

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

June 10, 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

- *a. Special Assembly Meeting minutes of April 29, 2010.
- *b. Regular Assembly Meeting minutes of May 6, 2010.
- *c. Reconvened Assembly Meeting minutes of May 13, 2010.

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 June 10, 2010 regarding the appointments of Fire Service Area Commissioners. **(PAGE 29)**
- *e. Memorandum from Mona Lisa Drexler, Municipal Borough Clerk, dated June 10, 2010 regarding certification of the Board of Equalization hearings for 2010. **(PAGE 47)**
- *f. Memorandum from Mayor Hopkins dated June 10, 2010 regarding renewal of Birch Horton, Bittner and Cherot Washington, DC Lobbying Contract. **(PAGE 49)**
- *g. Memorandum from Mayor Hopkins dated June 10, 2010 regarding Write-off of Uncollectible Taxes or Receivables. **(PAGE 50)**

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 – Beverage Dispensary **(PAGE 60)**

From: The Creek
Raço, Inc.
Richard A. & Theresa M. Quinn
3560 Old Richardson Hwy.

To: Moose Creek Lodge
H54B, Inc.
3560 Old Richardson Hwy.

- b. [ORDINANCE NO. 2009-20-2E](#). An Ordinance Amending The FY 2009-10 Budget By Reappropriating \$7,400 To The Special Revenue Fund For The Purpose Of Awarding Local Funding To World Eskimo-Indian Olympics. (Sponsor: Mayor Hopkins) **(PAGE 66)**
- c. [ORDINANCE NO. 2010-21](#). An Ordinance Providing For The Disposition Of Property Which Lies Within The City Of Fairbanks Which Has Been Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins) **(PAGE 71)**
- d. [ORDINANCE NO. 2010-22](#). An Ordinance Providing For The Disposition Of Property Which Lies Within The City Of North Pole Which Has Been Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins) **(PAGE 87)**
- e. [ORDINANCE NO. 2010-23](#). An Ordinance Directing The Retention For Public Purposes By The Fairbanks North Star Borough Of Certain Property Which May Lie Within The City Of Fairbanks, City Of North Pole And The Fairbanks North Star Borough, Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins) **(PAGE 94)**
- f. [ORDINANCE NO. 2010-24](#). An Ordinance Providing For The Sale Of Real Property Acquired Through Tax Foreclosure. (Sponsor: Mayor Hopkins) **(PAGE 98)**
- g. [ORDINANCE NO. 2010-25](#). An Ordinance Rezoning All Of Block 208A, Fairbanks Townsite, From Multiple Family Residential (MF) To General Commercial (GC) Or Other Appropriate Zone And A Portion Of Lot 208, Rickert Homestead, Also Known As TL 27, Section 16, Township 1 South, Range 1 West From Single Family Residential-10 (SF-10) To General Commercial (GC) Or Other Appropriate Zone. (Located on the west side of Cowles Street West and the south side of 16th Avenue) (RZ2010-005) (Sponsor: Mayor Hopkins) **(PAGE 159)**

Public Hearing – continued

Proposed Substitute by Planning Commission

[ORDINANCE NO. 2010-25](#). An Ordinance Rezoning All Of Block 208A, Fairbanks Townsite, From Multiple Family Residential (MF) To General Commercial (GC) With Special Limitations Or Other Appropriate Zone And A Portion Of Lot 208, Rickert Homestead, Also Known As TL 27, Section 16, Township 1 South, Range 1 West From Single Family Residential-10 (SF-10) To General Commercial (GC) With Special Limitations Or Other Appropriate Zone. (Located on the west side of Cowles Street West and the south side of 16th Avenue) (RZ2010-005) (Sponsor: Mayor Hopkins) **(PAGE 164)**

- h. [ORDINANCE NO. 2010-26](#). An Ordinance Amending Section 2.60.020 Of The Fairbanks North Star Borough Code Of Ordinances To Provide For An Appeal Deadline For a Record Request Denial. (Sponsor: Mayor Hopkins) **(PAGE 205)**
- i. [ORDINANCE NO. 2010-28](#). An Ordinance Adding A Chapter To Title 8 Of The FNSB Code Of Ordinances, Establishing The PM2.5 Air Quality Control Program, Including Adopting The Voluntary Solid Fuel Burning Appliance Removal, Replacement Or Repair Program, Regulating The Future Sale, Installation, And Use Of Solid Fuel Burning Appliances, And Requiring The Forecasting Of PM2.5 Exceedances With Voluntary Restrictions; Amending FNSB 1.04.050 Regarding Fine Schedule; Amending 2.48.120 Regarding The Duties Of The Air Pollution Control Commission; Amending Chapter 3.08 To Adopt The Air Quality Improvement Tax Credit; And Amending The FY 2009-10 Budget By Appropriating \$1,000,000 From The Fund Balance Of The General Fund To The Transit Enterprise Projects Fund For PM2.5 Air Quality Attainment And Maintenance. (Sponsor: Mayor Hopkins) **(PAGE 208)**

12. CONSIDERATION OF CALENDAR – Unfinished Business

NONE

13. CONSIDERATION OF CALENDAR – New Business - Resolutions

- a. [RESOLUTION NO. 2010-19](#). A Resolution Establishing The Rate Of Levy Of 2010 Real Property Taxes For Areawide, Non-Areawide, Solid Waste Collection District, And Service Areas Jurisdictions. (Sponsor: Mayor Hopkins) **(PAGE 227)**
(Attachment “A” Proposed Substitute – TO BE HAND CARRIED)

