



FAIRBANKS CITY COUNCIL
AGENDA NO. 2011-03
REGULAR MEETING February 14, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

PRELIMINARY MEETING

- I 6:00 PM Comprehensive Economic Development Strategy
-

REGULAR MEETING

- II 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

*a) Regular Meeting Minutes of December 13, 2010

*b) Regular Meeting Minutes of January 10, 2011

7. SPECIAL ORDERS

8. MAYOR'S COMMENTS AND REPORT

9. UNFINISHED BUSINESS

- a) Ordinance No. 5828 – An Ordinance to Amend FGC Section 46-5 Disposal of Firearms Held as Evidence. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.
- b) Ordinance No. 5829 – An Ordinance to Amend FGC Sections 10-276 and 10-277, Adopting the 2011 National Electrical Code with Local Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.
- c) Ordinance No. 5830 – An Ordinance to Amend FGC Sections 10-136 and 10-137, Adopting the 2009 Uniform Plumbing Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

10. NEW BUSINESS

- *a) Resolution No. 4456 – A Resolution Encouraging the Alaska Legislature to Transfer Parcels of Alaska Railroad Land, Subject to Any Existing Leases, to the Fairbanks North Star Borough Through a Land Exchange or Other Method. Introduced by Mayor Cleworth.
- *b) Resolution No. 4457 – A Resolution Amending the Schedule of Fees and Charges for Services by Adjusting Refuse Collection Rates. Introduced by Mayor Cleworth.
- *c) Resolution No. 4458 – A Resolution to Apply for and Accept Funding from the National Institute of Justice for the Solving Cold Cases with DNA Grant. Introduced by Mayor Cleworth.
- *d) Resolution No. 4459 – A Resolution to Apply for and Accept Funding from the Alaska Department of Natural Resources for a Historic Preservation Fund Grant. Introduced by Mayor Cleworth.
- *e) Ordinance No. 5831 – An Ordinance to Revise FGC Section 10-401, Adopting the 2009 International Residential Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth.
- *f) Ordinance No. 5832 – An Ordinance to Amend FGC Section 10-456, by Adopting the 2009 International Energy Conservation Code with Amendments, and Setting an Effective Date. Introduced by Mayor Cleworth.

11. DISCUSSION ITEMS (INFORMATION AND REPORT)
 - a) Committee Reports

12. COMMUNICATIONS TO COUNCIL
 - a) A Street Apartments Referral of Claim to Factfinding Commission.
 - b) Request for Council Approval of Indemnity for Hoffman and Johnson.
 - *c) Appointments to the Code Review & Appeals Commission.
 - *d) Building Official New Construction Code Overview.
 - *e) Chena Riverfront Commission Meeting Minutes of December 6, 2010.
 - *f) Public Safety Commission Meeting Minutes of November 9, 2010.
 - *g) Public Safety Commission Meeting Minutes of January 11, 2011.
 - *h) Code Review Commission Meeting Minutes of January 12, 2011.
 - *i) Code Review Commission Meeting Minutes of January 19, 2011.
 - *j) Code Review Commission Meeting Minutes of January 26, 2011.

13. COUNCIL MEMBERS' COMMENTS

14. CITY ATTORNEY'S REPORT

15. CITY CLERK'S REPORT

16. EXECUTIVE SESSION: Labor Negotiations – AFL-CIO and PSEA

17. ADJOURNMENT



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, DECEMBER 13, 2010
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A
Chad Roberts, Seat B
Bernard Gatewood, Seat C
John Eberhart, Seat D
Emily Bratcher, Seat E
Jim Matherly, Seat F

Absent: None

Also Present: Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Ryan Rickels, IT Director
Michael J. Schmetzer, City Engineer
Tony C. Shumate, Director Personnel/Purchasing/RM
Pat Smith, Development Manager
Jim N. Soileau, Chief Financial Officer
Laren Zager, Police Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Frank Turney, 201 7th Avenue, Fairbanks. Mr. Turney thanked the Mayor and Governor for recognizing the importance of the Bill of Rights. Mr. Turney commented on the fees for impounds.

Victor Buberger, PO Box 58192, Fairbanks. Mr. Buberger commented on air pollution and suggested ways to clean it up.

Randy Griffin, PO Box 73653, Fairbanks. Mr. Griffin thanked the City for sending a letter to the delegation regarding the Public Employer-Employee Cooperation Act of 2009. Mr. Griffin provided a brief report on the actions taken by the delegation and the current status of the bill.

Tim Sudby, 402 Bonnifield, Fairbanks. Mr. Sudby spoke about an ordinance currently before the Fairbanks North Star Borough about grandfathered property rights.

APPROVAL OF AGENDA AND CONSENT AGENDA

Mayor Cleworth, pulled 12(b), Appointments to the Fact Finding Commission, from the Consent Agenda, explaining that appointments were not finalized, but would be available for concurrence at the next regular meeting.

Mr. Gatewood, pulled Resolution No. 4448 from the Consent Agenda. **Mr. Roberts**, pulled Resolution Nos. 4449 and 4450 from the Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Meeting Minutes of November 22, 2010.

PASSED and APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the below-referenced Appeal of Denied Application for City of Fairbanks Chauffeur License.

Applicant: Charles W. Nevils

Mr. Roberts, seconded by **Mr. Gatewood**, moved to GRANT Appeal of Denied Application for City of Fairbanks Chauffeur License.

Mr. Nevils provided a brief explanation for his conviction and current situation and asked the Council to approve his request.

Mr. Turney commented on marijuana convictions in Fairbanks and asked the Council to approve the request.

Mr. Buberger suggested the Council modify the ordinance that regulates chauffeur licenses.

Council Members commented on the matter.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO GRANT APPEAL, AS FOLLOWS:

YEAS: Eberhart, Gatewood, Bratcher, Matherly, Roberts
NAYS: Stiver
Mayor Cleworth declared the MOTION CARRIED.

b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the below-referenced Liquor License Application(s) for renewal.

Lic #	Name	Type	Service Location	Owner Name
145	Boatel Bar	Beverage Dispensary	Mile 2 Airport Road	Abie Neubauer Inc
2258	Regency Hotel	Beverage Dispensary-Tourism	95 10 th Avenue	Pacific Rim Associates Inc
4465	Roundup Steak House	Beverage Dispensary	2701 S. Cushman	The Last Roudup LLC

Mr. Gatewood, seconded by **Ms. Bratcher**, moved to APPROVE the Liquor License Application Renewals.

Mr. Roberts reported that there were no protests from any City departments.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO APPROVE THE REFERENCED LIQUOR LICENSE APPLICATION RENEWALS, AS FOLLOWS:

YEAS: Gatewood, Roberts, Eberhart, Matherly, Stiver, Bratcher
NAYS: None
Mayor Cleworth declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth informed the Council that there are three positions on the Borough Planning Commission, Agenda item 12(b) under Communications to Council. He stated that two appointments retire this year, one in 2012. **Mayor Cleworth** stated that he is currently going through the committees and reviewing term limits, offering appointments when appropriate. **Mayor Cleworth** spoke about the Alternative Dispatch Center and the desire to build this redundant backup center. He spoke of the costs associated with the matching grant funds and the problematic issue as to location. **Mayor Cleworth** spoke of the passing of the signature street concept by the FMATS Technical Committee. **Mayor Cleworth** spoke of the rezone issues in the downtown area and the resolution explaining that at the time it was decided to not codify that recommendation. He informed the Council that the issue may now be ready for codification via adoption of an ordinance.

Reading of the Bill of Rights by the Council and Mayor.

UNFINISHED BUSINESS

- a) ORDINANCE NO. 5825 – An Ordinance Approving the Payment in Lieu of Taxes Agreement Between the City of Fairbanks and North Haven Communities, LLC and Granting a Property Tax Exemption for Certain Property Interests. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by **Mr. Gatewood**, moved to ADOPT Ordinance No. 5825.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Roberts indicated that the City worked hard on making the agreement fair for both parties.

Mayor Cleworth stated that the agreement would net the City \$101,000 more than if the City had followed the Borough’s formula.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5825, AS FOLLOWS:

YEAS: Matherly, Bratcher, Roberts, Stiver, Gatewood, Eberhart
NAYS: None
Mayor Cleworth declared the MOTION CARRIED and
ORDINANCE NO. 5825 ADOPTED.

- b) ORDINANCE NO. 5826 – An Ordinance Adopting the 2011 Capital Appropriations Fund Budget and Setting an Effective Date. Introduced by Mayor Cleworth. SECOND READING AND PUBLIC HEARING.

Mr. Roberts, seconded by **Mr. Matherly**, moved to ADOPT Ordinance No. 5826.

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Roberts thanked the departments for getting the capital budget prepared so early in the year because it will benefit the City. He stated that the capital projects are a good use of funds.

Mayor Cleworth thanked Mr. Soileau for his efforts. He explained that the capital budget would be incorporated in the annual budget in future years.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO ADOPT ORDINANCE NO. 5826, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Bratcher, Eberhart, Stiver
NAYS: None
Mayor Cleworth declared the MOTION CARRIED and
ORDINANCE NO. 5826 ADOPTED.

NEW BUSINESS

- a) RESOLUTION NO. 4448 – A Resolution Amending the City Schedule of Fees and Charges for Services for Vehicle Impound Administrative Fee. Introduced by Council Member Roberts.

Mr. Gatewood, seconded by **Mr. Roberts**, moved to APPROVE Resolution No. 4448.

Mr. Roberts explained the reasoning behind the change. He explained the recent increase in the fee schedule from \$420 to \$1,000.

Mr. Ewers stated that the economic hardship often falls on the owner of the vehicle, which is not always the offender. Mr. Ewers explained that there is an innocent party clause for dealerships rental agencies, on a case-by-case basis.

Mr. Gatewood stated that the resolution reducing the fee to \$500 is a step in the right direction. He asked the Council to continue to look at incorporating escalating fees for repeat offenders.

Mr. Roberts stated that City DUI cases are prosecuted by the State, so the City's only hammer is through the impound fees.

Mr. Ewers, based on Ms. Bratcher's question, explained that bail money is designed to be used to bail the car out of the impound lot and is held until such time as the defendant is convicted or acquitted. He explained that the admin fee is designed to cover the administration of the program.

Ms. Bratcher stated that the reality of a DUI is that the first time a defendant is arrested for DUI is really not the first time the driver drove drunk. She indicated that she disagreed with the "first time" excuse. **Ms. Bratcher** explained that it should be the City's goal to never see a first time offender and should shift its focus and efforts in making the City an area where people don't drink and drive.

Mr. Roberts explained that the offender pays other fees associated with DUI convictions, above and beyond the impound fees assessed by the City. He stated that he has rethought the fee change and believes that \$500 is more appropriate.

Ms. Bratcher echoed that it still does not fix the problem for those described as innocent parties and suggested increasing the admin fees.

Ms. Stiver questioned whether there was an avenue available to an innocent party to have fees reduced or forgiven.

Mr. Ewers explained that all appeals go to the Mayor.

Mr. Matherly questioned whether the increased fee would act as a deterrent.

Mr. Gatewood agreed with Ms. Bratcher's point that there should never be a first time.

Ms. Bratcher asked the Council to look at why it has not campaigned against drunk driving.

Ms. Bratcher, seconded by **Mr. Eberhart**, moved to AMEND Resolution No. 4448 to MAINTAIN the \$1,000 Administration Fee and REDUCE the Bail Back to the 2008 Level.

