



FAIRBANKS CITY COUNCIL  
AGENDA NO. 2014-07  
**REGULAR MEETING APRIL 07, 2014**  
FAIRBANKS CITY COUNCIL CHAMBERS  
800 CUSHMAN STREET, FAIRBANKS, ALASKA

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REGULAR MEETING

7:00 P.M.

1. ROLL CALL
2. INVOCATION
3. FLAG SALUTATION
4. CITIZENS COMMENTS, oral communications to Council on any item not up for Public Hearing. Testimony is limited to five (5) minutes. Any person wishing to speak needs to complete the register located in the hallway. Normal standards of decorum and courtesy should be observed by all speakers. Remarks should be directed to the City Council as a body rather than to any particular Council Member or member of the staff. In consideration of others, kindly silence all cell phone, electronic and messaging devices.
5. APPROVAL OF AGENDA AND CONSENT AGENDA  

(Approval of Consent Agenda passes all routine items indicated by an asterisk (\*). Consent Agenda items are not considered separately unless a Council Member so requests. In the event of such a request, the item is returned to the General Agenda).
6. APPROVAL OF PREVIOUS MINUTES
7. SPECIAL ORDERS
  - a) The Fairbanks City Council, Sitting as a Committee of the Whole, will hear interested citizens concerned with the following Liquor License Application for Transfer of Ownership, Location, Name Change and Restaurant

Designation Permit. Public Testimony will be taken and limited to five (5) minutes.

Type: Restaurant / Eating Place, License #4880

From: Geraldo's Restaurant & Pizzeria / Garlic Lovers LLC  
No Premises

To: Friar Tuck's Hoagie House / Joshua Roach & Stafford Roach  
427 Merhar Ave, Unit #2, Fairbanks

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5940 – An Ordinance Authorizing the Lease of Land Known as Golden Heart Plaza to Festival Fairbanks. Introduced by Mayor Eberhart. SECOND READING and PUBLIC HEARING.
- b) Ordinance No. 5941 – An Ordinance Amending the 2014 Operating and Capital Budgets for the First Time. Introduced by Mayor Eberhart. SECOND READING and PUBLIC HEARING.

10. NEW BUSINESS

- \*a) Ordinance No. 5943 – An Ordinance to Repeal Fairbanks General Code Chapter 14, Article III Transient Vendors and Reenact it as Article III Multi-Vendor Events. Introduced by Mayor Eberhart.
- \*b) Ordinance No. 5944 – An Ordinance to Amend Fairbanks General Code Chapter 14, Article XIII Business Licensing. Introduced by Mayor Eberhart.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)

- a) Committee Reports

12. COMMUNICATIONS TO COUNCIL

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT
15. CITY CLERK'S REPORT
16. EXECUTIVE SESSION – Labor Negotiations: IBEW and PSEA
17. ADJOURNMENT


# MEMORANDUM

City of Fairbanks Clerk's Office

Janey Hovenden, City Clerk

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TO: Mayor John Eberhart  
City Council Members

FROM: Janey Hovenden, MMC, City Clerk 

SUBJECT: Application for Liquor License Transfer

DATE: March 27, 2014

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An application has been received by the State Alcohol Beverage Control Board for transfer of ownership, location, and name change for the following liquor license along with an application for a Restaurant Designation Permit for the following applicant:

License Type: Restaurant/Eating Place  
DBA: **Friar Tuck's Hoagie House**  
Licensee/Applicant: Joshua Roach & Stafford Roach  
Physical Location: 427 Merhar Ave, Unit #2, Fairbanks AK

From: Geraldo's Restaurant & Pizzeria / Garlic Lovers LLC  
No Premises (formerly 701 College Road)

Pursuant to FCG Sec. 14-178, the Council must determine whether or not to protest the liquor license action after holding a public hearing.

FGC Section 14-168 (New Locations) requires advertising in the newspaper and mailing notice of the date, time and place of public hearing to all owners of record of land within 500 feet of the place where alcoholic beverages will be sold. The City Clerk has complied with this provision.

Earlier this year, the applicant applied for a new license, competing against another applicant for the only remaining one available from the ABC Board for our community. The other applicant prevailed. This applicant is now applying to have this license transferred to their establishment.

There are no departmental objections to the transfer of this license.

**ORDINANCE NO. 5940**

**AN ORDINANCE AUTHORIZING LEASE OF LAND KNOWN AS  
GOLDEN HEART PLAZA FROM THE CITY TO FESTIVAL FAIRBANKS**

**WHEREAS**, the City of Fairbanks is the owner of Lots 3 and 4, Block 4, Fairbanks Townsite, also known as “Golden Heart Plaza,” and the improvements thereon, as shown on attached “Exhibit A” Real Estate Lease, and;

**WHEREAS**, Festival Fairbanks, a not-for-profit community agency, has for many years promoted the public use, management, and maintenance of Golden Heart Plaza, all of which benefit the City of Fairbanks, its residents, and visitors; and

**WHEREAS**, management of the Property by Festival Fairbanks is deemed consistent with the provisions of Fairbanks General Code of Ordinances, Section 70 Article III “Golden Heart Plaza”; and

**WHEREAS**, lease of the Property to Festival Fairbanks will provide the basic rights necessary for them to effectively and legally manage the Plaza; and

**WHEREAS**, Festival Fairbanks has requested a lease for the management purposes stated above; and

**WHEREAS**, Fairbanks General Code of Ordinances Section 70-44 provides that the City may lease without public offering whenever the lessee is a not for profit organization; and,

**WHEREAS**, it is the sense of the City Council that lease of the Property described above is in the best interest of the community.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, as follows:

**SECTION 1.** That a lease instrument substantially in the form shown on attached “Exhibit A” is hereby authorized by Council for the purposes herein stated, providing for an initial two-year lease term with a one-year extension at the discretion of the City Mayor.

**SECTION 2.** That the Mayor is hereby authorized and directed to execute the lease on behalf of the City, and the City Clerk is authorized to attest and affix the City Seal to the instrument, the execution of which shall take place not less than thirty (30) days after the effective date of

this ordinance, as prescribed by section 8.3 of the City Charter and Sec. 7-56 of the Fairbanks General Code.

