

FAIRBANKS NORTH STAR BOROUGH
Regular Assembly Meeting
June 24, 2021
6:00 p.m.

A Regular meeting of the Fairbanks North Star Borough Assembly was held Thursday, June 24, 2021, in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska.

There were present:

Mindy O'Neill, Presiding Officer and

Marna Sanford	Frank Tomaszewski
Tammie Wilson	Jimi Cash
Liz Lyke	Leah Berman Williams
Aaron Lojewski	Matt Cooper

Comprising a quorum of the Assembly, and

Bryce J. Ward, Borough Mayor
Jill S. Dolan, Borough Attorney
Debbie Brady, Chief Financial Officer
Cory Beal, Chief Procurement Officer
Christine Nelson, Community Planning Director
Michelle Michel, Human Resources Director
Michelle Denton, Transportation Director
Lonny Marney, City of Fairbanks Representative
April Smith, School Board Representative
Dave Halverson, Engineer
Jonathan Shambare, Design and Construction Manager
Michael Bredlie, Rural Services Manager
Peggy Macdonald, Treasury/Budget Manager
Mercedes Hansen, Treasurer's Assistant I
Brian Charlton, Parks & Recreation Project Coordinator
Melissa Kelner, Planner III
Bob Jordan, Solid Waste Manager
April Trickey, CMC, Borough Clerk
Adena Benn, CMC, Deputy Clerk

Absent & Excused

None

NONSECTARIAN INVOCATION AND PLEDGE OF ALLEGIANCE

Track 1, 00:25

Presiding Officer O’Neill gave a land acknowledgement recognizing we work throughout the unceded territories of the indigenous peoples of Alaska. Ms. O’Neill then gave a nonsectarian invocation and led the pledge of allegiance.

REQUEST FOR REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ANY OTHER PROCEDURAL MOTIONS

NONE

CITIZENS’ COMMENTS

Track 1, 03:20

- 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. Citizens’ comments on Board of Adjustment matters are not permitted.

NONE

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

Jyotsna Heckman, resident of the borough, requested code enforcement of blighted properties in the borough.

Stephen Heckman, resident of the borough, requested code enforcement of blighted properties in the borough.

Jeff Cook, resident of the borough, requested code enforcement of blighted properties in the borough.

Terry Duszynski, resident of the borough, requested code enforcement of blighted properties and junk yards in the borough.

David Hade, resident of the borough, spoke in support of rezoning Front Street.

Dan Portwine, resident of the borough, requested code enforcement of blighted properties in the borough.

Lisa Stoneking, resident of the borough, requested code enforcement on Front Street.

CITIZENS' COMMENTS – continued

Stephan Mitchell, resident of the borough, spoke in support of rezoning Front Street.

James Wright, resident of the borough, requested code enforcement on Front Street.

APPROVAL OF AGENDA AND CONSENT AGENDA

Track 1, 46:00

WILLIAMS,
Seconded by LOJEWSKI

moved to approve the agenda and consent
agenda as read.

VOTE ON MOTION TO APPROVE THE AGENDA AND CONSENT AGENDA AS READ.

Yeses:

Tomaszewski, Cooper, Williams, Sanford,
Wilson, Lyke, Cash, Lojewski, O'Neall

Noes:

None

MOTION CARRIED

9 Yeses, 0 Noes

APPROVAL OF MINUTES

Track 1, 46:00

- a. Regular Assembly Meeting minutes of June 10, 2021.

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

COMMUNICATIONS TO THE ASSEMBLY

Track 1, 46:00

- a. Change Order: For Contract Issued as a Result of RFP No. 20035
Construction and Demolition (C&D) Debris Disposal Area

Approval of a Change Order to HDR Engineering, Inc. in the amount of
\$196,980.00 for a total contract amount of \$704,749.11.

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

- b. Memorandum from Mayor Ward regarding a summary of intended land sale for fall
2021/FY22.

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

COMMUNICATIONS TO THE ASSEMBLY – continued

- c. Memorandum from Mayor Ward recommending the appointment of various road service area commissioners.