Based on Mr. Matherly's question, **Mayor Cleworth** provided an explanation and breakdown of the current fee schedule; bail, admin, and towing/storage, associated with a DUI.

Members discussed postponement based on the need for additional discussions.

Mr. Roberts suggested moving forward.

Ms. Bratcher considered withdrawing the motion.

Mr. Eberhart stated that the City needs to send a message to folks that drive drunk and if increasing fees is a way to do that, he would support it.

Ms. Stiver suggested that the City consider basing fees on a percentage of the offender's income.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO AMEND RESOLUTION NO. 4448, AS FOLLOWS:

YEAS: Bratcher, Eberhart, Stiver, Matherly
NAYS: Roberts, Gatewood
Mayor Cleworth declared the MOTION CARRIED.

Mr. Roberts explained that the end effect is that the bail has been lowered for repeat offenders while maintaining the \$1,000 administrative fee which is, in part, a penalty fee. If the City is going to assess a \$1,000 fee and it is a fee used to penalize the offender then it should be called that.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4448, AS AMENDED, AS FOLLOWS:

YEAS: Stiver, Matherly, Gatewood, Bratcher, Eberhart, Roberts
NAYS: None
Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4448, as Amended, APPROVED.

- b) RESOLUTION NO. 4449 – A Resolution Supporting the Nomination of an FMATS Transportation Improvement Program Project for the Rehabilitation/Replacement of the Noyes slough Bridge on Aurora Drive. Introduced by Mayor Cleworth.

Mr. Schmetzer gave a staff report, referencing both Resolution Nos. 4449 and 4450.

Mr. Gatewood, seconded by **Mr. Matherly**, moved to APPROVE Resolution No. 4449.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

- c) RESOLUTION No. 4450 – A Resolution Supporting the Nomination of an FMATS Transportation Improvement Program Project for Phase III of the Chena River Walk. Introduced by Mayor Cleworth.

Mr. Gatewood, seconded by **Ms. Stiver**, moved to APPROVE Resolution No. 4450.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

DISCUSSION ITEMS

- a) Committee Reports

FNSB. **Ms. Stiver** shared briefly with the Council the discussions had during the recent Borough Assembly Meeting.

COMMUNICATIONS TO COUNCIL

- a) Appointments to the Borough Planning Commission.

Mr. Roberts, seconded by **Ms. Bratcher**, moved to APPROVE Appointments to the Borough Planning Commission.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

- b) Appointments to the Fact Finding Commission.

PASSED and APPROVED on the CONSENT AGENDA.

- c) Fluoride Task Force Meeting Minutes of September 28, 2010.

PASSED and APPROVED on the CONSENT AGENDA.

- d) Fluoride Task Force Meeting Minutes of October 26, 2010.

PASSED and APPROVED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Matherly commented on the disrespectful comments made by the public. He asked the public to be respectful.

Ms. Bratcher echoed Mr. Matherly's comments. She asked the public to speak to issues and regain respect for the process and asked the Chair to control the atmosphere. She asked the

Council to continue to look into goals to curtail the drinking problem in Fairbanks. **Ms. Bratcher** asked the local media and government to support that effort.

Mr. Eberhart reminded the public and Council of the Public Safety Commission meeting on December 14, 2010. Mr. Eberhart thanked the Clerk's Office for the recent grant award to begin preservation of historical documents.

Mr. Gatewood thanked Mr. Matherly for his comments. He also thanked the City staff for a successful year.

Mr. Roberts reminded the public and Council of the FMATS policy meeting on Wednesday. He thanked the Mayor for the resolutions regarding the TIP and the signature streets.

Ms. Stiver thanked those who spoke during public testimony. **Ms. Stiver** commented on air pollution and hydronic heaters.

Ms. Stiver, seconded by **Mr. Matherly**, moved to go into Executive Session for the purpose of discussing labor negotiations.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth called for a fifteen minute recess.

EXECUTIVE SESSION

a) Labor Negotiations

The City Council met in Executive Session to discuss labor negotiations and direction was given to staff.

ADJOURNMENT

Mr. Roberts, seconded by **Ms. Stiver**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 9:55 p.m.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DO



FAIRBANKS CITY COUNCIL
REGULAR MEETING MINUTES, JANUARY 10, 2011
FAIRBANKS CITY COUNCIL CHAMBERS
800 CUSHMAN STREET, FAIRBANKS, ALASKA

The City Council convened at 7:00 p.m. on the above date, to conduct a Regular Meeting of the Fairbanks City Council at the City Council Chambers, 800 Cushman Street, Fairbanks, Alaska, with Mayor Jerry Cleworth presiding and with the following Council Members in attendance:

Council Members Present: Vivian Stiver, Seat A
Chad Roberts, Seat B
Bernard Gatewood, Seat C
John Eberhart, Seat D
Emily Bratcher, Seat E
Jim Matherly, Seat F

Absent: None

Also Present: Warren Cummings, Fire Chief
Paul Ewers, City Attorney
Janey Hovenden, City Clerk
Tony C. Shumate, Director Personnel/Purchasing/RM
Jim N. Soileau, Chief Financial Officer
Laren Zager, Police Chief

INVOCATION

The Invocation was given by City Clerk Janey Hovenden.

FLAG SALUTATION

Mayor Cleworth led the Flag Salutation.

CITIZEN'S COMMENTS

Tim Sovde, 402 Bonniefield, Fairbanks. Mr. Sovde commented on the Borough's ordinance regarding property grandfather rights, rezoning, the comprehensive economic development strategy, and Vision Fairbanks.

Victor Buberger, PO Box 58192, Fairbanks. Mr. Buberger spoke to possible changes to the section of the Code that outlines the qualifications for chauffeur's licenses.

Frank Turney, 201 7th Avenue, Fairbanks. Mr. Turney spoke of the members that make up the Fact Finding Commission, reduced fluoride levels mandated by the federal government, the Borough's Planning Commission meeting, and the restrictions specific to previous convictions in the Code for chauffeur licensing.

APPROVAL OF AGENDA AND CONSENT AGENDA

Mr. Roberts, seconded by **Ms. Stiver**, moved to APPROVE the Agenda and Consent Agenda.

Mayor Cleworth, pulled Resolution No. 4452 from the Consent Agenda.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

City Clerk Hovenden read the Consent Agenda into the record.

APPROVAL OF PREVIOUS MINUTES

a) Meeting Minutes of December 6, 2010.

PASSED and APPROVED on the CONSENT AGENDA.

SPECIAL ORDERS

a) The Fairbanks City Council convened as a Board of Adjustment to consider scheduling the appeal, and possible appointment of, a hearing officer in the matter of the below-stated decision of the Fairbanks North Star Borough Planning Commission.

A request by Edward O’Leary for lot size variance on Block 07 Graehl Subdivision (V2011-001).

Mr. Roberts, seconded by **Ms. Stiver**, moved to APPOINT the Council as the Board of Adjustment.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

b) The Fairbanks City Council, Sitting as a Committee of the Whole, heard interested citizens concerned with the below-referenced Liquor License Applications for renewal.

Lic #	Name	Type	Service Location	Owner Name
4678	Fairbanks Junior Ice Dogs	Recreational Site	1920 Lathrop St	Fairbanks Junior Ice Dogs Inc
4488	R.J.'s Lounge & Grill	Beverage Dispensary	3450 Airport Rd	Roy J Stoltz
1966	Loyal Order of Moose #1392	Club	98 Tenth Avenue	Fairbanks Lodge #1392
328	Drop In/El Sombrero	Beverage Dispensary	1420 Cushman St	Foxx Inc.
4880	Geraldo's Restaurant & Pizzeria	Restaurant/Eating Place	701 College Rd	Garlic Lovers LLC

Mayor Cleworth called for Public Testimony and, hearing none, declared Public Testimony closed.

Mr. Roberts, seconded by **Ms. Bratcher**, moved to WAIVE Protest.

A ROLL CALL VOTE WAS TAKEN ON THE MOTION TO WAIVE PROTEST, AS FOLLOWS:

YEAS: Gatewood, Roberts, Eberhart, Matherly, Stiver, Bratcher

NAYS: None

Mayor Cleworth declared the MOTION CARRIED.

MAYOR'S COMMENTS AND REPORT

Mayor Cleworth stated that the Clay Street Cemetery Commission would meet on January 25, 2011 for the first time. He stated that Lt. Tippet successfully completed the 243rd session of the FBI National Academy. **Mayor Cleworth** stated that at the next council meeting is a scheduled presentation by Engineering Department on the "signature street" concept. He stated that he asked Ms. Johnson to prepare a chronological list of the events regarding the emergency backup dispatch center. He indicated that the Council would need to provide direction in that regard. **Mayor Cleworth** spoke of the pending legislation before the Borough Assembly. He stated that under the new ordinance, the Planning Commission would have full authority, instead of the Borough Assembly or the City Council. He indicated that he is not in support of that idea and the City would need to protect its right to have a say in the appeals. **Mayor Cleworth** stated that Ms. Stiver's responsibility of appearing at all Borough meetings would need to be assigned to another Council Member. **Mayor Cleworth** stated that the Fluoride Task Force is still meeting and formulating its opinion with a report to be available in March, 2011. **Mayor Cleworth** asked that the City support efforts in getting the Arctic Winter Games to Fairbanks.

Mayor Cleworth asked the Council to approve a payroll adjustment for exempt staff to mirror the IBEW contract benefits.

Mr. Roberts, seconded by **Ms. Stiver**, moved to ADJUST Exempt Staff Benefits to Mirror the IBEW members.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth commented on the passing of Wally Droz and Doug Colp.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a) RESOLUTION NO. 4451 – A Resolution Allocating Discretionary Funds from Hotel/Motel Tax in the Amount of Two Hundred Seventy Thousand Dollars (\$270,000.00). Introduced by Council Member Stiver.

PASSED and APPROVED on the CONSENT AGENDA.

- b) RESOLUTION NO. 4452 – A Resolution Approving a Change Order for City Hall and Public Works Electrical Upgrades. Introduced by Mayor Cleworth.

Mr. Gatewood, seconded by **Ms. Bratcher**, moved to APPROVE Resolution No. 4452.

Ms. Stiver, seconded by **Mr. Gatewood**, moved to SUBSTITUTE Resolution No. 4452, As Amended.

Mayor Cleworth declared the motion passed without objection and identified the changes in the amendment.

A ROLL CALL VOTE WAS TAKEN, ON THE MOTION TO APPROVE RESOLUTION NO. 4452, As Amended, AS FOLLOWS:

YEAS: Roberts, Matherly, Gatewood, Bratcher, Eberhart, Stiver
NAYS: None

Mayor Cleworth declared the MOTION CARRIED and RESOLUTION NO. 4452, As Amended, APPROVED.

- c) RESOLUTION NO. 4453 – A Resolution Authorizing the City of Fairbanks to Accept funds from the Office of Homeland Security for the Upgrade and Modernization of Fire Protection Equipment in an Amount of \$48,581.00. Introduced by Mayor Cleworth.

PASSED and APPROVED on the CONSENT AGENDA.

- d) ORDINANCE NO. 5827 – An Ordinance Ratifying a Labor Agreement Between the City of Fairbanks and the International Brotherhood of Electrical Workers Local 1547, and Setting an Effective Date. Introduced by Mayor Cleworth.