**SECTION 3.** That the effective date of this ordinance shall be the \_\_\_\_\_ day of April, 2014.

\_\_\_\_\_  
**John Eberhart, Mayor**

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, City Clerk

\_\_\_\_\_  
Paul Ewers, City Attorney

**EXHIBIT "A" to ORDINANCE No. 5940**

**REAL ESTATE LEASE**

THIS LEASE, made and effective as of the 14th day of April 2014 by the City of Fairbanks, a municipal corporation of the State of Alaska, with address of 800 Cushman Street, Fairbanks, Alaska 99701, hereinafter called Lessor, and FESTIVAL FAIRBANKS, INC., with address of 514 Second Avenue, Fairbanks, Alaska 99701, hereinafter called Lessee.

WITNESSETH:

WHEREAS, the City of Fairbanks, as trustee for the public, and pursuant to Ordinance 5940, hereby authorizes lease of the property described below, and under the conditions stated.

NOW THEREFORE, Lessor, in consideration of the rent hereinafter specified and of the mutual covenants and agreements herein expressed has leased and by these presents does lease that certain real property as follows:

1. Lease of Property. The Lessor leases to Lessee, and Lessee leases from Lessor, the real property located at Fairbanks, Alaska, more particularly described as follows:

Lots 3 and 4, Block 4, Fairbanks Townsite, also known as "Golden Heart Plaza," and the improvements thereon, as shown on the attached "Lease Exhibit 1 of 1."

2. Term. The term of this Lease shall be for two years, beginning April 14, 2014, and ending April 13, 2016.

3. Option. This lease may be renewed for one additional year at the sole discretion of the Mayor.

4. Use. Lessee shall use the Property in compliance with Fairbanks General Code of Ordinances Sections 70-96 through 70-99, "Golden Heart Plaza."

5. Rent. As compensation for use of the Property during the life of this lease, Lessee shall pay the sum of One Dollar (\$1.00) per year, paid in advance. Payments shall be made at Lessor's Office of the City Clerk, physical address shown above.

6. Prohibited Uses. Lessee shall not use or permit the use of the Property or any part thereof in violation of any applicable law, ordinance, or regulation.

7. Maintenance and Expenses. Lessee shall perform routine cleaning associated with the leased Property proper, keeping the Property in a clean, safe condition, free of litter and debris. Lessee shall notify Lessor of hazards or safety concerns on or about the Property in a timely manner. Lessor shall provide repairs or alterations as it deems necessary, at its expense.

8. Termination. In the event the Lessor sells or redevelops the property, Lessee's rights hereunder shall terminate, and Lessee shall vacate within 60 days of notice delivered in writing.

9. Exculpation and Indemnity.

a. Exculpation of Lessor: Lessor shall not be liable to Lessee for any damage to Lessee or Lessee's property from any cause. Lessee shall bear all risk of loss as to all personal property of the Lessee, stored, or remaining on or near the Property, including without limitation, inventory, equipment, fixtures, and employees' personal effects.

b. Indemnity: Lessee shall defend and hold the Lessor harmless from all damages arising out of any damage or injury to any person or property occurring in, about, or on the Property.

c. Public Liability and Damage Insurance: Lessee at its sole cost shall at all times maintain public liability and damage insurance with a single combined liability limit of \$1,000,000 and insuring against all liability of Lessee and its authorized representatives arising out of and in connection with Lessee's use or occupancy of the Property.

All public liability insurance and property damage insurance shall insure performance by Lessee of the indemnity provisions provided herein. Lessor shall be named as an additional insured.

10. Prevention of Waste and Nuisance. Lessee shall not use the Property in any manner that will constitute waste, nuisance, or unreasonable annoyance to Lessor or the owners or occupants of adjacent properties. Violation or breach under this section shall be determined at the sole discretion of the City Mayor.

11. Assignment and Sublease. Lessee shall not assign or sublet its rights under this Lease without written consent of Lessor, which consent shall be at Lessor's sole discretion.

12. Liens. Lessee shall keep the Property free from any liens, including without limitation those liens arising out of any work performed, materials furnished, or obligations incurred by Lessee.

13. Consultation with Attorney. Lessee acknowledges that it has the right to review this Lease and all other documents relating to the Lease with its own attorney. Each party electing to have this Lease reviewed by an attorney shall bear the costs and expenses so incurred.

14. Right of Entry. Lessor, its agents and authorized employees, shall have the right to enter the Property to examine the same and to make repairs, alterations, improvements or additions as Lessor may deem necessary or desirable during Lessee's business hours. All such entry shall be preceded by 72 hour advance notice to Lessee, except that immediate entry shall be allowed in event of emergency, as determined by the City Engineer.

15. Default. Failure to occupy and operate the Property for two consecutive weekends or failure to perform any provision of this Lease shall constitute default by Lessee of this Lease. Upon Lessee's default, Lessor shall give Lessee 10 days notice to cure the default. No default notice shall be deemed a forfeiture or a termination of this Lease unless Lessor so elects in the notice.

16. Notice. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first class mail, addressed to the other party at the address set forth in the introductory paragraph of this Lease. Either party may change its address by notifying the other party of the change of address.

17. Attorney's Fees. If Lessor brings or maintains an action for enforcement of any of the covenants, terms, or conditions of this Lease, Lessee shall pay all costs incurred by Lessor for such action including attorney's fees in the event Lessee is found to be at fault.

18. Time of Essence. Time is of the essence of each provision of this Lease.

19. Successors. This Lease shall be binding on the parties and their successors.

20. Captions. The captions of this Lease shall have no interpretive effect.

21. Singular and Plural. When required by the context of this Lease, singular shall include the plural.



22. Severability. The unenforceability, invalidity, or illegality of any provision shall not render the other provisions unenforceable, invalid, or illegal.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date first written above.