Resolutions – continued

- b. [RESOLUTION NO. 2010-26](#). A Resolution Of The Borough Assembly Of The Fairbanks North Star Borough, Allocating Twenty Million Dollars 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 Fairbanks Mob, LLC, Fairbanks Ambulatory Surgery Center Building, LLC And Fairbanks Campus Owners Association, For Purposes Of Issuing Recovery Zone Facility Bonds To Finance The Construction, Reconstruction, Renovation Or Acquisition By Fairbanks Mob, LLC, Fairbanks Ambulatory Surgery Center Building, LLC And Fairbanks Campus Owners Association Of Recovery Zone Property In the Borough. (Sponsor: Mayor Hopkins) **(PAGE 232)**

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

- *a. [ORDINANCE NO. 2010-29](#). An Ordinance Rezoning Government Lot 2, Section 5, Township 1 South, Range 1 West From Rural And Agricultural-5 To General Commercial Or Other Appropriate Zone And Government Lot 3, Section 5, Township 1 South, Range 1 West And N1/2 SE1/4 And N1/2 SW1/4 And Tract C, Section 32, Township 1 North, Range 1 West From Rural And Agricultural-5 To Mineral Lands Or Other Appropriate Zone. (Located north of College Road and east of Farmers Loop Road) (Sponsor: Mayor Hopkins) (RZ2010-004) (Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 241)**

Proposed Substitute by Planning Commission

[ORDINANCE NO. 2010-29](#). An Ordinance Rezoning Government Lot 2, Section 5, Township 1 South, Range 1 West From Rural And Agricultural-5 To [General] Light Commercial With Special Limitations Or Other Appropriate Zone And Government Lot 3, Section 5, Township 1 South, Range 1 West And N1/2 SE1/4 And N1/2 SW1/4 And Tract C, Section 32, Township 1 North, Range 1 West From Rural And Agricultural-5 To Mineral Lands With Special Limitations Or Other Appropriate Zone. (Located north of College Road and east of Farmers Loop Road) (Sponsor: Mayor Hopkins) (RZ2010-004) (Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 245)**

Ordinances to be Advanced - continued

- *b. [ORDINANCE NO. 2010-30.](#) An Ordinance Rezoning Tax Lot 2901, Tax Lot 2937, Tax Lot 2928, And Tax Lot 2926, Section 29, Township 1 North, Range 1 East From Rural And Agricultural-5 To Rural Estate-2 Or Other Appropriate Zone. (Located north of Chena Hot Springs Road and on the west side of Hillcrest Drive) (RZ2010-006)
(Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 312)**

Proposed Substitute by Planning Commission

[ORDINANCE NO. 2010-30.](#) An Ordinance Rezoning Tax Lot 2901, Tax Lot 2937, Tax Lot 2928, **[And Tax Lot 2926]**, Section 29, Township 1 North, Range 1 East From Rural And Agricultural-5 To Rural Estate-2 Or Other Appropriate Zone. (Located north of Chena Hot Springs Road and on the west side of Hillcrest Drive) (RZ2010-006)
(Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 316)**

- *c. [ORDINANCE NO. 2010-31.](#) An Ordinance Rezoning Lots 1, 2, 3, 4, 5, 6, 7, 8, And 9, Block 1, College Estates Subdivision From General Commercial To Single Family-5 Or Other Appropriate Zone And Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, And 12, Block 2, College Estates Subdivision From General Commercial To Single Family-5 Or Other Appropriate Zone. (Located on either side of RJ Loop and north of College Road) (RZ2010-007)
(Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 364)**
- *d. [ORDINANCE NO. 2010-32.](#) An Ordinance Authorizing The Mayor To Release The Deed Covenants And Restrictions Placed On Grieme Road Agricultural Subdivision Lots 1, 2, And 3 In Exchange For A Payment Of No Less Than \$20,000. (Sponsor: Assemblymembers Sattley & Howard)
(Advance to June 24, 2010 for public hearing; refer to the Committee of the Whole June 17, 2010.) **(PAGE 400)**
- *e. [ORDINANCE NO. 2009-20-2F.](#) An Ordinance Amending The FY 2009-10 Budget By Appropriating \$9,000 In State Grant Funding To The Special Revenue Fund For Equipment Purchases In Support Of Oil Spill And Hazardous Materials Response Capabilities For The FNSB Hazardous Materials Response Team. (Sponsor: Mayor Hopkins)
(Advance to June 24, 2010 for public hearing; refer to the Finance Committee June 17, 2010.) **(PAGE 403)**

Ordinances to be Advanced - continued

- *f. [ORDINANCE NO. 2009-20-2G](#). An Ordinance Amending The FY 2009-10 Budget By Reappropriating \$10,000 In Non-Departmental Funding To The Special Revenue Fund For The Purpose Of Awarding A Grant To The Fairbanks Art Association. (Sponsor: Mayor Hopkins)
(Advance to June 24, 2010 for public hearing; refer to the Finance Committee June 17, 2010.) **(PAGE 408)**

- *g. [ORDINANCE NO. 2009-20-2H](#). An Ordinance Amending The FY 2009-10 Budget By Reappropriating \$10,000 From The Mayor's Office/Economic Development – Areawide Budget To The Special Revenue Fund For The Purpose Of Awarding A Grant To North Pole Economic Development Corporation. (Sponsor: Mayor Hopkins & Assemblymember Winters)
(Advance to June 24, 2010 for public hearing; refer to the Finance Committee June 17, 2010.) **(PAGE 413)**

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