ADVANCED on the CONSENT AGENDA.

DISCUSSION ITEMS

- a) Committee Reports

Public Safety Commission. **Mr. Eberhart** provided a brief report on the meeting.

Bed Tax Discretionary Grant Fund Committee. **Ms. Stiver** reported on the recent round of application submittals and the grant awards.

Mayor Cleworth clarified that the Alaska Dog Musher's Association missed the application deadline for the bed tax grant. He stated that he met with the applicant, together with Ms. Stiver, and discussed other fund raising options. He noted that the event was an important one and hoped that the City could contribute in making the North American a successful race.

FMATS Policy Committee. **Mr. Roberts** reported on the decision by the committee to abandon the study of downtown two-way streets and one-way bridges. The decision was made to maintain the streets one-way.

COMMUNICATIONS TO COUNCIL

- a) Appointment to the Permanent Fund Review Board

PASSED and APPROVED on the CONSENT AGENDA.

- b) Appointments to the Fact Finding Commission

PASSED and APPROVED on the CONSENT AGENDA.

- c) Bed Tax Discretionary Fund Meeting Minutes of December 16, 2010

ACCEPTED on the CONSENT AGENDA.

- d) Bed Tax Discretionary Fund Meeting Minutes of December 17, 2010

ACCEPTED on the CONSENT AGENDA.

- e) Fluoride Task Force Meeting Minutes of December 7, 2010

ACCEPTED on the CONSENT AGENDA.

COUNCIL MEMBERS' COMMENTS

Mr. Gatewood congratulated Mr. Powers for his recent Distinguished Citizen award from the Boy Scouts.

Mr. Roberts spoke about the administrative DUI fee for impounds. He indicated that the fee was not truly an administrative fee.

Mr. Roberts, seconded by **Mr. Matherly**, moved to STAY Resolution No. 4448, As Amended, Until the Next Regular Council Meeting.

Mr. Eberhart questioned whether a motion for reconsideration should be brought before the Council. He indicated that the Resolution passed.

Mayor Cleworth stated that the time for reconsideration passed.

Mr. Ewers stated that the motion to stay appeared to be more of an amendment and is problematic. Mr. Ewers, based on Ms. Stiver's question, indicated that an amendment to the effective date as outlined in the Resolution would be a better fix.

Mr. Eberhart, in concurrence with **Mr. Matherly**, WITHDREW the Motion to Stay Resolution No. 4448.

Ms. Stiver, seconded by **Mr. Matherly**, moved to AMEND Resolution No. 4448, As Amended, Changing the Effective Date to January 31, 2011.

Mr. Bratcher indicated that the flip-flopping is inappropriate and embarrassing.

Mayor Cleworth, in response to Ms. Bratcher's questions, indicated that the new fee schedule is not currently in use, but assured the Council that the new fee would be assessed.

Ms. Stiver stated that if changes needed to be made, then the Council should make the changes, regardless of appearances.

Ms. Bratcher expressed her concern that the Resolution, after being passed by the Council, had not been implemented.

Mr. Roberts questioned whether the City could escrow the monies collected until the issue was settled. He stated that reconsidering past actions is not necessarily embarrassing. He stated that revisiting past decisions is never bad, it is just an attempt to make sure that the Council is always looking to do things better.

Mayor Cleworth repeated that the new rates have not been enforced or implemented.

Mr. Eberhart questioned whether the term "administrative fee" was appropriate for the \$1,000 fee. He indicated that the City Attorney's Office should be charging the fees as passed by the Council.

Council Members discussed the amendment, while questioning why the Resolution that was passed, is not being implemented.

Ms. Stiver, in concurrence with **Mr. Matherly**, WITHDREW the Motion to Amend Resolution No. 4448.

Ms. Stiver informed the Council that she would be appearing telephonically for the next three regular council meetings.

Ms. Hovenden explained that due to equipment restrictions, only one telephonic call-in would be available per session.

Ms. Stiver stated that she would be in Juneau during the next three meetings. She stated that she has only missed two meeting during her tenure. **Ms. Stiver** stated that the Borough's Planning Commission is comprised of professionals, but that the City should not allow the Commission to become autonomous. She explained that the City needs to continue to be involved in the process. **Ms. Stiver** stated that she would research her voting history to determine which chauffeur appeal she approved. **Ms. Stiver** commented on the new plaques in the downtown area regarding historical buildings. She thanked the Borough for that work.

Mr. Matherly indicated he would miss the February 7, 2011 meeting. **Mr. Matherly** indicated that he does not consider approving or not approving an appeal as an act of judge, jury, or executioner. He promised to be open-minded and fair with each request.

Mayor Cleworth called for objection regarding Mr. Matherly's request to be excused on February 7, 2011 and, hearing none, so ORDERED.

Ms. Bratcher stated that she would be absent on February 7, 2011.

Mayor Cleworth called for objection regarding Ms. Bratcher's request to be excused on February 7, 2011 and, hearing none, so ORDERED.

Ms. Bratcher commented on rezoning and grandfather's rights. **Ms. Bratcher** asked that scheduling a work session to establish procedures for the City when dealing with rezoning and/or grandfather rights. She suggested inviting Kathryn Dodge to make a presentation to the Council to help in that regard. **Ms. Bratcher** reminded the Council that it is difficult to make those hard decisions and that each Council Member should be commended for the thoughtful and fair process that they use before making a decision.

Mr. Eberhart commented on the positive outlook for the State's economic future. **Mr. Eberhart** stated that he too would be absent on February 7, 2011.

Mr. Eberhart, seconded by **Ms. Bratcher**, moved to CHANGE the Regular Council Meeting from February 7, 2011 to February 14, 2011.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mr. Eberhart stated that he previously offered to the Council the option of having all chauffeur appeals be heard by a hearing officer, but that option was not entertained. The Ordinance spells out the period of time after a particular conviction that an offender is not eligible for a license. He stated that each appeal is different and unique and should be approached that way. He stated that he has a duty to protect the public and considers that before approving or denying an appeal. **Mr. Eberhart** stated that the IBEW contract would be finalized tonight and hoped that the other labor contracts would be finalized soon.

Mr. Gatewood, seconded by **Ms. Stiver**, moved to go into Executive Session for the purpose of discussing labor negotiations.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth called for a ten minute recess.

EXECUTIVE SESSION

a) Labor Contract Negotiations

The City Council met in Executive Session to discuss labor negotiations and no action was taken.

ADJOURNMENT

Ms. Bratcher, seconded by **Mr. Matherly**, moved to ADJOURN the meeting.

Mayor Cleworth called for objection and, hearing none, so ORDERED.

Mayor Cleworth declared the Meeting adjourned at 9:20 p.m.

JERRY CLEWORTH, MAYOR

ATTEST:

JANEY HOVENDEN, CMC, CITY CLERK

Transcribed by: DO

ORDINANCE NO. 5828

**AN ORDINANCE TO AMEND FGC SECTION 46-5 DISPOSAL OF
FIREARMS HELD AS EVIDENCE**

WHEREAS, the current language of FGC Section 45-5 conflicts with the requirements of Article II of Title 62 regarding the disposal of firearms forfeited to the City; and

WHEREAS, the provisions of Article II of Title 62 control the disposal of firearms forfeited to the City and provide that firearms will be sold at public auction; and

WHEREAS, amendment of FGC Section 45-5(a) is necessary to clarify the current conflict between the two code sections.

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

Section 1. That FGC Sec. 46-5 be and hereby is, amended as follows [new text in **underlined bold** font, deleted text in ~~strikeout~~ font]:

Sec. 46-5. Disposition of firearms held as evidence.

(a) After the conviction of any person for any offense involving the use, possession or transfer of a firearm has become final, any firearm held by the city police or district court and used, possessed or transferred in the commission of such offense shall be forfeited to the city police and ~~destroyed or otherwise~~ disposed of as ~~the director of public safety deems appropriate~~ **provided in Article II of Chapter 62**, unless the district court affirmatively finds upon evidence presented that the firearm was neither owned nor possessed with the permission of the owner by the person convicted of such offense.

* * * * *

Section 2. That the effective date of this ordinance shall be the ___ day of _____, 2011.

JERRY CLEWORTH, MAYOR

AYES:
NAYS:
ABSTAIN:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

Introduced by: Mayor Cleworth
Date: January 24, 2011

ORDINANCE NO. 5829

AN ORDINANCE TO AMEND FGC SECTIONS 10-276 AND 10-277 ADOPTING THE 2011 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, AND SETTING AN EFFECTIVE DATE

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2011 edition of the National Electrical Code, and the amendments thereto, and has recommended adoption of the 2011 National Electrical Code with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-276 and 10-277 are hereby repealed and re-enacted as follows:

Sec. 10-276. Adoption.

The National Electrical Code, **2011** Edition as published by the National Fire Protection Association, is hereby adopted by the City of Fairbanks.

Sec. 10-277. Amendments.

The National Electrical Code, **2011** Edition, is hereby amended as follows:

Article 210.8 Ground-Fault Circuit-Interrupter Protection for Personnel. Add subsection (D) to read as follows:

(D) Day Care Facilities.

In all day care facilities as defined by the current building codes adopted by the City of Fairbanks all 125-volt, single phase, 15- and 20- ampere receptacles installed where accessible to children shall have ground-fault circuit-interrupter (GFCI) protection.

Article 210.52 Dwelling Unit Receptacle Outlets. Add subsection (I) to read as follows:

(J) Parking spaces.

For each dwelling unit and mobile home, there shall be at least one exterior weather proof duplex **receptacle** on a separate 20- ampere G.F.C.I. circuit adjacent to on-site parking locations.

Article 220.52 Small Appliance, Laundry and Car Head bolt Heater Loads - Dwelling Unit. Add subsections (C) and (D) to read as follows:

(C) Car Head bolt Heater Loads.

A feeder load of not less than 1500 volt-amperes shall be included for each individual 20 ampere branch circuit required by Article 210.52(e). This requirement also applies to Article 220.30, 220.31, 220.32, 220.33.

(D) Commercial Parking Areas.

The minimum calculated load for car head bolt heater receptacles is 1200 volt amperes. If the service, feeder and branch circuit overcurrent protective devices are located outside then 1200 volt amperes for the first 30 spaces, 1000 volt amperes for the next 30 spaces and 800 volt amperes for each space over 60 will be allowed.

Article 230.9(A) Clearances. Amend as follows:

Service conductors installed as open conductors or multi-conductor cable without an overall outer jacket shall have a clearance of not less than 900 mm (3 ft) from windows that are designed to be opened, doors, porches, balconies, ladders, stairs, fire escapes, building attic gable vents, or similar locations.

Article 230.11 Service Detail Requirements. Add a new section as follows:

Service installations shall comply with the details of Exhibit #1 Residential Service.

Article 230.12 Temporary Power Service. Add a new section as follows:

Temporary Services shall comply with the details of Exhibit #2 Temporary Service.

Article 230.24(B) Vertical Clearance for Service-Drop Conductors. Amend as follows:

(1) 3.81 m (12.5 ft) - at the electric service entrance to buildings, also at the lowest point of the drip loop of the building electric entrance, and above areas or sidewalks accessible only to pedestrians, measured from final grade or other accessible surface only for service-drop cables supported on and cabled together with a grounded bare messenger where the voltage does not exceed 150 volts to ground.

