

ASSEMBLY

Mike Musick, Presiding Officer
Guy Sattley, Deputy Presiding Officer
Tim Beck
Hank Bartos
Joseph Blanchard II
Kelly Brown
Nadine Winters
Matt Want
Natalie Howard

BOROUGH MAYOR

Luke T. Hopkins

BOROUGH ATTORNEY

Rene Broker

BOROUGH CLERK

Mona Lisa Drexler, MMC

FAIRBANKS NORTH STAR BOROUGH

Regular Assembly Meeting

January 28, 2010

Borough Chambers

6:00 p.m.

1. **CALL TO ORDER**
2. **NON-SECTARIAN INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF AGENDA AND CONSENT AGENDA**

(Approval of the consent agenda passes all routine items indicated by an asterisk (*) on the agenda. Consent agenda items are not considered separately unless an Assemblymember(s) so requests. Note: If the consent item to be removed is an ordinance up to be introduced, advanced, or referred, it takes two Assemblymembers to remove the item from the consent agenda. In the event of such a request, the item is returned to the general agenda.)

6. CITIZEN'S COMMENTS – Limited To Three (3) Minutes (Citizen's Comments must conclude by 6:50 p.m.)

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

7. APPROVAL OF MINUTES

NONE

8. COMMUNICATIONS TO THE ASSEMBLY

- a. Report from the City of Fairbanks Representative.
- b. Report from the City of North Pole Representative.
- c. Report from the School Board Representative.
- *d. Memorandum from Mayor Hopkins dated January 28, 2010 regarding the appointment of Jack Rasmussen to the Animal Control Commission. **(PAGE 8)**
- *e. Memorandum from Mayor Hopkins dated January 28, 2010 regarding the appointment of Larry Morris Trails Advisory Commission. **(PAGE 10)**
- *f. Memorandum from Mayor Hopkins dated January 28, 2010 regarding the appointment of Michael L. Robinson to the Transportation Advisory Commission. **(PAGE 12)**
- g. An Appeal for Waiver of Penalty and Interest on Property Taxes for Saint Frances, LLC –Lot 5, Block 1, Bentley Trust North, submitted by Krislyn DeLeon, c/o Saint Frances, LLC, dated December 21, 2009. **(PAGE 15)**

9. MESSAGES FROM THE BOROUGH MAYOR

10. REPORTS OF SPECIAL AND STANDING COMMITTEES

11. SPECIAL ORDERS – Public Hearing At 7:00 p.m. (Comments limited to three (3) minutes)

- a. Liquor License – Transfer – Restaurant/Eating Place – License #4214
(PAGE 49)

From: A Taste Of Alaska Lodge
Deborah L. Eberhardt
551 Eberhardt Road

To: A Taste Of Alaska Lodge
Kory Walter Eberhardt
551 Eberhardt Road

- b. Restaurant Designation Application **(PAGE 55)**

A Taste Of Alaska Lodge – License #4214

- c. Liquor License – Transfer – Restaurant Eating Place **(PAGE 60)**

From: Lavelle's Bistro – License #4772
Café de Paris Catering Co
No Premise

To: Ajimi Restaurant – License #4772
Kwang Yul Lee
550 3rd St.