**FESTIVAL FAIRBANKS, INC.**

**CITY OF FAIRBANKS, ALASKA**

\_\_\_\_\_  
**Julie Jones**  
Executive Director

\_\_\_\_\_  
**John Eberhart**  
Mayor

ATTEST:

(CITY SEAL)

\_\_\_\_\_  
**Janey Hovenden, MMC, City Clerk**

ACKNOWLEDGMENT

State of Alaska )  
 ) ss  
Fourth Judicial District )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_ 2014 before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared **John Eberhart**, the Mayor of the City of Fairbanks, and **Janey Hovenden**, the City Clerk of the City of Fairbanks, the municipal corporation named in the foregoing instrument, and that they acknowledged before me that they executed the same for and on behalf of said municipal corporation. IN WITNESS, I have set my hand and seal.

NOTARY PUBLIC:  
Commission Expires:

ACKNOWLEDGMENT

State of Alaska )  
 ) ss  
Fourth Judicial District )

THIS IS TO CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_ 2014 before me, the undersigned, a NOTARY PUBLIC in and for the State of Alaska, personally appeared **Julie Jones** of Festival Fairbanks, Inc., the Corporation named above, and she acknowledged to me that she executed the same for and on behalf of said Corporation as the Executive Director, under authority of said Corporation so granted by the Board of Directors, as the free and voluntary act and deed of said Corporation. IN WITNESS WHEREOF I have set my hand and seal the day.

NOTARY PUBLIC:  
Commission Expires:

Return to:  
Patrick Smith  
City of Fairbanks  
800 Cushman Street Fairbanks, Alaska 99701



GOLDEN HEART PLAZA  
LEASE EXHIBIT 1 OF 1

**ORDINANCE NO. 5941**

**AN ORDINANCE AMENDING THE 2014  
 OPERATING AND CAPITAL BUDGETS FOR THE FIRST TIME**

**WHEREAS**, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2014 operating and capital budgets,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows** [amendments shown in **bold font**]:

**SECTION 1.** There is hereby appropriated to the 2014 General Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014 and ending December 31, 2014:

	APPROVED BUDGET	AS AMENDED
Taxes, (all sources)	\$ 20,093,954	\$ <b>19,920,196</b>
Charges for Services	4,372,020	4,372,020
Intergovernmental Revenues	4,387,280	4,387,280
Licenses & Permits	1,438,000	1,438,000
Fines, Forfeitures & Penalties	1,022,185	1,022,185
Interest & Penalties	130,500	130,500
Rental & Lease Income	156,371	<b>158,744</b>
Other Revenues	215,000	215,000
Other Financing Sources	3,306,992	<b>3,335,131</b>
Total appropriation	\$ 35,122,302	\$ <b>34,979,056</b>

**SECTION 2.** There is hereby appropriated to the 2014 budget expenditures for the City of Fairbanks in the amount indicated:

DESCRIPTION	APPROVED BUDGET	AS AMENDED
Mayor and Council	\$ 502,467	\$ 502,467
Office of the City Attorney	175,761	175,761
Office of the City Clerk	343,699	<b>344,049</b>
Finance Department	903,321	903,321
Information Technology	1,403,367	<b>1,404,586</b>
General Account	5,407,193	<b>5,502,395</b>
Risk Management	1,407,428	<b>1,040,819</b>
Police Department	7,003,005	<b>7,065,510</b>
Dispatch Center	2,046,151	<b>2,048,745</b>
Fire Department	6,342,599	<b>6,351,259</b>
Public Works Department	7,430,290	<b>7,530,572</b>
Engineering Department	489,065	489,065
Building Department	654,283	<b>655,195</b>
Total appropriation	<u>\$ 34,108,629</u>	<u>\$ 34,013,744</u>
12/31/13 general fund balance	\$ 11,700,726	<b>\$ 13,270,041</b>
Increase to fund balance	1,013,673	965,312
Nonspendable	-	<b>(424,514)</b>
Committed for snow removal	(250,000)	(250,000)
Committed self insurance	(530,000)	<b>(785,248)</b>
12/31/14 Unassigned balance	<u>\$ 11,934,399</u>	<u>\$ 12,775,591</u>

**SECTION 3.** There is hereby appropriated to the 2014 Capital Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014, and ending December 31, 2014.

:

	APPROVED BUDGET	AS AMENDED
Transfer from Permanent Fund	\$ 511,442	\$ <b>514,960</b>
Transfer from General Fund	500,000	500,000
Transfer Ambulance Mileage from General Fund	65,000	65,000
Budgeted Garbage Equipment Replacement	219,545	219,545
Equipment Replacement - Public Works	250,000	250,000
Equipment Replacement - Building Department	10,000	10,000
Equipment Replacement - Police	180,000	180,000
Equipment Replacement - Dispatch	80,000	80,000
Equipment Replacement - Fire	250,000	250,000
Equipment Replacement - IT	110,000	110,000
Property Repair & Replacement	145,000	145,000
	<hr/>	<hr/>
Total appropriation	\$ 2,320,987	\$ <b>2,324,505</b>

**SECTION 4.** There is hereby appropriated to the 2014 capital budget, expenditures for the City of Fairbanks in the amount indicated:

<u>DEPARTMENT</u>	<u>DESCRIPTION</u>	<u>APPROVED BUDGET</u>	<u>AS AMENDED</u>
14	Information Tech. Department	497,500	<b>637,300</b>
20	Police Department	180,000	180,000
21	Dispatch Department	555,488	555,488
30	Fire Department	365,595	<b>572,829</b>
50	Public Works Department	1,566,200	<b>1,955,463</b>
	Total appropriation	\$ 3,164,783	<b>\$ 3,901,080</b>
12/31/13 capital fund balance		\$ 4,693,199	<b>\$ 6,139,228</b>
Decrease to fund balance		(843,796)	<b>(1,576,575)</b>
12/31/14 Assigned fund balance		<u>\$ 3,849,403</u>	<u><b>\$ 4,562,653</b></u>

**SECTION 5.** All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014 and ending December 31, 2014.

**SECTION 6.** The effective date of this ordinance shall be the \_\_\_\_\_ day of April 2014.

\_\_\_\_\_  
**JOHN EBERHART, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Janey Hovenden, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