(2) 3.81 m (12.5 ft) - over residential property and driveways, and those commercial areas not subject to truck traffic where the voltage does not exceed 300 volts to ground.

Article 230.26 Point of Attachment. Amend as follows:

In no case shall this point of attachment be less than 3.81 m (12.5 ft) above finished grade.

Article 230.28 Service Masts as Supports. Add subsections (A), (B), (C), (D) to read as follows:

(A) General.

When the overhead service is installed on the eave side of a structure with a pitched roof, the service mast conduit shall extend through the roof.

(B) Conduit Size.

The conduit size shall be a minimum of two inches rigid metal or intermediate metal conduit and must extend at least three feet above the roof surface. If couplings are used in the installation, they must be located below the roof overhang.

(C) Guyed Support.

The service mast conduit when installed through the roof shall be guyed to the roof with a minimum 5/8 inches galvanized closed eyebolt using a minimum of 1/8 inches

stranded stainless steel wire aircraft cable with four approved clamps. If the service mast conduit extends above the roof over four feet in length, then a double V-guy installation is required.

(D) Protection of Meter.

When the eave overhang is less than eighteen inches, additional protection shall be required to protect the meter from snow and ice damage by a minimum of an 18 gauge galvanized metal hood or equivalent extending over the meter.

Article 230.41 Insulation of Service Entrance Conductors. Add the following:

Individual ungrounded service entrance conductors shall be XHHW, RHW, or R-Type insulation approved for exterior use. No other insulation is acceptable.

Article 230.54(F) Drip Loops. Add the following:

For 100 ampere service, leave 18 inches of conductors, for 200 ampere and larger, leave 24 inches of conductors extending out of the weather head.

Article 230.70(A)(1) Location. Add the following:

If installed inside, a means to disconnect all conductors in the building from the service entrance conductors shall be provided on the building exterior

Article 230.70(A)(3) Remote Control. Add the following subsections:

- (a) The remote control device shall be a key switch approved by the Fire Department.
- (b) The key switch shall shut down the electrical power for the entire building.
- (c) If a facility is equipped with a generator, a key switch shall be installed to shut down the generator in the event of an emergency. This switch shall be located adjacent to the electrical service remote control key switch or the electrical service disconnect.
- (d) Key switch locations shall be marked with a visible sign indicating "Fire Department Use Only" and "Generator Disconnect".

Article 230.70(A)(4) Add subsection (4):

(4) Natural and Liquid Petroleum Gas. Electrical equipment (i.e.: service disconnect, electrical meters, receptacles, etc.) shall be installed not less than 5 feet from any LPG tank installation and related regulators, etc. or NG meter and regulators. If the gas equipment is installed less than 5 feet to the electrical equipment, then the electrical equipment shall meet the requirements of Article 500 and 501 of the National Electrical Code.

Article 230.70(B) Marking. Add the following:

When there is more than one meter on any single service, they shall be permanently identified with numbers painted on the meter base at least one inch in height or identified by other approved means that corresponds to the number on the unit served.

Article 250.66(B) Connections to Concrete Encased Electrodes. Amend the following:

Where the grounding electrode conductor is connected to a concrete encased electrode as permitted in 250.52(A)(3) a #4 AWG bare copper conductor consisting of at least 6.0 m (20 ft) in length shall be installed in the footing for a 100-200 ampere service. A #2 AWG bare copper conductor shall be installed in the footing for 225-300 ampere service. A 1/0 AWG bare copper conductor is required for a 350-400 ampere service. A 2/0 AWG bare conductor is required for a 450-500 ampere service and 3/0 AWG bare conductor is required for services greater than 500 amperes.

Article 410.36(B) Suspended Ceilings. Add the following exception:

Exception: When the light fixtures are supported seismically in accordance with the current building codes adopted by the City of Fairbanks the above supports are not required.

Article 700.12(B) Generator Set. Add subsection (7):

(7) The generator shall have an exterior disconnect located adjacent to service disconnect to prevent the generator from starting when the normal power is turned off in case of an emergency or fire. A weatherproof sign shall be installed

adjacent to the service disconnect that reads: Emergency
Generator Disconnect Switch.

Section 2. That the effective date of this Ordinance shall be the ____ day of
February 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

Introduced by: Mayor Cleworth
Date: January 24, 2011

ORDINANCE NO. 5830

AN ORDINANCE TO AMEND FGC SECTIONS 10-136 AND 10-137 ADOPTING THE 2009 UNIFORM PLUMBING CODE WITH AMENDMENTS, AND SETTING AN EFFECTIVE DATE

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 Uniform Plumbing Code, and the amendments thereto, and has recommended adoption with local amendments; and

WHEREAS, the City Council desires to accept the recommendations of the Building Code Review and Appeals Commission,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. Fairbanks General Code Sections 10-136 and 10-137 are hereby repealed and re-enacted as follows, [**Substantive changes are shown in bold font**]:

Sec. 10-136. Adoption.

The Uniform Plumbing Code **2009** Edition, to include Appendix A, B, D, E, F, I, K, and L, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by the City of Fairbanks.

Sec. 10-137. Amendments.

CHAPTER 1 ADMINISTRATION

Section 101.2 Purpose. Add subsections to read as follows:

101.2.1 Referenced Codes. The technical codes as referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. References to *NFPA 54* and the *Uniform Mechanical Code* shall be replaced with adopted codes specified in sections 101.2.1.1 and 101.2.1.2.

101.2.1.1 Gas. The provisions of the *International Fuel Gas Code* shall apply to the installation of fuel gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending

from the point of delivery to the inlet connections of appliances and installation and operation of residential and commercial gas appliances and related accessories.

101.2.1.2 Mechanical. The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.2.1.3 Administrative. The provisions of the Administrative Code for the City of Fairbanks Building Department shall apply to the administration and enforcement of this code. Where provisions of the Administrative Code and this code conflict, the more restrictive test shall apply.

101.2.1.4 Building. The provisions of the *International Building Code* shall apply where reference is made to the Building Code in this document.

Section 101.4.1.4 Conflicts Between Codes. Delete this section in its entirety and replace with the following:

When conflicts occur between this code and other technical codes, those provisions providing the greater safety to life shall govern. In other conflicts, between this code and other codes or laws, where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.

Where in a specific case different sections of these codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Section 102.3.2 Penalties. Delete this section in its entirety and replace with the following.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs any plumbing in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provision of this code or other codes adopted by this jurisdiction shall be subject to penalties prescribed by law.

Section 103.1.1 Permits required. Add the following subsection.

Section 103.1.1.1 Emergency Repairs. Where equipment or piping system replacement must be performed in an emergency situation, the permit application shall be submitted to the building official within 72 hours of such emergency. All required inspections shall be conducted.

Section 103.2 Application for Permit. Add the following subsection.

Section 103.2.4 Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

Section 103.3.1 (Permit) Issuance. Delete the second paragraph of this section and replace with the following.

When the building official issues a permit, the construction documents shall be approved by separate letter or plan review stating, or the plans shall be stamped as, "Reviewed and Approved for Code Compliance". Work shall be installed in accordance with the approved construction documents. Changes to the approved set of construction documents that affect code compliance are prohibited unless amended documents are resubmitted by the appropriate design professional for review and approval before such modification is constructed in the field.

Section 103.4.1 Permit Fees. Delete Section 103.4.1 in its entirety and refer to Table 3-D of the City of Fairbanks Administrative Code.

103.4.2 Plan Review Fees. Delete Section 103.4.2 in its entirety and replace with the following.

When submittal documents are required by Section 103.2.2, a plan review fee shall be paid. The plan review fee shall be paid when the review has been completed. The plan review fee shall be paid in conjunction with the plumbing permit fee. The plan review fee is not required to be paid at the time of plan or application submittal. The plan review fee shall be 75 percent of the plumbing permit fee as shown in Table 3-D. The plan review fee for projects where plan are not received prior to commencement of construction will be charged a fast track rate equal to one hundred percent (100%) of the plumbing permit fee. When submittal documents are incomplete or changes so as to require additional plan review or when the project involves deferred submittal items as defined in Section 103.2.4, an additional plan review fee shall be charged at the rate shown in Table 3-D.

103.4.2.1 Plan Check Fee Identical Building Construction. Create a new subsection and title as follows.

Section 103.4.2.1 Plan Check Fee Identical Building Construction. The plan check fee for identical buildings with the same building construction shall be reduced by 75% of the initial plan check fee when the following conditions are met;

- a. The structural framing and floor plan are identical**
- b. Construction is simultaneous or in immediate sequence.**

Section 103.4.4.2 (Investigation Fees: Work Without a Permit.) Delete this subsection and substitute the following.

A penalty fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this or other adopted codes of the Authority Having Jurisdiction, nor from the penalty prescribed by law. The penalty fee for performing work without the required permit is \$750.

Section 103.4.5 Fee Refunds. Delete Subsection 103.4.5.2 and substitute the following.

Section 103.4.5.2 The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 103.5.2 Operation of Plumbing Equipment. Delete this section in its entirety and substitute the following.

The requirements of this section shall not be considered to prohibit the operation of any plumbing installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of such equipment or fixture has been filed with the Authority Having Jurisdiction not more than 48 hours after such replacement work is complete, and before any portion of such plumbing systems is concealed by any permanent portion of the building.

Section 103.5.6.1 Corrections. Delete the second paragraph of this section and substitute the following.

Refusal, failure, or neglect to comply with any such notice or order within (180) days of receipt thereof, or other time limit as set forth in the notice or order, shall be considered a violation of this code and shall be subject to the penalties set forth elsewhere in this code for violations.

Section 103.5.6.3 Approval. Delete this section in its entirety and substitute the following.

Upon the satisfactory completion and final test of the plumbing system, an approval for use shall be issued by the Authority Having Jurisdiction to the permittee.

204.0 Building Thermal Envelope – Add the following definition to this section.

Building Thermal Envelope – For purposes of the plumbing code: the basement walls, exterior walls, floors, roofs, and any other building elements that enclose conditioned spaces, and frost-protected foundations. For frost-protected foundations with required horizontal insulation, the thermal envelope shall be considered to extend from the warm-in-winter side, to the projection of the vertical insulation, cold-in-winter exterior surface. For thermal envelope assemblies enclosing conditioned spaces, the thermal envelope assembly includes any vapor retarders.

205.0 Conditioned Space – Add the following Definition to this section.

Conditioned Space -- For purposes of the plumbing code, space within a building that is provided with heating equipment or systems capable of maintaining, through design or heat loss, 50 degrees F

during the heating season, or communicates directly with a conditioned space .

210.0 Hot Water - Delete this definition and substitute the following.

Hot Water – Water at a temperature exceeding or equal to 110 degrees F.

303.0 Disposal of Liquid Waste. Add the following sentence to this section.

Pit privies (outhouses), as defined by Alaska D.E.C. 18 AAC 72.030 & 7 AAC 10.9990(46)(B), are prohibited.

Section 313.6 (Pipe Freezing Protection) Delete 313.6 in its entirety and substitute the following.

All water, soil, waste, vent, or roof drainage piping shall be installed on the warm-in-winter side of the Building Thermal Envelope assembly, including any vapor retarders.

Exception 1. Vent piping above the roof.

Exception 2. Vent piping, other than wet vents, may be installed within exterior walls or above the roof/ceiling assembly where enclosed within at least R-8.8 insulation. This insulation must be continuous from the piping penetration of the warm-in-winter surface of the thermal envelope to the underside of the piping's roof sheathing penetration. The insulation of the Building Thermal Envelope assembly may be used to meet this requirement.

