway Overpass matching grant has been increased and the project will proceed this summer.
- Mayor Welch formed a Citizens Advisory Finance Committee to look at the city's finances, study effects of the proposed state budget, and provide recommendations to the Council.
- The Moose Creek water expansion project routes are under discussion.

c. Report from the School Board Representative.

School Board Representative Allyson Lambert reported:

- Thanked FNSB Chief of Staff Williams for his presentation at the School Board’s March 18 Worksession regarding the borough budget process.
- Resolution 2019-20, opposing reductions in education funding, was adopted and distributed to state and local governments.
- The FY2019/20 recommended budget was approved on March 20.
- The School District’s budget presentation to the FNSB Assembly will be April 18.
- Education funding advocacy remains at the forefront for the board.
- Public input on the budget is welcome and can be given on the School District’s webpage k12.northstar.org.
- Dr. Gaborik hosted a Facebook Live event on March 28, which can be viewed at k12.northstar.org.
- The next regular board meeting is April 2, at 6:00 p.m.
SPECIAL ORDERS – PUBLIC HEARING

a. ORDINANCE NO. 2019-10. An Ordinance Amending FNSBC Title 18 Regarding Small Wireless Facilities And To Amend The Definitions Of And Standards For Communication Towers, And Amending Chapter 21.05 FNSBC, Street Address Assignments. (Sponsor: Mayor Ward)

Track 2, 08:55

Christine Nelson, Community Planning Director, and Eric Muehling, Planning Commission Vice Chair, gave a staff report.

The Presiding Officer called for public testimony.

Shawn Uschman, resident of Palmer and AT&T Director of External Affairs, spoke in support of Ordinance No. 2019-10 and added that this ordinance will help AT&T meet their goal to improve service to the Fairbanks North Star Borough.

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

Discussion ensued.

TACKE, Seconded by WILLIAMS

moved to adopt Ordinance No. 2019-10.

LOJEWSKI, Seconded by QUIST

moved to substitute Ordinance No. 2019-10.

QUIST, Seconded by TACKE

moved to amend Line 400 by replacing “10%” with “110%”.

Discussion ensued.

LOJEWSKI, Seconded by MAJOR

moved to amend the amendment by replacing “10%” with “110%” and by deleting “more than”.

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.

Discussion ensued.
PUBLIC HEARING – CONTINUED

VOTE ON MOTION TO AMEND BY REPLACING “10%” WITH “110%” AND BY DELETING “MORE THAN”, AS AMENDED.

WITHOUT OBJECTION, SO ORDERED.

The Chair ruled a vote on the substitute will carry the main motion.

VOTE ON MOTION TO SUBSTITUTE AND ADOPT ORDINANCE NO. 2019-10, AS AMENDED.

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

Noes: Lyke

MOTION CARRIED 8 Yeses, 1 Noes


(Sponsor: Mayor Ward)
Track 2, 47:24

Shelley Rowton, Land Officer, gave a staff report.

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

GRAY, Seconded by TACKE
moved to adopt Ordinance No. 2019-13.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2019-13.

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

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes
c. **ORDINANCE NO. 2018-20-1U.** An Ordinance Amending The FY 2018-19 Budget By Appropriating $300,000 From The Solid Waste Collection District Fund Fund Balance To The Multi-Year General Subfund For Transfer Sites Attendant Services. (Sponsor: Mayor Ward)

Track 3, 00:15

Bob Jordan, Solid Waste Manager, gave a staff report.

The Presiding Officer called for public testimony.

Gary Newman, resident of the borough, spoke in support of Ordinance No. 2018-20-1U.

Scott Calder, resident of the borough, spoke against Ordinance No. 2018-20-1U.

Bernard Marschner, resident of the borough, spoke in support of Ordinance No. 2018-20-1U.

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

GRAY, Seconded by WILLIAMS

moved to adopt Ordinance No. 2018-20-1U.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2018-20-1U.

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

Noes: Lojewski, Tacke

MOTION CARRIED 7 Yeses, 2 Noes

d. **ORDINANCE NO. 2018-20-1X.** An Ordinance Amending The FY 2018-19 Budget By Appropriating $18,915 In Federal Pass-Through Grant Funding To The Capital Projects Fund For The Purchase Of Sport Wheelchairs To Be Used By The Adaptive Recreation Program. (Sponsor: Mayor Ward)

Track 3, 43:20

Steve Taylor, Recreation Superintendent, gave a staff report.
PUBLIC HEARING – continued

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

TACKE, Seconded by GRAY

moved to adopt Ordinance No. 2018-20-1X.