FISCAL NOTE

ORDINANCE 5941, AMENDING THE 2014 OPERATING AND CAPITAL BUDGETS  
FOR THE FIRST TIME

ESTIMATED REVENUES and OTHER FINANCING SOURCES (USES)

\$143,246 Decrease

1. Taxes – \$173,758 Decrease
  - \$386,205 Decrease in property taxes
  - \$144,447 Increase in hotel taxes
  - \$ 78,000 Increase in alcohol taxes
  - \$ 10,000 Decrease in tobacco taxes
2. Charges for Services – No Change
3. Intergovernmental Revenues – No Change
4. Licenses & Permits – No Change
5. Fines, Forfeitures & Penalties – No Change
6. Interest & Penalties – No Change
7. Rental & Lease Income – \$2,373 Increase in cell tower lease
8. Other Revenues – No Change
9. Other Financing Sources & (Uses) – \$28,139 Increase in transfer from  
Permanent Fund



FISCAL NOTE CONTINUED  
ESTIMATED EXPENDITURES

\$94,885 DECREASE

1. Mayor & Council – No Change
2. City Attorney's Office – No Change
3. City Clerk's Office – \$350 Increase
  - \$ 350 Office Supplies (2013 encumbrance)
4. Finance Department – No Change
5. Information Technology – \$1,219 Increase
  - \$ 1,219 Equipment (2013 encumbrance)
6. General Account – \$95,202 Increase
  - \$ 91,946 Increase for Hotel Distribution
  - \$ 530 Office supplies (2013 encumbrance)
  - \$ 290 Professional services (2013 encumbrance)
  - \$ 2,436 Street lighting (2013 encumbrance)
7. Risk Management – \$366,609 Decrease
  - \$ 368,853 Decrease in claims for 2013 actual
  - \$ 821 Auto liability (2013 encumbrance)
  - \$ 1,423 Medical (2013 encumbrance)
8. Police Department – \$62,505 Increase
  - \$ 6,356 Uniforms (2013 encumbrance)
  - \$ 53,906 Operating supplies (2013 encumbrance)
  - \$ 2,243 Outside contracts (2013 encumbrance)
9. Dispatch – \$2,594 Increase
  - \$ 1,320 Operating supplies (2013 encumbrance)
  - \$ 1,274 Outside contracts (2013 encumbrance)
10. Fire Department – \$8,660 Increase
  - \$ 772 Benefits (2013 encumbrance)
  - \$ 6,888 Uniforms (2013 encumbrance)

- \$ 1,000 Repairs and maintenance (2013 encumbrance)

11. Public Works – \$100,282 Increase

- \$ 14,216 Operating supplies (2013 encumbrance)
- \$ 20,403 Equipment parts and supplies (2013 encumbrance)
- \$ 9,596 Repair and construction material (2013 encumbrance)
- \$ 300 Dues and publications (2013 encumbrance)
- \$ 26,068 Outside contracts (2013 encumbrance)
- \$ 7,100 Garbage collection (2013 encumbrance)
- \$ 22,599 Equipment (2013 encumbrance)

12. Engineering – No Change

13. Building Department – \$ 912 Increase

- \$ 912 Office supplies (2013 encumbrance)

## FISCAL NOTE CONTINUED

### Capital Fund

#### 1. REVENUES

- No change

#### 2. OTHER FINANCING SOURCES (USES)

- \$3,518 Increase to transfer from Permanent Fund

#### 3. EXPENDITURES - \$736,297 Increase

- Information Technology - \$ 139,800 Increase for 2013 encumbrances
- Fire Department - \$207,234 Increase for 2013 encumbrances
- Public Works - \$389,263 Increase for 2013 encumbrances

#### 4. INTERNAL TRANSFERS

- No Change

**ORDINANCE NO. 5941, AS AMENDED**

**AN ORDINANCE AMENDING THE 2014  
OPERATING AND CAPITAL BUDGETS FOR THE FIRST TIME  
INCLUDING A GRANT TO FAIRBANKS COMMUNITY MENTAL  
HEALTH SERVICES TO FUND THE NORTHERN DOOR CLUBHOUSE**

**WHEREAS**, this ordinance incorporates the changes outlined on the attached fiscal note to amend the 2014 operating and capital budgets; and

**WHEREAS**, one of the amendments to the budget would provide a grant to Fairbanks Community Mental Health Services for the purpose of helping to fund the Northern Door Clubhouse; and

**WHEREAS**, in the summer of 2013, Fairbanks Behavioral Health Center closed its doors due to a lack of funds; and

**WHEREAS**, a new agency, Fairbanks Community Mental Health Services, began providing mental health services in September of 2013, but staffing was reduced by 2/3 and services were limited to clinical services; and

**WHEREAS**, due to lack of funding, there were no plans to reinstate the critical vocational, housing, and social programs; and

**WHEREAS**, meetings with Community Action Planning (CAP) began to explore the need to provide at least a social connection for the mentally ill during the dark winter months; and

**WHEREAS**, a community forum with over 100 participants met in mid-December to include the broader community in a way to resolve this problem and provide a safe, warm place for those suffering from mental illness to go during the day; and

**WHEREAS**, Access Alaska was awarded a \$10,000 grant from the Mental Health Trust to provide a volunteer-staffed drop-in center from January through May of 2014, headed up by Gene Redden, in space offered by Fairbanks Community Mental Health Services at \$1,000 per month; and

**WHEREAS**, the drop-in center, the "Northern Door Clubhouse," was opened on January 6, 2014, to provide a safe, warm place for people suffering from mental illness to go for a warm meal and social contact; and

**WHEREAS**, many of those using the Clubhouse are homeless and reside in the Rescue mission, in tents around town, or wherever they can find a warm place at night but have nowhere to go during the day; and

**WHEREAS**, these people need a safe, secure place so they are not wondering the streets, being victimized, or requiring police and/or firefighter/EMS services; and

**WHEREAS**, individuals with mental illness struggle with relationships and social interaction in the community, and the cold, dark winter months are especially difficult for them; and

**WHEREAS**, by the end of May of this year, the Clubhouse lease expires, and its funds will be depleted, leaving the Clubhouse without a place and without funds to operate; and