Exception 3. Underground Building Drain or Water Distribution piping outside the Building Thermal Envelope installed according to the circulation and insulation provisions of the latest revised standards of the local Public Water & Sewer Utility for water & sewer services.

Exception 4. A system of frost protection that, is designed & sealed by a currently registered engineer or architect, including but not limited to heat trace installed according to Sections 301.1.1 & 310.4; and provided it is accessible for repair or replacement without excavation or removal of elements of construction.

Section 313.9 (Protection of Piping) Delete 313.9 and its Exception in their entirety and substitute the following.

In concealed locations where piping, other than cast-iron or steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1½ inches from the nearest edge of the member, the pipe shall be protected by shield plates having a minimum thickness of 0.0575 inch (No. 16 gage) shall cover the area of the pipe where the member is notched or bored, and shall extend a minimum of 2 inches above sole plates and below top plates.

Section 313.12.4 (Rat proofing) Delete 313.12.4 in its entirety.

Section 407.5 Setting. Delete the Exception and substitute the following.

Exception: The installation of paper dispensers, sanitary napkin receptacles, or accessibility grab bars shall not be considered obstructions if located such that a minimum of 7 inches clearance is maintained in any direction from the outside surface of the usable portion of the fixture.

Section 408.2.2 (Water Closet Seats) Delete Subsection 408.2.2 and substitute the following:

Water closet seats for public use shall be of the elongated and open-front type.

Section **412.0 Minimum** Number of Required Fixtures. Delete this section in its entirety and refer to Chapter 29 and **Table 2902.1 as amended of the 2009 IBC.**

Section **413.0** Fixtures and Fixture Fittings for Persons with Disabilities. Delete this section in its entirety and refer to Chapter 11 of the **2009 IBC** and ICC/ANSI A117.1-2003.

Table 4-I Minimum Plumbing Facilities. Delete this Table in its entirety and **refer to table 2902.1 as amended of the 2009 IBC.**

Section 501.0 General. Delete this section and substitute the following.

The regulations of this chapter shall govern the construction, location, and installation of fuel-burning and other water heaters heating potable water. All fuel and combustion air systems, chimneys, vents, and their connectors shall be regulated by the

respective sections of the locally amended **2009** International Mechanical Code and the **2009** International Fuel Gas Code. The minimum capacity for water heaters shall be in accordance with the first hour rating listed in Table 5-1. All design, construction, and workmanship shall be in conformity with accepted engineering practices, manufacturer's installation instructions, and applicable standards and shall be of such character as to secure the results sought to be obtained by the respective Codes.

Section 503.0 Permits. Add the following exception.

Exception: Replacement of an existing, approved, non-fuel-fired electric water heater with one of like size, type and rating in a manner that maintains its approval shall not require a permit.

Section 504.0 Inspection. Delete this section and substitute the following.

A final water heater inspection shall be made after all work requiring a permit has been installed in addition to inspections required for other work regulated by the mechanical code and fuel gas code.

Section 506.4.2 (Indirect-Fired Water Heaters) Delete part (3) (b) of this subsection and substitute the following.

(b) The pressure of the heat-transfer medium must be limited to a maximum of _(labeled by installer and equal to the system safety or relief valve rating)_ psig by an approved safety or relief valve and the potable water system must be maintained at a normal minimum operating pressure of at least _(labeled by installer & 5 psig greater than the heat-transfer medium safety or relief valve rating).

Section 603.4.10 (Potable Water Makeup Connections) Add the following exception.

Exception: Potable water makeup connections to boilers containing only heat-transfer mediums of water or other nontoxic fluid having a toxic rating or Class of 1 as listed in Clinical Toxicology of Commercial Products, 5th edition shall be permitted to be provided with a listed Backflow Preventer with Intermediate Atmospheric Vent.

603.4.18 (Chemical Dispenser Backflow Protection) Add the following to this subsection.

Chemical Dispensers otherwise approved for connection to the potable water piping system shall not be connected to an Atmospheric Vacuum breaker hose thread in such a way that the Atmospheric Vacuum breaker is able to be pressurized, e.g. with a valve in the discharge piping.

Section 609.4 Testing. Delete the third sentence and substitute the following.

A one hundred (100) pound per square inch air pressure test may be substituted for the water test.

Section 712.1 Media. Delete the first sentence and replace with the following.

The piping of the plumbing, drainage, and venting systems shall be tested with water or air.

Section 719.1 Cleanouts. Delete the first paragraph in its entirety and replace with the following:

Cleanouts shall be placed at the connection of the building sewer and building drain outside the building and extend to grade.

Section 719.2 Delete this section in its entirety.

Section 807.4 (Domestic Dishwasher Airgap) Add the following subsection.

Section 807.4.1 When a compartment or space for a domestic dishwasher is provided, an approved dishwasher airgap fitting shall be installed.

812.1 Elevator Pits. Add this new Subsection.

812.1 Elevator Pits. Where drains are not provided to prevent the accumulation of water in elevator pits, sumps are required. Drains connected directly to the sanitary system shall not be installed in elevator pits. Sumps in elevator pits, where provided, shall be covered and the cover shall be level with the pit floor. The pump shall be of sufficient capacity to prevent the accumulation of water in the pit. If the building is fire-sprinklered, the pump shall be sized of at least the capacity of one energized sprinkler head.

Section 906.7 Frost or Snow Closure. Replace the first sentence with the following.

Vent terminals shall be a minimum of 3 inches in diameter, but in no event smaller than the required vent pipe.

1001.2 (Central Trap Location for multiple fixtures) Revise this section as follows.

One (1) trap shall be permitted to serve a set of not more than three (3) single compartment sinks or laundry tubs of the same depth or three (3) lavatories immediately adjacent to each other and in the same room if the waste outlets are not more than thirty inches apart.

1002.2 (Trap sizes and Trap Arm lengths) Add the following exception to this section.

Exception: The developed length of a trap arm from a two-inch outlet private floor drain in a garage bay serving a single dwelling unit shall be permitted to exceed the distances given in Table 10-1 if the floor drain trap and trap arm are increased to three-inch nominal size. When installed according to this exception the trap arm is required without any offsets or changes in direction and the vent shall be connected below, and extend vertically into or adjacent to the first garage wall under which the trap arm passes.

Section 1101.5.1 Subsoil Drains. Delete 1101.5.1

Section 1101.11.1 Primary Roof Drainage. Delete the last sentence of this section and replace with the following.

Unless otherwise required by the Authority Having Jurisdiction, roof drains, gutters, vertical conductors or leaders, and horizontal storm drains for primary drainage shall be sized based on a maximum rainfall of one (1) inch per hour per square foot of roof area.

Section 1101.11.2.2.2 Combined System. Delete the second sentence in this subsection and replace with the following:

When the combined secondary and primary roof drain system connects to a building storm drain that connects to an underground storm sewer, a relief drain shall be installed to ensure positive common roof drain flow. **The connection of this relief drain to the common drain shall not divert or obstruct the primary drain.**

Section 1109.2 Methods of Testing Storm Drainage Systems. Delete the first sentence of this section and substitute the following.

The piping of storm drain systems shall be tested upon completion of the rough piping installation by water or air and proved tight.

Chapter 12 Fuel Piping. Delete this chapter in its entirety and refer to the *2006 International Fuel Gas Code* as amended.

Chapter 15 Firestop Protection. Delete this Chapter in its entirety and refer to the *International Building Code* as amended.

Appendix K Private Sewage Disposal System. Delete this section in its entirety and replace with the following:

Private Sewage Disposal Systems shall be designed and installed in accordance with the current standards as published by the State of Alaska Department of Environmental Conservation (D.E.C.). Written verification from D.E.C. or a State of Alaska-certified Septic System Installer of the D.E.C.'s approved installation shall be submitted to the Building Department. A Certificate of Occupancy shall not be issued until this written verification is submitted to the Building Department.

Appendix L.

Section L 1.3 (required descriptive details) Add the following to this section.

For the plumbing systems in Appendix L, other than those of L2.0, L3.0, & L7.0, the design by a registered professional engineer is required where the work is not exempted by AS 08.48.331. A riser diagram or isometric indicating the provisions of Appendix L intended to be installed shall be submitted for review and approval by the Building Department prior to the work being commenced. The riser diagram or isometric is in addition to the other details or data that may be required by the Building Official.

Section L3.2 Single-wall heat exchangers. Delete part (3) of this subsection and substitute the following.

(3) The equipment is permanently labeled according to Section 506.4.2 (3) (b) as amended.

Section L 8.1 Circuit Venting. Delete the 1st sentence of this subsection.

Section L9.1 Single-Stack Vent System. Delete the 1st sentence of this subsection.

Section 2. That the effective date of this Ordinance shall be the ____ day of February 2011.

Jerry Cleworth, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney

RESOLUTION NO. 4456

**A RESOLUTION ENCOURAGING THE ALASKA LEGISLATURE TO
TRANSFER PARCELS OF ALASKA RAILROAD LAND, SUBJECT TO ANY
EXISTING LEASES, TO THE FAIRBANKS NORTH STAR BOROUGH
THROUGH A LAND EXCHANGE OR OTHER METHOD**

WHEREAS, the Alaska Railroad, with legislative approval, has previously transferred land to several communities; and

WHEREAS, Alaska Statute Section 42.40.285 allows the legislature to exchange, donate, sell or otherwise convey the railroad's interest in land; and

WHEREAS, the Fairbanks North Star Borough has adopted Resolution No. 2010-44 addressing the lands adjacent to the Chena River, which would be ideal for public use; and

WHEREAS, the City of Fairbanks has nominated the Chena River Walk as an FMATS transportation improvement program project which encompasses this area; and

WHEREAS, this Resolution only pertains to the land adjacent to the Chena River between Cushman Street and Peger Road owned by the Alaska Railroad.

NOW, THEREFORE, BE IT RESOLVED that the City Council supports Borough Resolution No. 2010-44 and respectfully requests the Alaska Legislature to consider a transfer of property to help accomplish this community goal.

PASSED and APPROVED this 14th day of February, 2011.