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

MESSAGES FROM THE BOROUGH MAYOR

Track 2, 00:15

Mayor Ward commented on:

- The COVID Risk Matrix on FNSB.gov is no longer being updated as of June 18. To get current Covid information please visit the State of Alaska data dashboards at <https://alaska-coronavirus-vaccine-outreach-alaska-dhss.hub.arcgis.com/>.
- A Fairbanks Independence Day Parade will be on Saturday, July 3rd this year.

REPORTS OF STANDING AND SPECIAL COMMITTEES

None

REPORTS FROM REPRESENTATIVES

Track 2, 01:40

- a. Report from the City of Fairbanks Representative.

Council Member Lonny Marney reported:

- On Monday, June 28, the Council will consider resolutions to distribute Coronavirus Local Fiscal Recovery Funds, to accept funding from the Bureau of Justice Assistance for the FY2021 Edward Byrne Memorial Justice Assistance Grant, and to request funds for demolition of the Polaris Building from federal infrastructure appropriations.

- b. Report from the City of North Pole Representative.

NONE

REPORTS FROM REPRESENTATIVES – continued

c. Report from the School Board Representative.

School Board Member April Smith reported:

- Summer programs and activities can be found on the District's website, www.k12northstar.org.
- The District is offering three options for students next year; In-person, E-learning, and Best Homeschool.
- Superintendent Dr. Karen Gaborik retires at the end of June and Karen Melin will be the Interim Chief School Administrator.
- The Career Education Center is working with students through the Intersession Program to complete credits to graduate this year.
- The next Regular Board meeting is August 17 at 6 p.m.

SPECIAL ORDERS – PUBLIC HEARING

a. ORDINANCE NO. 2021-18

An Ordinance Providing For The Sale Of Real Property Acquired Through Tax Foreclosure. (Sponsor: Mayor Ward)

Track 2, 08:10

Peggy Macdonald, Treasury/Budget Manager, gave a staff report.

The Presiding Officer called for public testimony.

Jim Lynch, resident of the borough, spoke against Ordinance No. 2021-18.

Rikki Marinello, resident of the borough, spoke against Ordinance No. 2021-18.

Samuel Harris, resident of the borough, spoke against Ordinance No. 2021-18.

Darryl Dennis, resident of the borough spoke against Ordinance No. 2021-18.

Milford Sweat, resident of the borough, spoke against Ordinance No. 2021-18.

Ryan Hollenbeck, resident of the borough, spoke against Ordinance No. 2021-18.

Stephen Moody, resident of the borough, requested clarification of the notification to property owners.

PUBLIC HEARING – continued

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

WILLIAMS,
Seconded by SANFORD

moved to adopt Ordinance No. 2021-18.

WILLIAMS,
Seconded by COOPER

moved to substitute Appendix A.

Discussion ensued.

LOJEWSKI,
Seconded by LYKE

moved to amend substitute Appendix A by deleting Lines 985 through 996, ID Number 18-35.

Discussion ensued.

VOTE ON MOTION TO AMEND SUBSTITUTE APPENDIX A BY DELETING LINES 985 THROUGH 996, ID NUMBER 18-35.

Yeses:

Tomaszewski, Cooper, Williams, Wilson,
Lyke, Cash, Lojewski, O’Neill

Noes:

Sanford

MOTION CARRIED

8 Yeses, 1 Noes

Discussion ensued.

VOTE ON MOTION TO SUBSTITUTE APPENDIX A, AS AMENDED.

Yeses:

Sanford, Tomaszewski, Wilson, Cash, Lyke,
Williams, Cooper, Lojewski, O’Neill

Noes:

None

MOTION CARRIED

9 Yeses, 0 Noes

PUBLIC HEARING – continued

LYKE,
Seconded by CASH

moved to amend Ordinance No. 2021-18 by replacing the dates in Lines 31 and 36 by deleting "August 25, 2021" and inserting "September 22, 2021" and in Line 38 by deleting "August 26, 2021" and inserting "September 23, 2021".

VOTE ON MOTION TO AMEND ORDINANCE NO. 2021-18 BY REPLACING THE DATES IN LINES 31 AND 36 BY DELETING "AUGUST 25, 2021" AND INSERTING "SEPTEMBER 22, 2021" AND IN LINE 38 BY DELETING "AUGUST 26, 2021" AND INSERTING "SEPTEMBER 23, 2021".