**WHEREAS**, funds are required to fund a coordinator, to lease space, and to provide minimal supplies so the Clubhouse can remain open another year,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows** [amendments shown in **bold font**]:

**SECTION 1.** There is hereby appropriated to the 2014 General Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014 and ending December 31, 2014:

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Other Revenues	215,000	215,000
Other Financing Sources	3,306,992	<b>3,335,131</b>
Total appropriation	<b>\$ 35,122,302</b>	<b>\$ 34,979,056</b>

**SECTION 2.** There is hereby appropriated to the 2014 budget expenditures for the City of Fairbanks in the amount indicated:

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Risk Management	1,407,428	<b>1,040,819</b>
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Dispatch Center	2,046,151	<b>2,048,745</b>
Fire Department	6,342,599	<b>6,351,259</b>
Public Works Department	7,430,290	<b>7,530,572</b>
Engineering Department	489,065	489,065
Building Department	654,283	<b>655,195</b>
Total appropriation	<u>\$ 34,108,629</u>	<u>\$ 34,111,894</u>
12/31/13 general fund balance	\$ 11,700,726	<b>\$ 13,270,041</b>
Increase to fund balance	1,013,673	867,162
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Committed for snow removal	(250,000)	(250,000)
Committed self insurance	(530,000)	<b>(785,248)</b>
12/31/14 Unassigned balance	<u>\$ 11,934,399</u>	<u>\$ 12,677,441</u>

**SECTION 3.** There is hereby appropriated to the 2014 Capital Fund budget from the following sources of revenue for the City of Fairbanks in the amount indicated to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014, and ending December 31, 2014.

	APPROVED BUDGET	AS AMENDED
Transfer from Permanent Fund	\$ 511,442	<b>\$ 514,960</b>
Transfer from General Fund	500,000	500,000
Transfer Ambulance Mileage from General Fund	65,000	65,000
Budgeted Garbage Equipment Replacement	219,545	219,545
Equipment Replacement - Public Works	250,000	250,000
Equipment Replacement - Building Department	10,000	10,000
Equipment Replacement - Police	180,000	180,000
Equipment Replacement - Dispatch	80,000	80,000
Equipment Replacement - Fire	250,000	250,000
Equipment Replacement - IT	110,000	110,000
Property Repair & Replacement	145,000	145,000
	<hr/>	<hr/>
Total appropriation	<b>\$ 2,320,987</b>	<b>\$ 2,324,505</b>

**SECTION 4.** There is hereby appropriated to the 2014 capital budget, expenditures for the City of Fairbanks in the amount indicated:

<u>DEPARTMENT</u>	<u>DESCRIPTION</u>	<u>APPROVED BUDGET</u>	<u>AS AMENDED</u>
14	Information Tech. Department	497,500	<b>637,300</b>
20	Police Department	180,000	180,000
21	Dispatch Department	555,488	555,488
30	Fire Department	365,595	<b>572,829</b>
50	Public Works Department	1,566,200	<b>1,955,463</b>
	Total appropriation	\$ 3,164,783	<b>\$ 3,901,080</b>
12/31/13 capital fund balance		\$ 4,693,199	<b>\$ 6,139,228</b>
Decrease to fund balance		(843,796)	<b>(1,576,575)</b>
12/31/14 Assigned fund balance		<u>\$ 3,849,403</u>	<u><b>\$ 4,562,653</b></u>



**SECTION 5.** All appropriations made by this ordinance lapse at the end of the fiscal year to the extent they have not been expended or contractually committed to the departments named for the purpose of conducting the business of said departments of the City of Fairbanks, Alaska, for the fiscal year commencing January 1, 2014 and ending December 31, 2014.

**SECTION 6.** The effective date of this ordinance shall be the \_\_\_\_\_ day of April 2014.

\_\_\_\_\_  
**JOHN EBERHART, MAYOR**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Janey Hovenden, MMC, City Clerk

\_\_\_\_\_  
Paul J. Ewers, City Attorney

## FISCAL NOTE

### ORDINANCE 5941, AMENDING THE 2014 OPERATING AND CAPITAL BUDGETS FOR THE FIRST TIME INCLUDING A GRANT TO FAIRBANKS COMMUNITY MENTAL HEALTH SERVICES TO FUND THE NORTHERN DOOR CLUBHOUSE

#### ESTIMATED REVENUES and OTHER FINANCING SOURCES (USES)

\$143,246 Decrease

1. Taxes – \$173,758 Decrease
  - \$386,205 Decrease in property taxes
  - \$144,447 Increase in hotel taxes
  - \$ 78,000 Increase in alcohol taxes
  - \$ 10,000 Decrease in tobacco taxes
2. Charges for Services – No Change
3. Intergovernmental Revenues – No Change
4. Licenses & Permits – No Change
5. Fines, Forfeitures & Penalties – No Change
6. Interest & Penalties – No Change
7. Rental & Lease Income – \$2,373 Increase in cell tower lease
8. Other Revenues – No Change
9. Other Financing Sources & (Uses) – \$28,139 Increase in transfer from  
Permanent Fund

FISCAL NOTE CONTINUED  
ESTIMATED EXPENDITURES

**\$3,265 INCREASE**

- Mayor & Council – No Change
- City Attorney's Office – No Change
- City Clerk's Office – \$350 Increase
  - \$ 350 Office Supplies (2013 encumbrance)
- Finance Department – No Change
- Information Technology – \$1,219 Increase
  - **\$ 5,000 Increase Overtime**
  - **(\$5,000) Decrease Equipment**
  - \$ 1,219 Equipment (2013 encumbrance)
- General Account – \$153,202 Increase
  - \$ 91,946 Increase for Hotel Distribution
  - **\$ 58,000 Increase for Fairbanks Community Mental Health Services for Northern Door Clubhouse**
  - \$ 530 Office supplies (2013 encumbrance)
  - \$ 290 Professional services (2013 encumbrance)
  - \$ 2,436 Street lighting (2013 encumbrance)
- Risk Management – \$366,609 Decrease
  - \$ 368,853 Decrease in claims for 2013 actual
  - \$ 821 Auto liability (2013 encumbrance)
  - \$ 1,423 Medical (2013 encumbrance)
- Police Department – \$102,655 Increase
  - **\$73,226 Increase Salaries and Benefits for recruit police officer effective Feb 3, 2014**
  - **(\$33,076) Decrease Salaries and Benefits to adjust 3 PSA positions to May 1 start date**
  - \$ 6,356 Uniforms (2013 encumbrance)
  - \$ 53,906 Operating supplies (2013 encumbrance)