JERRY CLEWORTH, MAYOR

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDEN, CMC, City Clerk

PAUL J. EWERS, City Attorney

1 By: Hank Bartos
2 Introduced: 09/23/10
3 Amended: 09/23/10
4 Adopted: 09/23/10
5
6

7 FAIRBANKS NORTH STAR BOROUGH

8
9 RESOLUTION NO. 2010 - 44
10

11 A RESOLUTION BY THE ASSEMBLY OF THE FAIRBANKS NORTH STAR
12 BOROUGH TO ESTABLISH AS A LEGISLATIVE PRIORITY, THE TRANSFER OF
13 PARCELS OF ALASKA RAILROAD LAND, SUBJECT TO ANY EXISTING LEASES, TO
14 THE FAIRBANKS NORTH STAR BOROUGH
15

16 WHEREAS, on February 25, 2010 the Fairbanks North Star Borough passed
17 Resolution NO. 2010-10 requesting the Alaska Legislature to transfer parcels of Alaska
18 Railroad land to the Fairbanks North Star Borough; and
19

20 WHEREAS, most land adjacent to the Chena River is already in private
21 ownership and unavailable for public use; and
22

23 WHEREAS; most of the remaining public land adjacent to the Chena in the City
24 of Fairbanks is located between Cushman Street and Peger Road and is owned by the
25 Alaska Railroad; and
26

27 WHEREAS; the Fairbanks North Star Borough wishes to expand the availability
28 and use of the public waterfront property in the City of Fairbanks; and
29

30 WHEREAS; the land requested from the State is mostly vacant and is not
31 essential for present or future railroad operations; and
32

33 WHEREAS; cities throughout the United States with riverfront property have
34 redeveloped their riverfronts to boost year around businesses and tourism; and
35

36 WHEREAS; the Borough wishes to provide a permanent home for the world
37 class Ice Park and expand Pioneer Park which has outgrown available space; and
38

39 WHEREAS; this necessary transfer would allow ventures on both sides of the
40 Chena River to expand and attract tourism year around; and
41

42 WHEREAS; the acquisition of this state owned land would provide the borough
43 the stimulus to redevelop an industrial eyesore into a riverfront that would provide new
44 ventures and jobs; and
45

46 WHEREAS; Alaska Statute Section 42.40.285 allows the Legislature to
47 exchange, donate, sell or otherwise convey the railroads interest in land; and
48

49 WHEREAS; The Alaska Railroad, with legislative approval, has previously
50 transferred land to several communities; and
51

52 WHEREAS; the Fairbanks North Star Borough has land along the Flood Control
53 Levy and in South Fairbanks that the Alaska Railroad needs to realign the railroad that
54 can be exchanged for the referenced land; and
55

56 WHEREAS; This transfer of land can be accomplished at little or no cost to State
57 of Alaska and the Fairbanks North Star Borough; and
58

59 WHEREAS; the Fairbanks North Star Borough desires to establish their
60 legislative priorities at an early date for public comment.
61

62 NOW THEREFORE BE IT RESOLVED, that the Assembly of the Fairbanks
63 North Star Borough, as a legislative priority, respectfully requests the Alaska Legislature
64 to transfer the referenced land, subject to existing leases, from the Alaska Railroad to
65 the Fairbanks North Star Borough.
66

67 BE IT FURTHER RESOLVED, that copies of this resolution shall be sent to the
68 Honorable Governor Sean Parnell, the Alaska Legislature, the Alaska Railroad Board of
69 Directors, the City of Fairbanks and the Greater Fairbanks Chamber of Commerce.
70

71 PASSED AND APPROVED THIS 23rd DAY OF SEPTEMBER 2010.
72

Mike Musick

Mike Musick
Presiding Officer

ATTEST:

Nanci A. Ashford, CMC

Nanci A. Ashford, CMC, Deputy Clerk
Acting for Mona Lisa Drexler, MMC
Borough Municipal Clerk

73
74 Ayes: Brown, Howard, Beck, Blanchard II, Bartos, Want, Sattley, Musick
75 Noes: None
76 Excused: Winters

RESOLUTION NO. 4457

A RESOLUTION AMENDING THE SCHEDULE OF FEES & CHARGES FOR SERVICES BY ADJUSTING REFUSE COLLECTION RATES

WHEREAS, Ordinance 5744 adopted the City *Schedule of Fees & Charges for Services* to be amended by resolution; section 37 of Ordinance 5744 provided that refuse collection rates **should be adjusted** each year to reflect the annual change in the Anchorage Consumer Price Index as well as changes in the cost of fuel and tipping fees charged by the Fairbanks North Star Borough landfill; and

WHEREAS, the 2010 rates for refuse collection and the senior rate were unchanged and deferred due to rounding; and

WHEREAS, the annual consumer price index for the years ending 2009 and 2010 is 1.2 and 1.8 percent respectively, tipping fees increased by \$5.00/ton, and other costs were reviewed and set in 2008; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, refuse collection rates will be changed as follows (rounded to the nearest dollar) effective April 1, 2011 and page 6 of the *Schedule of Fees and Charges for Services* is amended as follows:

Refuse collection	\$21.00 \$22.00*
Senior rate	\$16.00 \$17.00**
Oversized refuse pickup	\$27.00 \$ <u>28.00***</u>

(*rounded from \$22.26)
 (**rounded from \$17.11)
 (***rounded from \$27.87)

PASSED and APPROVED this ____ day of _____, 2011.

Jerry Cleworth, MAYOR

AYES:
 NAYS:
 ABSENT
 APPROVED:

ATTEST:

APPROVED AS TO FORM

 Janey Hovenden, CMC, City Clerk

 Paul J. Ewers, City Attorney

**Resolution 4457
2011 Refuse Collection Fee Adjustment**

Category	Current-Deferred Rate Per Month	2010 Anchorage CPI	CPI ADJUSTED RATE	*Tipping Fees Increase, (see detail below)	Total	Increased Rate (rounded)
Refuse Collection	* \$ 21.49	101.80%	\$ 21.88	\$ 0.38	\$ 22.26	\$ 22.00
Senior rate	* \$ 16.43	101.80%	\$ 16.73	\$ 0.38	\$ 17.11	\$ 17.00
Large Item pickup	\$ 27.00	101.80%	\$ 27.49	\$ 0.38	\$ 27.87	\$ 28.00

* FNSB Tipping Fees Increased \$5 per ton. (\$64 per ton to \$71 per ton) July 1, 2010

Tipping Fee Increase Detail					
2010 Total Tons	Units	AVG Tons/Unit	\$ Increase Per Ton	\$ Per Year	\$ Per Month
5776	6379	0.91	\$ 5.00	\$ 4.53	\$ 0.38

* Rate deferred in 2009 due to rounding

RESOLUTION 4458

**A RESOLUTION TO APPLY FOR AND ACCEPT FUNDING FROM THE
NATIONAL INSTITUTE OF JUSTICE FOR THE “SOLVING COLD
CASES WITH DNA” GRANT**

WHEREAS, the City of Fairbanks has received notice that it is eligible to apply for the “Solving Cold Cases with DNA” grant through the National Institute of Justice; and

WHEREAS, the City of Fairbanks has several cold cases that have the potential of being solved through DNA analysis; and

WHEREAS, the grant has an eighteen month award period and there is no local match requirement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to apply for and accept a grant of up to \$250,000.00 from the National Institute of Justice for the “Solving Cold Cases with DNA” grant to be used in support of local law enforcement operations.

PASSED AND APPROVED AND EFFECTIVE THIS 14TH DAY OF FEBRUARY 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

RESOLUTION 4459

**A RESOLUTION TO APPLY FOR AND ACCEPT FUNDING FROM THE
ALASKA DEPARTMENT OF NATURAL RESOURCES FOR A
HISTORIC PRESERVATION FUND GRANT**

WHEREAS, the City of Fairbanks is considered a Certified Local Government that is eligible to apply for a historic preservation grant from the federal Historic Preservation Fund program that is administered through the Alaska Department of Natural Resources;

WHEREAS, the Alaska Department of Natural Resources is accepting applications to address the Alaska Historical Commission's priorities for FY11 to include projects that address the preservation of historic properties; and

WHEREAS, the City of Fairbanks wants to restore portions of the City Hall building and to request \$20,000; and

WHEREAS, the grant requires a 40% match and the City plans to use currently budgeted expenditures.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Mayor is authorized to accept and execute any and all documents required for requesting and expending funds on behalf of the City for this project.

PASSED AND APPROVED AND EFFECTIVE THIS 14TH DAY OF FEBRUARY 2011.

Jerry Cleworth, City Mayor

AYES:
NAYS:
ABSENT:
APPROVED:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul J. Ewers, City Attorney

ORDINANCE NO. 5831

**AN ORDINANCE TO REVISE FGC SECTION 10-401, ADOPTING THE
2009 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS,
AND SETTING AN EFFECTIVE DATE**

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Residential Code and the amendments thereto and;

WHEREAS, the City Council now desires to accept the recommendations of the Building Code Review and Appeals Commission,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, AS FOLLOWS:

Section 1. FGC Sec. 10-401 is repealed and re-enacted as follows:

Sec. 10-401. Adopted; amendments.

The 2009 International Residential Code is hereby adopted.

The 2009 International Residential Code is hereby amended as follows:

Chapter 1 Administration

Delete the following sections: R103 and R104.10.1, and refer to the Administrative Code for the City of Fairbanks.

Section R105.2 Work exempt from permit. Amend this section by deleting items 1, 2 and 10 and replace as follows: Further amend this section by adding the following item #11.

1. One story detached structures used as garages, tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet. Separate permits are required for any electrical, plumbing or mechanical work.
2. Fences.
10. Uncovered Decks which are constructed not more than 30 inches above grade at any point.
11. Replacement of exterior siding, doors and windows; excluding required egress windows.

Section R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R106.1.3 Information for construction in flood hazard areas. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R107.1 General. Revise this section by amending the second sentence to read as follows:

Such permits shall be limited as to time of service, but shall not be permitted for more than 360 days.

Section R108 Fees. Delete this section in its entirety and replace with the City of Fairbanks Administrative Code.

Section R109 Inspections. Delete this section in its entirety and replace with the City of Fairbanks Administrative Code.

Section R112.2.1 Determination of substantial improvement in areas prone to flooding. Delete this section in its entirety and refer to the Title 15 Fairbanks North Star Borough Flood Plain Management Regulations.

Section R 112.2.2 Criteria for issuance of a variance for areas prone to flooding. Delete this section and refer to Title 15 Fairbanks North Star Borough Flood Plain management Regulations.

Chapter 2 Definitions

Amend section R202 Definitions by adding the following definition:

Duplex Dwelling Unit. Buildings which contain not more than two dwelling units which are not otherwise distinguished or separated by a recorded lot line.

Amend Section R202 Definitions Townhouse by the deleting the definition and replace as follows:

Townhouse. A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each townhouse shall be considered a separate building as recognized by a recorded lot line between such units. Each townhouse unit shall be provided with separate water, sewer, heating, fuel gas and electrical services.

Table R301.2(1) Climatic and Geographic Design Criteria. Amend this table to read as follows

Table R301.2 Climatic and Geographic Design Criteria:

Roof Snow load:	50 psf
Wind speed:	90 mph
Seismic Design Category:	D1
Weathering:	Severe
Frost line depth:	42" below finished grade
Termite:	None to slight
Decay:	None to slight
Winter Design Temp.	- 47°
Flood Hazards:	Refer to FNSB Title 15

Section R301.2.2.1.1 Alternate determination of seismic design category.

Add the following sentence to the end of the paragraph to read as follows:

The seismic design category for the City Of Fairbanks shall be D1.

Section R301.2.4 Floodplain Construction. Delete this section in its entirety.

Table R301.5 Minimum Uniformly Distributed Live Loads. Amend this table by deleting the live load value of 30 psf live load for sleeping rooms and replace with 40 psf.

Section R302.2 Townhouses. Delete this section in its entirety and replace with the following.

Each townhouse shall be considered a separate building and shall be separated by fire-resistive wall assemblies meeting the requirements of section R302.1 for exterior walls. Each townhouse shall be protected from the adjacent dwelling unit by construction of independent one hour fire resistive exterior walls. The wall shall be rated for fire exposure on both sides. Plumbing, mechanical equipment, ducts or vents may be installed within independent one hour fire – resistive walls provided the openings are fire stopped as required by section 302.4. Electrical installations shall be installed in accordance with the National Electrical Code and shall be in accordance with section R302.4.