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2018-20-1X.

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

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

e. ORDINANCE NO. 2018-48. An Ordinance Rezoning Approximately 420 Acres, Described As Shuros Subdivision – Block 2, Schroeder Property Waiver – Tract B And Tract C, Section 28 T1N R1W FM – TL-2805, Section 29 T1N R1W FM – TL-2914 And GL-16 From Rural Residential (RR) To Outdoor Recreational (OR) Or Other Appropriate Zone (Located On The South Side Of Farmers Loop Road, Near Milepost 6) (RZ2019-001).

(Sponsors: Assemblymembers Lyke and Lojewski)

Presiding Officer Cooper passed the gavel to Deputy Presiding Officer Major.

Assemblymember Cooper declared a potential conflict of interest on Ordinance No. 2018-48 as he is employed by the University of Alaska Fairbanks (UAF), which is an interested party in this rezone. Mr. Cooper provided legal advice to UAF regarding this rezone. The Chair ruled a conflict did exist and Mr. Cooper was excused from the dais.

Assemblymember Lojewski and Christine Nelson, Community Planning Director, gave a staff report.

The Deputy Presiding Officer called for public testimony.

Sara Tabbert, resident of the borough, spoke against Ordinance No. 2018-48.

Matthew Banning, resident of the borough, spoke against Ordinance No. 2018-48.
Molly Yazwinski, resident of the borough and President of the Alaska Skijoring and Pulk Association, spoke against Ordinance No. 2018-48.

Eric Muehling, resident of the borough, spoke against Ordinance No. 2018-48.

Patrick Marlow, resident of the borough, spoke against Ordinance No. 2018-48.

Susan Miller, resident of the borough, spoke against Ordinance No. 2018-48.

Stan Justice, resident of the borough, spoke against Ordinance No. 2018-48.

Jamie Marschner, resident of the borough, spoke against Ordinance No. 2018-48.

Bernard Marschner, resident of the borough, spoke against Ordinance No. 2018-48.

Dan Greiner, resident of the borough, spoke against Ordinance No. 2018-48.

Juliette Funck, resident of the borough, spoke against Ordinance No. 2018-48.

Lindsey Dreese, resident of the borough, spoke against Ordinance No. 2018-48.

Sig Siebeneich, resident of the borough, spoke against Ordinance No. 2018-48.

Alan Jubenville, resident of the borough, spoke against Ordinance No. 2018-48.

Maia Genaux, resident of the borough, spoke against Ordinance No. 2018-48.

Karl Franke, resident of the borough, spoke against Ordinance No. 2018-48.

Jim Altherr, resident of the borough, spoke against Ordinance No. 2018-48.

Kailyn Davis, resident of the borough, spoke against Ordinance No. 2018-48.

Jeff Benowitz, resident of the borough, spoke against Ordinance No. 2018-48.

Jenny Brown, resident of the borough, spoke against Ordinance No. 2018-48.

Carl Erhart, resident of the borough, spoke against Ordinance No. 2018-48.

Chris Van Dyck, resident of the borough, spoke against Ordinance No. 2018-48.
PUBLIC HEARING – continued

Don Duncan, applicant and resident of the borough, spoke in support of Ordinance No. 2018-48.

Jennifer Probert, resident of the borough, spoke against Ordinance No. 2018-48.

Maia Genaux, resident of the borough, spoke for one additional minute.

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

GRAY, moved to adopt Ordinance No. 2018-48.
Seconded by TACKE

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2018-48.

Yeses: None

Noes: Lyke, Tacke, Quist, Gray, Sanford, Williams, Major

MOTION FAILED 0 Yeses, 7 Noes

The Deputy Presiding Officer passed the gavel back to Presiding Officer Cooper who returned to the dais.

CONSIDERATION OF CALENDAR – Unfinished Business

NONE

CITIZENS’ COMMENTS – Limited To 3 Minutes (Continuation if needed)
Track 5, 51:13

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

Carl Franke, resident of the borough, spoke against Resolution No. 2019-12.

Maia Genaux, resident of the borough, spoke against Resolution No. 2019-12.
CONSIDERATION OF CALENDAR – New Business – Resolutions


a. RESOLUTION NO. 2019-12. A Resolution Calling On The Alaska State Legislature To Remove The Mandatory Exemptions Established In AS 29.45.030 For Senior Citizens And Disabled Veterans. (Sponsor: Mayor Ward)

Track 6, 00:02

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

Mayor Ward gave a staff report.

WILLIAMS, Secended by TACKE moved to adopt Resolution No. 2019-12.