- \$ 2,243 Outside contracts (2013 encumbrance)
- Dispatch – \$2,594 Increase
  - \$ 1,320 Operating supplies (2013 encumbrance)
  - \$ 1,274 Outside contracts (2013 encumbrance)
- Fire Department – \$8,660 Increase
  - \$ 772 Benefits (2013 encumbrance)
  - \$ 6,888 Uniforms (2013 encumbrance)
  - \$ 1,000 Repairs and maintenance (2013 encumbrance)
- Public Works – \$100,282 Increase
  - \$ 14,216 Operating supplies (2013 encumbrance)
  - \$ 20,403 Equipment parts and supplies (2013 encumbrance)
  - \$ 9,596 Repair and construction material (2013 encumbrance)
  - \$ 300 Dues and publications (2013 encumbrance)
  - \$ 26,068 Outside contracts (2013 encumbrance)
  - \$ 7,100 Garbage collection (2013 encumbrance)
  - \$ 22,599 Equipment (2013 encumbrance)
- Engineering – No Change
- Building Department – \$ 912 Increase
  - \$ 912 Office supplies (2013 encumbrance)

## FISCAL NOTE CONTINUED

### Capital Fund

#### 1. REVENUES

- No change

#### 2. OTHER FINANCING SOURCES (USES) - \$3,518 Increase

- \$3,518 Increase to transfer from Permanent Fund

#### 3. EXPENDITURES - \$736,297 Increase

- Information Technology - \$ 139,800 Increase for 2013 encumbrances
- Fire Department - \$207,234 Increase for 2013 encumbrances
- Public Works - \$389,263 Increase for 2013 encumbrances

#### 4. INTERNAL TRANSFERS

- No Change

Northern Door Clubhouse  
Gene Redden  
2395 Woodminster Ct  
Fairbanks, Alaska 99709

**RECEIVED**  
FEB 21 2014  
City Mayor's Office

February 21, 2014

Dear Mayors Eberhart and Hopkins,

We had discussed in early January the possibility of securing funding from the city and borough to sustain the Drop-In-Center for those suffering from serious mental illness. Following our meetings Cathy McCarthy the Director of Access Alaska sent you a brief overview of our need. Since opening on January 6<sup>th</sup>, we are averaging between 15-25 people on Monday through Friday seeking a safe warm place for them to connect and socialize with their peers. Our members have taken ownership and have identified the center as the Northern Door Clubhouse.

Enclosed is a more detailed description of our continuing need as well as a proposal for funding. Thank you for your consideration of assistance to meet the needs of this segment of the community. Please contact me if I can be of further assistance or you have additional questions.

Sincerely,



Gene Redden

## PROPOSAL

Financial difficulties with the Fairbanks Community Behavioral Health Center resulted in the loss of social programs which are extremely important to the mental health of the seriously mentally ill; specifically, the loss of a "drop-in center". Clients residing at the Fairbanks Rescue Mission have nowhere to go during the day. Even clients living alone or with roommates need a place that will give them the opportunity to maintain their social connections. Most of them do not have jobs and have grown to depend on their network of fellow clients for their social contact. With few social contacts, no job, limited financial resources and without a "drop-in center", they are likely alone and inside, or worse yet on the streets, during the cold and dark months of winter, not good for any of us and especially those suffering from mental illness.

On January 6<sup>th</sup> we were able to open a drop-in center to provide a limited social program for the seriously mentally ill. The center has been called the Northern Door Clubhouse by the members (clients) and is open from noon to 4 pm Monday through Friday. The clubhouse is completely staffed by volunteers and the activities are determined by the members. The environment is a safe, warm place where they have a nutritional meal and are provided an opportunity to gather, connect with their peers, and experience appropriate social interactions. We are not a clinical program and yet the members have demonstrated that the empowerment they are experiencing is significantly improving their mental health through these cold winter months.

I was able to secure a grant of \$10,000 from the Mental Health Trust and Access Alaska has stepped forward to act as the fiscal agent for that grant. Our space is provided through a lease agreement with the Fairbanks Community Mental Health Services (FCMHS), a subsidiary of Anchorage Mental Health Services, until June of 2014 at a cost of \$5000. We have been added to the insurance policy of the Interior Aids Association to secure liability insurance for the cost of \$1037. The remaining funds are to provide supplies and food for six months.

In addition, we have worked out a collaborative agreement with the North Star Council on Aging who is securing food supplies for us from the Food Bank and preparing nutritional soup three days per week. In addition, smaller donations from the Great Alaska Bread Co, Collegetown Pizza, Country Kitchen, and the Street Outreach Advocacy Program have allowed us to operate with minimal funding.

Sustaining the Clubhouse beyond June will require some adjustments. The site for continuing the clubhouse is yet to be determined and we have no funding at this time. Though we will continue as a volunteer staffed activity, we need to hire one position to be the coordinator. The ideal arrangement for the future would be for whoever continues to provide mental health services in Fairbanks to continue leasing the existing building on South Cushman and continue to provide us the space to keep the clubhouse operating.

To accomplish our goal of continuing beyond June, I am requesting from the City of Fairbanks and the Fairbanks North Star Borough a total of \$58,000 to be shared equally between the city and borough.

Currently I remain an individual responding to a need, I am not an agency, not a non-profit 501©3, and do not have a board of directors. I do have a steering committee to assist me, I collaborate with the Community Action Planning Group (CAP) monthly, Access Alaska is acting as my fiscal agent, and the Interior Aids Association is carrying my liability insurance.