Exception 1.

A common 2- hour fire resistive rated wall is permitted provided such walls do not contain plumbing, mechanical equipment, ducts, or vents in the cavity of the common wall.

Exception 2.

A common 1- hour fire resistive rated wall is permitted provided such walls do not contain plumbing, mechanical equipment, ducts or vents in the cavity wall of the common wall and the townhouses are protected with an approved sprinkler system throughout.

Section R302.2.4 Structural Independence. Delete exception #5 of this section and replace as follows:

5. Townhouses separated by a common 2- hour fire- resistive wall as provided in section R302.2 as amended.

Section R302.3 Two – family dwellings. Revise the last sentence of exception #2 to read as follows:

The structural framing supporting the ceiling shall be protected by not less than 5/8 inch thick type X gypsum board or equivalent.

Section R302.5.1 Opening protection. Add the following sentence to this section:

Doors between the garage and residence shall be self-closing and latching. Doors shall be equipped with tight fitting smoke gasket seals installed along the top and sides of doors. A tight fitting threshold seal shall also be installed.

Table R302.6 Dwelling/Garage Separation. Amend this table as follows:

Revise all references in the table to ½ inch gypsum board and replace with 5/8 inch thick type X gypsum board.

Revise line two of the Material column to read as follows:

Not less than one layer 5/8 inch Type X gypsum board for nominal dimensional lumber or two layers of gypsum board as required by ICC report ESR 1336 or as required by other proprietary research reports for specific engineered I Joists which achieve a one hour rated assembly.

Section R303.1 Habitable Rooms (Light and Ventilation). Replace this section and the exceptions with the following:

All habitable rooms shall be provided with natural light by means of exterior glazed openings with an area of not less than 5 percent of the floor area of such rooms with a minimum area of 5 square feet, except that minimum egress requirements shall govern. Natural ventilation shall be provided by openings to the exterior of not less than 4 percent of the floor area of habitable rooms. Such openings shall be openable and readily controllable by the building occupants. In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing air changes in accordance with the 2009 IECC as adopted and amended.

Section R303.3 Bathrooms. Delete this section in its entirety, rename and replace with the following:

Section R303.3 Bathrooms and Kitchens. Bathrooms, water closet compartments and similar rooms shall have a mechanical ventilating system connected directly to the outside capable of providing five air changes per hour.

Moisture exhaust ducts shall be smooth and rigid. All moisture exhaust ducts located in an unconditioned space shall be insulated with a minimum R-11 and installed so as not to create low points where condensation may collect. All exhaust ducts shall be equipped with a back-draft damper.

Kitchens shall have mechanical exhaust ventilation provided directly above or immediately adjacent to the primary cooking appliance. All vents shall be connected directly to the exterior. A total exhaust ventilation rate for the structure shall be a minimum of 80 cfm per 1000 square feet of habitable floor space. All exhaust ducts shall be equipped with a back draft damper.

Structures of unusually tight construction containing fuel-burning appliances, including fireplaces and mechanically exhausted range-top cooking appliances shall be provided with supplemental supply air in accordance with the Mechanical Code. A draft activated damper allowing air to flow into the structure when depressurization exceeds 10 pascals may be installed within a supply air duct.

Section R309.3 Flood hazard areas. Delete this section and refer to Title 15 Fairbanks North Star Borough Flood Management Regulations

Section R310.1.1 Minimum opening area. Delete the exception.

Section R 313 Automatic Fire Sprinkler Systems. Delete this section in its entirety.

Section 315.1 Carbon Monoxide Alarms. Delete this section in its entirety and replace as follows:

For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages. Carbon monoxide detectors shall be listed and installed in accordance with their listing. Combination carbon monoxide/smoke detectors are acceptable provided they are installed in accordance with this section and section R314.3 for sleeping room locations.

Exceptions:

1. Carbon monoxide detectors are not required in dwelling units that have no combustion appliances and that do not have an attached garage.
2. Carbon monoxide detectors are not required in dwelling units that have only direct vent combustion appliances and that do not have an attached garage.

Section R315.1.1 Interconnection. Add new subsection to read as follows:

In new construction, carbon monoxide detectors shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual dwelling unit.

Section R315.1.2 Power source. Add new subsection to read as follows:

In new construction, carbon monoxide detectors shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery back-up. Wiring shall be permanent and without disconnecting switch other than those required for over-current protection. In existing construction, carbon monoxide detectors shall be permitted to be battery powered or cord-and-plug type with battery back-up.

Section R315.2 Where required in existing dwellings. Amend this section by adding the following exceptions:

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck are exempt from the requirements of this section.
2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section.

Section R318 Protection against subterranean termites. Delete this section in its entirety.

Section R322. Flood – Resistant Construction. Delete this section in its entirety and refer to Title 15 Fairbanks North Star Borough Flood Plain Management Regulations

Section R323 Storm Shelters. Delete this section in its entirety.

Section R324 Moisture Vapor Retarders. Create a new section and title to read as follows:

Section R324.1 Moisture control

The building design shall not create conditions of accelerated deterioration from moisture condensation. All exterior wall, ceiling, roof and floor assemblies which enclose heated spaces and which are exposed to outdoor ambient temperatures shall be protected against water vapor transmission. Assemblies not otherwise of impermeable construction shall have installed, on the heated side of the insulation or air spaces, vapor retarders having a perm rating of 0.06 minimum (equivalent to 6 mils polyethylene sheeting) or other material approved by the Building Official. All seams shall be lapped a minimum of one stud or joist bay or sealed with an approved tape or sealant. All voids between joists and studs all be insulated and sealed in an approved manner.

Exceptions:

1. In construction where moisture or its freezing will not damage materials.

2. One-third of the total installed insulation may be installed on the warm side of approved vapor retarders.

Section R324.2 Crawl space moisture protection. Create a new sub section and title to read as follows:

Crawl space moisture protection.

Exposed earth in crawl space foundations shall be covered with a continuous vapor retarder. All joints of the vapor retarder shall be overlapped by 6 inches or shall be sealed or taped in approved manner. The edges of the vapor retarder shall either extend over the concrete footing and secured in approved manner.

Section R401.3 Drainage. Delete the section and the exception and replace with the following:

Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall be sloped a minimum of 2% within the first 10 feet. It shall be the responsibility of the owner or contractor to assure that discharge of roof and surface runoff is disposed of without affecting the adjacent property. Surface drainage across lot lines is prohibited.

Section R403.1 General. Delete the reference to “wood foundations” in the first sentence and add the following sentence to the end of the section to read as follows:

Wood footings shall be designed and stamped by a registered engineer licensed in the State of Alaska.

Section R 403.1.1 Minimum size. Delete this section in its entirety and replace as follows:

The footing width shall be based on the load- bearing value of the soil in accordance with Table R401.4.1. All footing and foundation systems shall comply with standard foundations details (SFD1-SFD8). In no case shall the minimum size for concrete and masonry footings be less than 1'-4". The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with table R401.4.1.

Table R403.1 Minimum width of concrete or masonry footings. Delete the table in its entirety and reference standard foundation details (SFD1-SFD8).

Section R403.1.3 Seismic reinforcing. Delete this section in its entirety and replace as follows:

Seismic reinforcing shall be provided in accordance with standard foundation details SFD1 though SFD8 unless reinforcing is specifically designed by a

registered engineer licensed by the State of Alaska. Bottom reinforcement shall be located a minimum of 3 inches clear from the bottom of the footing.

Section R403.1.3.1 Foundations with stemwalls. Delete this section in its entirety and replace as follows:

Foundations with stemwalls shall have installed a minimum of two #4 bars within 6 inches of the top of the wall and one #4 bar located 3 inches to 4 inches above the top of the footing. All reinforcing steel shall comply with standard foundation details SFD1- SFD8 unless specifically designed and stamped by a registered engineer licensed by the State of Alaska.

Section R403.1.3.2 Slabs-on- ground with turned-down footings. Delete this section and the exception in its entirety and replace as follows:

Slabs-on- ground with turned-down footings shall be designed and stamped by an engineer licensed by the State of Alaska. Insulation for such slabs and footings shall be in accordance with section 403.3, figure 403.3(1) and table R403.3(1).

Section R403.1.4 Minimum depth. Delete this section in its entirety and replace as follows:

All exterior footings shall be placed at least 42 inches below finished grade unless the foundation system is designed by a registered engineer licensed by the State of Alaska. Where applicable the depth of footings shall also conform to sections R403.1.4.1 through R403.1.4.2.

Exception:

1. Non habitable detached single story accessory structures less than 480 square feet.

Section R403.1.4.1 Frost protection. Amend this section by deleting the exceptions and replace as follows:

Exceptions:

1. Protection of non-habitable freestanding accessory single story structures with an area of 480 square feet or less shall not be required.
2. Decks not covered with a roof and decks which are not more than 30 inches above grade at any point need not be provided with footings that extend below the frost line.

Section R403.2 Footings for wood foundations. Delete this section in its entirety including references to figures R403.1(2) and R403.1(3) and replace as follows:

Wood foundations shall comply with standard foundation details SFD3 and SFD6 or the wood foundation system shall be specifically designed and stamped by a registered engineer licensed by the State of Alaska.

Section R403.3 Frost protected shallow foundations. Delete the first sentence and replace with the following:

Frost protected shallow foundations shall be designed and stamped by an engineer licensed in the State of Alaska. The design must be in constructed in accordance with Sections R403.3.1 thru R403.3.3, including Figures R403.3(1), R403.3(3) or R403.3(4) and Table R403.3 (1).

Section R403.3.3 Drainage. Delete this section in its entirety and replace with the following:

Final site drainage shall be in accordance with Section R401.3

Section R403.3.4 Termite damage. Delete this section in its entirety.

Section R403.4.1 Crushed stone footings. Delete this section in its entirety.

Table R403.4 Minimum Depth of Crushed Stone footings. Delete this table in its entirety.

Section R404.1.1 Masonry foundation walls. Delete this section in its entirety and all references to tables R404.1.1(1), R404.1.1(2), R404.1.1(3), R404.1.1(4) and replace as follows:

The minimum design for masonry foundation walls shall comply with The City of Fairbanks Standard Foundation Details (SFD) #1, #4 or #7 unless an alternate foundation design has been prepared and stamped by a registered engineer licensed by the State of Alaska.

Section R404.1.2 Concrete foundation walls. Add the following sentence to the end of the paragraph.

The minimum design for concrete foundation walls shall comply with The City of Fairbanks Standard Foundation Details (SFD) #2, #5 or #8 unless an alternate foundation design has been prepared and stamped by an engineer licensed by the State of Alaska.

Table R404.1.2(1). Delete the table in its entirety and replace as follows:

Two #4 bars are required to be installed within the top 6 inches of the wall and one #4 bar shall be provided near mid-height of the wall story where the maximum unsupported height of the basement wall is greater than 4 feet and less than or equal to 8 feet. When the maximum unsupported height of basement wall is greater than 8 feet required reinforcing shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Section R404.1.2.2 Reinforcement for foundation walls. Delete this section in its entirety and replace as follows:

Concrete foundation walls shall be laterally supported at the top and bottom. Horizontal reinforcement shall be provided in accordance with table R404.1.2(1) as amended. Vertical reinforcement shall be provided in accordance with Standard foundation Details SFD1-SFD8. In buildings assigned to Seismic Design Category D1 or concrete foundation walls shall also comply with Section R404.1.4.2.