Yeses: Wilson, Tomaszewski, Lyke

Noes: Cash, Williams, Sanford, Cooper, Lojewski, O'Neill

MOTION FAILED 3 Yeses, 6 Noes

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2021-18, AS AMENDED.

Yeses: Cooper, Williams, Cash, Wilson, Tomaszewski, Sanford, O'Neill

Noes: Lyke, Lojewski

MOTION CARRIED 7 Yeses, 2 Noes

- b. ORDINANCE NO. 2021-19
An Ordinance Providing For The Disposition Of Property Which Lies Within The City Of Fairbanks Which Has Been Acquired Through Tax Foreclosure. (Sponsor: Mayor Ward)
Track 3, 23:20

Peggy Macdonald, Treasury/Budget Manager, gave a staff report.

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

WILLIAMS,
Seconded by LOJEWSKI

moved to adopt Ordinance No. 2021-19.

PUBLIC HEARING – continued

WILLIAMS,
Seconded by LOJEWSKI

moved to substitute Appendix A.

LOJEWSKI,
Seconded by LYKE

moved to amend substitute Appendix A by deleting Lines 100 through 111, ID Number 18-35.

Discussion ensued.

VOTE ON MOTION TO AMEND SUBSTITUTE APPENDIX A BY DELETING LINES 100 THROUGH 111, ID NUMBER 18-35.

Yeses: Williams, Sanford, Tomaszewski, Cooper, Lyke, Wilson, Cash, Lojewski, O’Neill

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

VOTE ON MOTION TO SUBSTITUTE APPENDIX A, AS AMENDED.

Yeses: Cooper, Wilson, Lyke, Tomaszewski, Sanford, Cash, Williams, O’Neill

Noes: Lojewski

MOTION CARRIED 8 Yeses, 1 Noes

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2021-19, AS AMENDED.

Yeses: Wilson, Cooper, Williams, Cash, Tomaszewski, Sanford, O’Neill

Noes: Lyke, Lojewski

MOTION CARRIED 7 Yeses, 2 Noes

PUBLIC HEARING – continued

- c. ORDINANCE NO. 2021-21
An Ordinance Amending FNSBC 2.08.030, FNSBC 4.04.170, FNSBC 4.80.060, And FNSBC 4.84.040 To Create A Boards And Commissions Division Of The Clerks Office And To Recognize The Transfer Of Certain Activities From The Community Planning Department To The Office Of The Borough Clerk. (Sponsor: Mayor Ward)
Track 3, 29:45

Jill Dolan, Borough Attorney, gave a staff report.

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

COOPER, moved to adopt Ordinance No. 2021-21.
Seconded by WILLIAMS

WILLIAMS, moved to amend Line 65 to insert "or their
Seconded by LOJEWSKI designee" after "The borough clerk".

Discussion ensued.

VOTE ON MOTION TO AMEND LINE 65 TO INSERT "OR THEIR DESIGNEE" AFTER "THE BOROUGH CLERK".

Yeses: Cash, Tomaszewski, Cooper, Lyke,
Williams, Sanford, Wilson, Lojewski,
O'Neill

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2021-21, AS AMENDED.

Yeses: Cash, Williams, Wilson, Sanford, Cooper,
Lyke Lojewski, O'Neill

Noes: Tomaszewski

MOTION CARRIED 8 Yeses, 1 Noes

PUBLIC HEARING – continued

- d. ORDINANCE NO. 2021-22
An Ordinance Rezoning Approximately 58 Acres From Light Industrial To Heavy Industrial Or Other Appropriate Zone For A Portion Of The N1/2 Of The NE1/4 Of Section 29, Township 1 South, Range 1 West And A Portion Of The S1/2 Of The SE1/4 Of The SE1/4 Of Section 20, Township 1 South, Range 1 West, Fairbanks Meridian, As Shown In Exhibit A (Located On The West Side Of Peger Road, North Of Tria Road) (RZ2021-004). (Sponsor: Assembly)
Track 3, 33:40

Melissa Kelner, Planner III, gave a staff report.

The Presiding Officer called for public testimony.

Gary Powell, applicant and resident of the borough, spoke in support of Ordinance No. 2021-22.

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

WILLIAMS, moved to adopt Ordinance No. 2021-22.
Seconded by COOPER

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2021-22.