I can be contacted at 2395 Woodminster Ct, Fairbanks, Alaska 99709, by phone at 808-652-3670 or by e-mail at [redden50@yahoo.com](mailto:redden50@yahoo.com)

**REQUEST:**

Salary for Coordinator	\$35,000
Employee Taxes	\$ 3,200
Lease for space	\$12,000
Supplies	\$ 6,000
Member Activities	\$ 1,800
<b>TOTAL</b>	<b>\$58,000</b>



Today at 10:24 PM  
January 7, 2014

Good Evening Mayor Hopkins and Mayor Eberhart,

Thank you both for taking time out of your busy schedules to meet with Mr. Gene Redden and myself regarding the volunteer Drop In which opened on Monday January 6, 2014. The steering committee headed by Mr. Redden is requesting financial assistance by both the FNSB and the city of Fairbanks, to provide funds to support the development of this drop in center.

Community members and organizations have collaborated for the last 5 months to pool resources in order to open a safe drop in center for citizens experiencing mental health and substance abuse challenges. A somewhat similar service, called the Clubhouse, had been provided on varying scales for nearly 2 decades by the former Fairbanks Community Behavioral Health Center. With the closure of this facility in September, the community lost the only safe, warm gathering place for vulnerable adults where they could get a low cost or free meal, have access to laundry and showers, and socialize with peers.

The new mental health service, Fairbanks Community Mental Health Services (FCMHS), is a subsidiary of Anchorage Mental Health Services. Their operational model is very different from that of the former Fairbanks Community Behavioral Health Center. FCMHS provides services to the chronic mentally ill, as they are discharged back into the community from prison, Fairbanks Memorial Hospital and Anchorage Psychiatric Institute. There are very limited case management services for consumers and there are no services that resemble the former case management/Clubhouse model of socialization and vocational skills development and rehabilitation. This has been a stunning loss to the community. The overall decrease in available mental health services for the uninsured and those on Medicaid, has resulted in consumers relocating or being relocated to Anchorage for adequate mental health and residential services. This has caused a significant hardship for many citizens.

With sincere thanks to the leadership of a private citizen, Mr. Gene Redden, several organizations continue to collaborate to provide a limited drop in center which intends to operate Monday through Friday from 12-4 in an independent space leased from FCMHS. The drop in provides a warm safe place, with a free light lunch, access to showers, laundry and a thrift shop. Peer support workers will provide groups of interest to the consumers – including a current events group, arts and crafts group and a writing group.

The drop in is fully staffed by the generosity of individuals and local organizations. Mr. Gene Redden provides the day to day leadership and coordination of the drop in. The steering committee is looking at ways to move forward with the issues concerning sustainability, longer term development and oversight so that the drop in can remain a consumer directed support to vulnerable adults independent of mental health services. We are awaiting the decision of the Alaska Mental Health Trust Authority's decision for a \$10,000 startup award.

We would be very happy to meet with any City and/or Borough representative working group to more clearly outline the needs and history of the citizens who experience chronic mental health challenges. In meeting further, we would outline in detail our pending request for fiscal support and a matching support between the City and the Borough to address our fiscal challenges related to: the need for one paid part time staff person, cost of supplies, insurance, rental space

and background check fees. To operate the drop in through the remainder of the calendar year could easily cost \$60,000 dollars. We would appreciate the joint mayoral consideration of providing this level of fiscal support for the drop in center.

The steering committee is led by Mr. Gene Redden. Members include Interior Aids Association Executive Director and CAP Chairperson Anna Nelson and Interior Aids Association staff member Tracey White, Fairbanks Nami Board Member Cheri Hamond Rotter and Access Alaska Director, Cathy McCarthy.

On behalf of the steering committee, thank you for meeting with us today and your further consideration of fiscal support for the drop in. Please do not hesitate to contact any of us via email or by phone. Mr. Gene Redden 1-808-652-3670, Anna Nelson and Tracey White 452-4222 ext. 115 or Cathy McCarthy at 479-7940.

Respectfully,

Cathy McCarthy, LCSW

Director, Access Alaska Inc.

**ORDINANCE NO. 5943**

**AN ORDINANCE TO REPEAL FAIRBANKS GENERAL CODE  
CHAPTER 14, ARTICLE III TRANSIENT VENDORS AND  
REENACT IT AS ARTICLE III MULTI-VENDOR EVENTS**

**WHEREAS**, the City adopted Business Licensing requirements in 2007 and by doing so made the intent of the transient vendor permit less clear and defined; and

**WHEREAS**, there is a need to overhaul the transient vendor license requirements; and

**WHEREAS**, retaining multi-vendor event requirements is necessary to allow for several temporary, transient-style businesses in one location; and

**WHEREAS**, the proposed changes will make the Code sections pertaining to multi-vendors more consistent with other Code sections governing business and occupational licensing; and

**WHEREAS**, the season of transient-style operations usually begins in earnest in the spring, so it is desirable that the requirements for multi-vendor events be better defined by then; and

**WHEREAS**, the proposed changes will streamline the application process,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA**, as follows:

**SECTION 1.** Fairbanks General Code Chapter 14, Article III Transient Vendors, is hereby repealed and reenacted as Chapter 14, Article III Multi-Vendor Events as follows:

**ARTICLE III. MULTI-VENDOR EVENTS.**

**Sec. 14-71. Definitions.**

*Multi-vendor event* means an event such as a public show, bazaar, marketplace, festival, trade show, or other activity involving multiple vendors held at a single location. This includes events taking place with the same vendors over multiple weeks at a single location, not to exceed 15 cumulative days within a calendar year. Exempt from this article are events held for the primary purpose of providing basic, on-site health and wellness services at no cost.

*Multiple-vendor event permit* means a permit issued by the city clerk to the sponsor of a multi-vendor event.

*Sponsor* means any individual, business or organization that organizes and manages a multi-vendor event.

**Sec. 14-72. Permit required.**

(a) No person or organization shall sponsor a multi-vendor event without first obtaining a multi-vendor event permit from the city clerk.

(b) Sponsors shall display the multi-vendor event permit on site at all times during the event.

(c) It shall be a violation of this article for any person who owns, leases, or controls real property to knowingly allow a multi-vendor event to take place upon the premises unless a valid multi-vendor event permit is in effect.