WILLIAMS, Secended by TACKE moved to amend Line 46 by replacing "remove" with "adequately fund the tax exemption reimbursement program and provide reimbursement to the Borough for" and amend Line 8 by replacing "remove" with "reimburse".

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 46 BY REPLACING "REMOVE" WITH "ADEQUATELY FUND THE TAX EXEMPTION REIMBURSEMENT PROGRAM AND PROVIDE REIMBURSEMENT TO THE BOROUGH FOR" AND AMEND LINE 8 BY REPLACING "REMOVE" WITH "REIMBURSE".

Yesses: Williams, Cooper

Noes: Tacke, Sanford, Lyke, Gray, Quist, Major

MOTION FAILED 2 Yeses, 6 Noes

Discussion ensued.

GRAY, Secended by MAJOR moved to amend Line 8 by replacing "remove" with "amend"
CONSIDERATION OF CALENDAR – New Business – Resolutions - continued

Clerk’s Note: This item was not completed due to time limitations set forth in FNSBC 3.16.010(I). Resolution No. 2019-12 will appear on the April 11, 2019 agenda under Unfinished Business.

Discussion ensued.

SUSPENSION OF THE RULES

MAJOR, Seconded by LYKE

moved to suspend the rules to complete Resolution No. 2019-12.

VOTE ON MOTION TO SUSPEND THE RULES TO COMPLETE RESOLUTION NO. 2019-12.

Yeses: Williams, Lyke, Major, Cooper

Noes: Tacke, Quist, Sanford, Gray,

MOTION FAILED 4 Yeses, 4 Noes

CONSIDERATION OF CALENDAR – New Business – Resolutions - continued

b. RESOLUTION NO. 2019-13. A Resolution Authorizing The Mayor To Grant An Easement To The State Of Alaska, Department Of Transportation And Public Facilities Within Section 35, T.1S., R.1E., F.M. (Flood Control Drainage Channel B). (Sponsor: Mayor Ward) Track 5, 57:00

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

Mayor Ward gave a staff report.

TACKE, Seconded by QUIST

moved to adopt Resolution No. 2019-13.

Discussion ensued.
CONSIDERATION OF CALENDAR – New Business – Resolutions - continued

WILLIAMS, Seconded by TACKE moved to amend Line 50 by replacing “removal and reinstatement of” with “extending”, and Line 53 by adding “and comply with any and all applicable floodplain permits” after “repair”.

Discussion ensued.

WITHOUT OBJECTION, SO ORDERED.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2019-13, AS AMENDED.

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

Noes: None

MOTION CARRIED 8 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

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)

Clerk’s Note: This item was not heard due to time limitations as set forth in FNSBC 3.16.010(I). Ordinance No. 2019-11 will appear on the April 11, 2019 agenda under CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing.
CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing - continued

Track 1, 50:05

Without objection the measure was read by title, introduced and referred under the consent agenda to the Committee of the Whole on April 4, 2019; Advanced to April 11, 2019 for Public Hearing.

(Sponsor: Assemblymember Cooper)
Track 1, 50:05

Without objection the measure was read by title, introduced and referred under the consent agenda to the Committee of the Whole on April 4, 2019; Advanced to April 11, 2019 for Public Hearing.

(Sponsor: Mayor Ward)
Track 1, 50:05

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on April 4, 2019; Advanced to April 11, 2019 for Public Hearing.

e. ORDINANCE NO. 2018-20-1Y. An Ordinance Amending the FY 2018-19 Budget By Reappropriating $75,000 From The Department Of The Assembly In the General Fund To The Capital Projects Fund For The Purpose Of Funding The Replacement Of Election Equipment And Software.
(Sponsor: Assemblymember Cooper)
Track 1, 50:05

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on April 4, 2019; Advanced to April 11, 2019 for Public Hearing.
CITIZENS’ COMMENTS – Limited To 3 Minutes (Continuation if needed)

Clerks’ Note: The Presiding Officer reordered the agenda to hear Citizens’ Comment B after Citizens’ Comments A.

b. Items that are not scheduled on the agenda.

Scott Calder, resident of the borough, spoke in support of the changes taking place at the Mary Siah Recreation Center and gave his thoughts on transfer station attendants.

ASSEMBLYMEMBER’S COMMENTS

Clerk’s Note: This item was not heard due to time limitations as set forth in FNSBC 3.16.010(I).

ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting adjourned at 11:30 p.m.

Matt Cooper
Presiding Officer

ATTEST:

April Trickey, CMC
Borough Clerk

APPROVED: April 11, 2019