Yeses: Sanford, Tomaszewski, Wilson, Cash, Lyke,
Williams, Cooper, Lojewski, O’Neall

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

- e. ORDINANCE NO. 2020-20-1X
An Ordinance Amending The FY 2020-21 Budget By Appropriating \$1,750,000 From The Solid Waste Disposal Enterprise Operating Fund Unrestricted Net Position To The Solid Waste Disposal Enterprise Projects Fund For Heavy Equipment Replacements. (Sponsor: Mayor Ward)
Track 3, 41:30

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

PUBLIC HEARING – continued

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

COOPER, moved to adopt Ordinance No. 2020-20-1X.
Seconded by WILLIAMS

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2020-20-1X.

Yeses: Lyke, Wilson, Sanford, Tomaszewski, Cash, Williams, Cooper, Lojewski, O’Neill

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

- f. ORDINANCE NO. 2020-20-1Y
An Ordinance Amending The FY 2020-21 Budget By Appropriating \$1,700,000 From The Solid Waste Disposal Enterprise Operating Fund Unrestricted Net Position To The Solid Waste Disposal Enterprise Projects Fund For A Cell 3 Leachate Recirculation Project. (Sponsor: Mayor Ward)
Track 3, 50:35

Jonathan Shambare, Design and Construction Manager, gave a staff report.

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

WILLIAMS, moved to adopt Ordinance No. 2020-20-1Y.
Seconded by LOJEWSKI

Discussion ensued.

PUBLIC HEARING – continued

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2020-20-1Y.

Yeses: Sanford, Lyke, Wilson, Williams, Cooper, Cash, Tomaszewski, Lojewski, O’Neill

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

g. ORDINANCE NO. 2020-20-1Z
An Ordinance Amending The FY 2020-21 Budget By Appropriating \$2,250 From The Haystack Service Area Fund Balance To Pay For Unexpected Road Maintenance Expenses. (Sponsor: Mayor Ward)
Track 3, 55:00

Michael Bredlie, Rural Services Manager, gave a staff report.

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

WILLIAMS, moved to adopt Ordinance No. 2020-20-1Z.
Seconded by COOPER

Discussion ensued.

VOTE ON MOTION TO ADOPT ORDINANCE NO. 2020-20-1Z.

Yeses: Cooper, Williams, Lyke, Cash, Wilson, Tomaszewski, Sanford, Lojewski, O’Neill

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

CONSIDERATION OF CALENDAR – Unfinished Business

NONE

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

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

NONE

CONSIDERATION OF CALENDAR – New Business – Resolutions

- a. RESOLUTION NO. 2021-23
A Resolution Ratifying The Monetary Terms Of The Negotiated Collective Bargaining Agreement Between The Alaska State Employees Association American Federation Of State, County And Municipal Employees, Local 52, AFL-CIO And The Fairbanks North Star Borough. (Sponsor: Mayor Ward)
Track 3, 59:05

Michelle Michel, Human Resources Director, gave a staff report.

COOPER, moved to adopt Resolution No. 2021-23.
Seconded by WILLIAMS

Discussion ensued.

VOTE ON MOTION TO ADOPT RESOLUTION NO. 2021-23.

Yeses: Sanford, Tomaszewski, Wilson, Cash, Lyke,
Williams, Cooper, Lojewski, O'Neall

Noes: None

MOTION CARRIED 9 Yeses, 0 Noes

- b. RESOLUTION NO. 2021-24
A Resolution Ratifying The Monetary Terms Of The Negotiated Collective Bargaining Agreement Between The Fairbanks North Star Borough Employees Association (FNSBEA) Local #6125, APEA/AFT (AFL-CIO) And The Fairbanks North Star Borough. (Sponsor: Mayor Ward)
Track 1, 46:00

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on July 15, 2021; Advanced to July 22, 2021.