**Sec. 14-73. Application for permit; standards for issuance of permit.**

(a) Applications for permits issued under this article shall be made upon forms prepared and made available by the city clerk and must state:

- (1) The full name, mailing address and phone number of the event manager and, if applicable, the business or organization sponsoring the event.
- (2) The name, date(s) and location and number of participating vendors of the event. Events that are recurring or involve less than 20 vendors must provide a complete list of participating vendors.
- (3) Whether the event will require closure of city streets and/or sidewalks. Events requiring city street or sidewalk closure may be required to obtain a special event permit as outlined in FGC Section 78-572.
- (4) Such other information as the city clerk may find reasonably necessary to effectuate the general purpose of this article and to make a fair determination of whether the terms of this article have been met.

(b) The sponsor must have a current city and state business license, unless exempted under FGC Sections 14-601 through 14-604.

(c) The multi-vendor event permit fees are as set forth in the city's Schedule of Fees and Charges for Services.

(d) All permits issued under this article shall be for the term of the event and shall not be transferrable.

**Sec 14-74. Penalties.**

A sponsor who conducts a multi-vendor event without having a valid multi-vendor event permit shall, upon conviction, be punished as provided in FGC Sec. 1-15.

**SECTION 2.** That the effective date of this Ordinance shall be the \_\_\_\_ day of April 2014.

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**John Eberhart, City Mayor**

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

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Janey Hovenden, MMC, City Clerk

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Paul J. Ewers, City Attorney

**ORDINANCE NO. 5944**

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE  
CHAPTER 14, ARTICLE XIII BUSINESS LICENSING**

**WHEREAS**, proposed Ordinance No. 5943 would repeal and reenact FGC Chapter 14, Article III Transient Vendors; and

**WHEREAS**, Ordinance No. 5943 is being proposed in conjunction with the present ordinance in order to make business licensing fair and uniform for all entities; and

**WHEREAS**, shortening the due date for obtaining a business license streamlines processing, reduces opportunities for misplacement, and helps ensure timely compliance by allowing staff to send reminder notices during a month in which quarterly billings are not already being conducted,

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

Section 1. Fairbanks General Code Chapter 14, Article III, is hereby amended as follows [new text in **underlined bold** font; deleted text in ~~striketrough~~ font]:

**Sec. 14.601. City business license required.**

(a) By last day of ~~March~~**February** of each year, every person and other legal entity required to obtain a state business license shall obtain an annual city business license, in addition to any other license required by this Code, if the person or legal entity maintains business premises within the city limits, delivers goods or provides services within the city limits, or otherwise does business in the city limits.

(b) The city clerk shall provide for a system of issuing city business licenses, and keep records of all holders of general city business licenses. The clerk may propose regulations, subject to approval by the city council, relating to the issuance of city general business licenses.

(c) The following information shall be required to be provided for issuance of a city business license, and updated annually:

- (1) The name of the business owner;
- (2) The name(s) under which the entity does business;
- (3) The mailing address of the owner;

- (4) The mailing and physical address of the business;
- (5) ~~Reserved~~ **A contact telephone number and email address;**
- (6) ~~The number of employees recorded on all of the prior year's employer security contribution reports filed with the State of Alaska~~ **Reserved;**
- (7) A statement of the general nature of the business and the Standard Industrial Classification Number (SIC No.);
- (8) A selection shall be made within an appropriate range indicating the total estimated gross receipts received from all business activities for the prior year inside the city limits (except as provided under section 14-602(b)), which shall be treated as confidential proprietary information by the city and not disclosed to the public or accessed by any city employees who do not have a legitimate work-related need to access the information.

(d) No permit required under chapter 10, building and building regulations, may be issued except upon the presentation of a business license properly issued in compliance with this section.

(e) No occupational license or permit may be issued under any provision of the City Code except upon the presentation of a business license properly issued in compliance with this section.

**Sec. 14.602. License fee registration.**

(a) The annual license registration shall be based on gross receipts from the prior year as ~~set forth below~~ regardless of the number of physical locations in the city where the business is conducted. ~~For 2011, the license fee schedule is shown below. For calendar years 2012 and beyond,~~ The fee schedule shall be adjusted as part of the annual budget estimate by the estimated annual change in the Anchorage Consumer Price Index (CPI-U) with subsequent year adjustment to reflect the actual change. ~~Starting in 2012, the fee schedule shall be removed from the City Code and instead~~ **shall be** published in the City Schedule of Fees and Charges for Service with fees rounded to the nearest dollar. The minimum license fee shall remain at \$25.00 until further amendment by ordinance.

(b) Any business entity that does not have an established business premises in the Fairbanks North Star Borough but that provides one-time or intermittent contractual products or services within the city must obtain a City of Fairbanks business license prior to delivery of such products or services. The business license fee amount shall be calculated ~~from the chart in subpart (a) and~~ based upon the estimated gross proceeds (receipts) of the products/services provided under each contract. ~~This subsection does not change or modify the five-day exemption found in section 14-604(b).~~

**Sec. 14.603. Failure to obtain business license.**

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, exclusive of any civil penalties specifically provided for in this article, shall be punished as provided in F.G.C. section 1-15.

**Sec. 14.604. Exemptions.**

(a) Those business owners whose only business activity is to ship tangible property or provide intangible services to buyers within the city in response to an order (whether by phone, mail or internet) without the physical presence of any owner, employee or agent in the city.

(b) Those business owners who are only physically present in the city for short visits (whether at trade shows, special events, sales visits, etc.), so long as their presence ~~does not exceed five days a calendar year~~ **is covered by a multi-vendor permit issued under FGC Chapter 14 Article III Multi-Vendor Event.**

(c) Even if required by state law to have a state business license, ~~those business owners~~ **anyone** making ~~isolated or~~ casual sales within the city, such as "garage" or yard sales.

Section 2. That the effective date of this ordinance shall be the \_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
John Eberhart, Mayor

AYES:  
NAYS:  
ABSENT:  
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Janey Hovenden, MMC, City Clerk

\_\_\_\_\_  
Paul Ewers, City Attorney