- d. Restaurant Designation Application **(PAGE 65)**

Ajimi Restaurant – License #4772

- e. Liquor License – Transfer – Beverage Dispensary **(PAGE 70)**

From: Xavier's – License #4530
Pacific Rim, Inc.
1288 Sadler Way

To: Xavier's – License # 4530
Xavier's Inc.
1288 Sadler Way

- f. Restaurant Designation Application **(PAGE 76)**

Xavier's – License #4530

Public Hearing - continued

- g. [ORDINANCE NO. 2010-01.](#) An Ordinance Rezoning TL 2611, Township 1 North, Range 2 West From Rural Estate-4 To Rural Agricultural-5 Or Other Appropriate Zone. (RZ2010-002) (Located north of Yankovich Road and west of Lawlor Road) (Sponsor: Mayor Hopkins) **(PAGE 83)**
- h. [ORDINANCE NO. 2010-02.](#) An Ordinance Amending Chapter 2.48 Regarding The Air Pollution Control Commission To Change Section 2.48.020 Members Designation And Section 2.48.120 Powers And Duties To Better Reflect The New Air Quality Issues The Borough Faces Regarding Mitigation Of Fine Particulate Pollution. (Sponsor: Mayor Hopkins) **(PAGE 161)**
- i. [ORDINANCE NO. 2010-03.](#) An Ordinance Amending The FY 2009-10 Budget By Transferring One Full-Time Equivalent Employee Position (FTE) From The Department Of Transportation To The Department Of Public Works. (Sponsor: Mayor Hopkins) **(PAGE 167)**
- j. [ORDINANCE NO. 2009-20-1S.](#) An Ordinance Amending The FY 2009-10 Budget By Appropriating \$190,858 From The Wildview Road Service Area Fund Balance To The Capital Projects Fund For The Wildview Road Service Area Road Upgrade Project. (Sponsor: Mayor Hopkins) **(PAGE 171)**

12. CONSIDERATION OF CALENDAR – Unfinished Business

- a. **NOTICE OF RECONSIDERATION FILED BY ASSEMBLYMEMBER BECK**

[ORDINANCE NO. 2009-54.](#) An Ordinance Adopting The North Pole Land Use Plan As An Element Of The Fairbanks North Star Borough Regional Comprehensive Plan. (Sponsor: Mayor Hopkins) **(PAGE 176)**

13. CONSIDERATION OF CALENDAR – New Business - Resolutions

- a. [RESOLUTION NO. 2010-04.](#) A Resolution Requesting \$2 Million Dollars To Complete An Environmental Impact Statement (EIS) On Realignment Of The Alaska Railroad In The Fairbanks Borough. (Sponsor: Assemblymember Bartos) **(PAGE 195)**

Resolutions – continued

- b. [RESOLUTION NO. 2010-05.](#) A Resolution Requesting The Alaska Legislature To Transfer Parcels Of Alaska Railroad Land To The Fairbanks North Star Borough For Recreational Purposes.
(Sponsor: Assemblymember Bartos) **(PAGE 198)**

- c. [RESOLUTION NO. 2010-07.](#) A Resolution Of The Borough Assembly Of The Fairbanks North Star Borough, Allocating Twenty Eight Million Of The Volume Cap Received By The Borough Pursuant To Section 1400U-1 Of The Internal Revenue Code Of 1986, As Amended, And The American Recovery And Reinvestment Act Of 2009, To The Alaska Gasline Port Authority, For Purposes Of Issuing Recovery Zone Facility Bonds To Finance The Construction, Reconstruction, Renovation Or Acquisition By The Authority Of Recovery Zone Property In The Borough.
(Sponsor: Assemblymember Beck) **(PAGE 201)**

- d. [RESOLUTION NO. 2010-08.](#) A Resolution To Encourage The Support Of Our Interior State Delegation And The Alaska Legislature To Oppose The Local Boundary Commission's Decision Regarding The Fred Meyer Subdivision Annexation. (Sponsor: Assemblymember Bartos)
(PAGE 206)

14. CONSIDERATION OF CALENDAR – New Business – Ordinances To Be Introduced And Advanced To Public Hearing

- *a. [ORDINANCE NO. 2010-10.](#) An Ordinance Amending 14.01.151 Relating To Service Area Commissioners Duties.
(Sponsor: Assemblymember Beck)
(Advance to February 11, 2010 for public hearing; refer to the Committee of the Whole February 4, 2010.) **(PAGE 209)**

- *b. [ORDINANCE NO. 2010-11.](#) An Ordinance Amending FNSBC 14.01.141 A and 14.02.050 B Regarding Service Area Meetings.
(Sponsor: Assemblymember Beck)
(Advance to February 11, 2010 for public hearing; refer to the Committee of the Whole February 4, 2010.) **(PAGE 211)**

- *c. [ORDINANCE NO. 2009-20-1T.](#) An Ordinance Amending The FY 2009-10 Budget By Appropriating \$362,023 In Federal Direct And Pass-Through Grant Funding To The Transit Enterprise Projects Fund For The Replacement Of The Macs Paratransit Van Fleet.
(Sponsor: Mayor Hopkins)
(Advance to February 11, 2010 for public hearing; refer to the Finance Committee February 4, 2010.) **(PAGE 214)**

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

NONE

16. 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).

17. ASSEMBLYMEMBER'S COMMENTS

18. ADJOURNMENT