Resolutions – continued

- c. RESOLUTION NO. 2021-25
A Resolution Authorizing The Mayor To Submit A Grant Application To The Department Of Defense, Office Of Local Defense Community Cooperation For The Defense Community Infrastructure Program For The Chena Lake Recreation Area Revitalization Project. (Sponsor: Mayor Ward)
Track 1, 46:00

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

- d. RESOLUTION NO. 2021-26
A Resolution Adopting The Fairbanks North Star Borough Public Transportation Agency Safety Plan. (Sponsor: Mayor Ward)
Track 1, 46:00

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

Track 1, 46:00

- a. ORDINANCE NO. 2021-23
An Ordinance Amending FNSBC Title 18 To Amend Definitions, Including Adding Child Care Homes, Child Care Group Homes And Child Care Centers; Adding These As Uses In Various Zoning Districts; And Making Other Related Changes.(Sponsor: Assemblymember Wilson)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Planning Commission meeting of August 24, 2021; Advanced to August 27, 2021.

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

Track 1, 46:00

- a. ORDINANCE NO. 2021-24
An Ordinance Amending Ordinance No. 2021-12 To Alter The Terms Of The Authorization For The Direct Sale Of A Portion Of Tract H-3 Of Alaska State Land Survey 87-17, Within Section 16, T.1S., R.1W., To An Adjoining Landowner (Located On The North Side Of 30th Avenue, East Of Peger Road, West Of North Van Horn Road). (Sponsor: Mayor Ward)

Ordinances To Be Introduced And Advanced To Public Hearing – continued

Without objection the measure was read by title, introduced and referred under the consent agenda to the Committee of the Whole on July 15, 2021; Advanced to July 22, 2021 for Public Hearing.

- b. ORDINANCE NO. 2021-25
An Ordinance Amending Ordinance No. 2020-20 (FY21 Budget) And Ordinance No. 2021-20 (FY22 Budget) To Waive Certain Cost Principles In FNSBC 7.08.010 For The FY 2020-21 (Half-Year) And FY 2021-22 Recurring Grants To The Fairbanks Economic Development Corporation And For The FY 2021-22 Recurring Grant To The Fairbanks Convention And Visitors Bureau DBA Explore Fairbanks. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on July 15, 2021; Advanced to July 22, 2021 for Public Hearing.

- c. ORDINANCE NO. 2021-20-1A
An Ordinance Amending The FY 2021-22 Budget By Accepting A Designated Gift And Appropriating \$92,791.11 To The Special Revenue And/Or Capital Projects Funds For The Fairbanks North Star Borough Animal Shelter. (Sponsor: Mayor Ward)

Without objection the measure was read by title, introduced and referred under the consent agenda to the Finance Committee on July 15, 2021; Advanced to July 22, 2021 for Public Hearing.

CITIZENS' COMMENTS – Limited To 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).

NONE

ASSEMBLYMEMBERS' COMMENTS

Track 2, 1:04:30

Assemblymember Williams reminded Assemblymembers there will be two Special Finance Committee meetings scheduled to discuss ARPA funding.

Assemblymember Wilson thanked the firefighters at the Haystack fire this week.

ASSEMBLYMEMBERS' COMMENTS – continued

Assemblymember Cash commented how difficult it was voting on the tax foreclosure Ordinances tonight and reminded all of the 4th of July Parade on Saturday, July 3rd.

Assemblymember Cooper appreciated the discussion on the tax foreclosure and encouraged all to review Mr. Jordan's spreadsheet for solid waste forecasting.

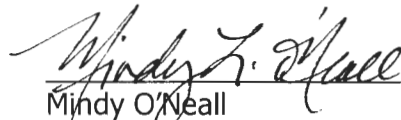
Assembly Schedule:

- Thursday, July 1: Legislative Priorities Committee meeting at 12:00 p.m. at or hosted from the Mona Lisa Drexler Assembly Chambers.
- This meeting will be conducted in-person and by zoom or zoom-only with consideration given to the Borough Operational Status. Please visit fnsb.gov or contact the Borough Clerk's Office at 459-1401 for more information.

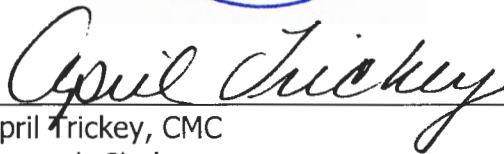
ADJOURNMENT

There being no further business to come before the Fairbanks North Star Borough Assembly, the meeting was adjourned at 9:32 p.m.




Mindy O'Neall
Presiding Officer

ATTEST:


April Trickey, CMC
Borough Clerk

APPROVED: July 22, 2021