Table R404.1.2(2). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFD8 or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(3). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFD8 or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(4). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFD8 or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(5). Delete this table in its entirety and replace as follows:

Vertical wall reinforcement shall be installed in accordance with the manufactures installation instructions or a design provided by a registered engineer license by the State of Alaska.

Table R404.1.2(6). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with the manufactures installation instructions or shall be installed in accordance with a design provided by a registered engineer licensed by the State of Alaska.

Table R404.1.2(7). Delete this table in its entirety

Table R404.1.2(8). Delete this table in its entirety and replace as follows:

Minimum vertical reinforcement shall be installed in accordance with Standard foundation Details SFD1-SFD8 or shall be installed in accordance

with a design provided by a registered engineer licensed by the State of Alaska.

Section R404.1.4.1 Masonry foundation walls. Delete this section in its entirety and replaces as follows:

Foundation walls in buildings assigned to seismic Design Category D1 as established in Table R301.2(1), supporting more than 4 feet of unbalanced backfill or exceeding 8 feet in height shall be constructed in accordance with Table R404.1.1(2), R404.1.1(3) or R404.1.1(4) as amended or a design shall be provided by a registered engineer licensed by the State of Alaska. Masonry foundation walls shall have two #4 bars horizontal in bars located in the upper 6 inches of the wall.

Section R404.1.4.2 Concrete foundation walls. Delete this section in its entirety and replace as follows:

In buildings assigned to Seismic Design Category D1 as established in table R301.2(1), concrete foundation walls that support light –frame walls shall comply with this section and concrete foundation walls that support above-grade concrete walls shall comply with ACI 318, ACI 332 or PCA 100 (see section R404.1.2). In addition to the horizontal reinforcement by table R404.1.2(1) as amended concrete foundation walls shall comply with standard foundation details SFD1-SFD8.

Section R404.2 Wood foundations. Delete this section in its entirety and replace as follows:

Wood foundation walls shall be constructed in accordance with the provisions of sections R404.2.1 through R404.2.6 and standard foundation details SFD3 and SFD6 as adopted by the City of Fairbanks. An alternate design may be submitted for review and approval if the design is prepared and stamped by a registered engineer licensed by the State of Alaska.

Section R404.2.5 Drainage and Damproofing. Delete this section in its entirety and replace as follows:

Wood foundation basements shall be drained and dampproofed in accordance with Standard Foundation Details SFD3 and SFD6.

Section R405.1 Concrete or masonry foundations. Delete this section in its entirety and replace as follows:

Concrete and masonry foundations shall be installed in compliance with Standard foundation details SFD1-SFD8. A drainage system is not required when the foundation is installed on well-drained ground or sand gravel mixture soils according to the Unified Soil Classification System, Group I soil, as detailed in Table R405.1.

Section R405.2 Wood foundations. Delete this section in its entirety and replace as follows:

Wood foundations shall comply with Standard foundation details SFD1-SFD8.

Section R405.2.1 Base. Delete this section in its entirety.

Section R405.2.3 Drainage system. Delete this section in its entirety.

Section R406.1 Concrete and Masonry Foundation Dampproofing. Amend this section by revising the first sentence to read as follows:

Except where required by section R406.2 to be water proofed, foundation walls that retain earth and enclose interior spaces and floors below grade shall be dampproofed from the top of the footing to 6 inches above finished grade.

Section R406.1. Amend this section by adding exception #2 to read as follows:

2. Crawl space foundation walls or walls backfilled on both sides, such as those used in conjunction with a “slab on grade”, do not require damp-proofing.

Section R406.3 Dampproofing for wood foundations. Amend this section by adding the following sentence to the end of the paragraph.

Foundation foundations shall comply with Standard foundation details SFD1-SFD8.

Section R406.3.2 Below-grade moisture barrier. Delete the first sentence and replace with the following:

A double layer of 6-mil polyethylene film shall be applied over the below-grade portion of the exterior foundation walls prior to backfilling. A single layer of self adhering polymer modified bitumen sheet material may be used in lieu of the polyethylene film.

Section R406.3.2 Below- grade moisture barrier. Delete the last sentence of the paragraph and replace with the following:

The moisture barrier shall overlap onto the footing.

Section R408.1 Ventilation. Delete this section in its entirety and replace with the following:

Each under-floor space shall be ventilated by an approved mechanical means or by openings in exterior foundation walls. Such openings shall have a net area of not less than 0.1 square foot for each 150 square feet of under-floor area. There shall be two openings located as close to corners as practical on opposite sides to provide cross ventilation. The openings shall be covered with corrosion resistant wire mesh

approximately 1/4" in size. All structures with a crawl space shall have a minimum 6 mil ground vapor retarder to prevent the flow of water vapor from soils into the heated building interior.

Section R502.1 Identification. Add the following exception:

Exception: Rough sawn, ungraded, dimensional lumber may be used for framing materials in floors, walls and roofs of detached garages, utility buildings and other unheated accessory building and other applications where approved by the Building Official.

Section R601.3 Vapor retarders. Delete this section in its entirety including the exceptions and replace as follows:

Class I vapor retarders are required to be installed on the interior side of framed walls in zone 8. The vapor retarder may be installed within the wall such that not less than 2/3 of the total wall R-value is placed on the cold side of the vapor retarder.

Exception: Construction where moisture or its freezing will not damage the materials.

Section R601.3.1 Class III vapor retarders. Delete this section in its entirety and refer to section R601.3 as amended.

Table R601.3.1 Class III Vapor Retarders. Delete this section in its entirety and refer to section R601.3 as amended.

Section R602.11.1 Wall anchorage. In the second sentence, replace "3 inch by 3 inch" with the following:

2 inch by 2 inch.

Section R703.2 Water-resistive barrier. Delete this section in its entirety.

Section R802.10.2 Design. Add the following sentence to end of paragraph:

A 15% load duration increase shall not be utilized for wood trusses where the live load considered is snow.

Section 806.2 Minimum area. Amend this section by deleting the last sentence of the paragraph and replace as follows:

As an alternative, the net free cross-ventilation area may be reduced to 1/300 when a class I vapor barrier is installed on the warm-in-winter side of the ceiling.

Section 806.4 Unvented attic assemblies. Delete this section in its entirety.

Section R807.1 Attic access. Add the following sentence to the end of the paragraph:

Attic access shall not be located in a room containing bathing facilities. Access may be located in closets with minimum depth of 23 inches and minimum width of 48 inches.

Exception:

Attic access may be provided from the exterior gable vent in accordance with size and opening requirements of this section. The gable vent must be readily accessible.

Section R903.1 General. Add the following sentence to the end of section:

1. All valleys shall have a modified bitumen ice barrier lapped eighteen inches minimum each side of valley centerline. No penetrations shall be located in required valley ice barrier.

Section R903.4 Roof drainage. Add the following sentence to the end of the paragraph:

Roof drainage shall be diverted to a storm sewer conveyance or other approved point of collection so as to not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall be sloped a minimum of 2% within the first 10 feet. It shall be the responsibility of the owner or contractor to assure that discharge of roof and surface runoff is disposed of without affecting the adjacent property. Water drainage which migrates across property lines is strictly prohibited.

Section R905.2.2 Slope. Delete the section and replace with the following:

Asphalt shingles shall be used only on roof slopes of two units vertical in 12 units horizontal or greater. Required underlayment shall be provided as follows: A roof slope of 2:12 shall be provided with an approved self-adhering polymer modified bitumen on the entire roof surface. A roof slope of 3:12 shall be provided with double underlayment in accordance with section R905.2.7. Roof slopes of 4:12 or greater shall be provided with a single layer of underlayment in accordance with section R905.2.7.

Section R905.2.5 Fasteners. Add an exception to read as follows:

Staples may be substituted for nails on new work only. They must be galvanized or stainless steel with a 1 inch crown and of sufficient length to completely penetrate the shingle and the roof sheathing. Staples must be straight and flush with the shingle surface.

Section R905.2.7 Underlayment application. Amend this section by deleting the first sentence and replace as follows:

A roof slope of 2:12 shall be provided with an approved self-adhering polymer modified bitumen on the entire roof surface. A roof slope of 3:12 shall be provided with double underlayment in the following manner.

Section R905.2.7.1 Ice Barrier. Delete this section in its entirety and replace with the following:

Where a non-energy heel truss design is utilized, an approved self-adhering polymer modified bitumen sheet shall be installed on the roof deck extending from the eave up the roof to 36 inches inside the exterior wall line of the building.

Exception: Detached accessory structures that contain no conditioned floor area.

Section R905.14 Sprayed polyurethane foam roofing. Delete this section in its entirety.

Chapter 11 Energy Efficiency. Delete this chapter in its entirety and reference the International Energy Conservation Code as currently adopted and amended.

MECHANICAL

Chapters 12-23. Delete these chapters and reference the Mechanical Code as currently adopted and amended by the City of Fairbanks.

FUEL GAS

Chapter 24. Delete this chapter and reference the Fuel Gas code as currently adopted and amended by the City of Fairbanks.

PLUMBING

Chapters 25-31. Delete these chapters and reference the Plumbing code as currently adopted and amended by the City of Fairbanks.

APPENDICES

Appendix K Sound Transmission. Adopt Appendix K Sound Transmission and revise section AK 102 AIR-BORNE Sound and section AK 103 Structural-Borne Sound to read as follows:

Section AK 102 AIRBORNE SOUND

Air-borne sound insulation for a wall and floor- ceiling assemblies shall meet a Sound Transmission Class (STC) rating of 50 when tested in accordance with ASTM E90. Penetrations or openings in construction assemblies for piping; electrical devices, recessed cabinets, bathtubs soffits or heating ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings. Dwelling

unit entrance doors, which a share a common space shall be tight fitting to the frame and sill and shall be provided with gasket seals at the top and sides of such doors.

Section Ak 103 Structural–Borne Sound

Floor/ceiling assemblies between a dwelling unit and public space or service area within the structure shall have an impact insulation class (IIC) rating of not less than 50 when tested in accordance with ASTM E 492.

Section 2. That the effective date of this Ordinance shall be the ____ day of March, 2011.

Jerry Cleworth

AYES:
NAYS:
ABSENT:

ATTEST:

APPROVED AS TO FORM:

Janey Hovenden, CMC, City Clerk

Paul Ewers, City Attorney



January 26, 2011

City of Fairbanks Code Review and Appeals Commission
800 Cushman Street
Fairbanks, AK 99701

To Whom It May Concern,

In regards to the proposed amendments to IRC 2009 being considered by the Code Review and Appeals Commission we encourage you to consider the following recommendations. The Interior Alaska Building Association encourages the following changes:

- Section R313: Mandatory Fire Sprinklers should not be adopted until, at the very least, appraisal and financing issues can be addressed to minimize the negative impact on the consumer.
- Section R807.1: Make gable vents secure with screws rather than hinges.
- Section 302.1.7: Eave venting should not be blocked off in any way so as to maintain air flow and insure the long term structural integrity of the home.
- Sections 505.1.3.1 and 505.1.4.1: Sheetrock should not be required on the lower surface in floors with either I-joists or cold-formed steel floor joists located in unfinished, daylight or full basements.
- Section R302.2: Support changes related to townhouses proposed by City of Fairbanks Building Department.

While not inclusive, we believe, these recommendations effectively represent the majority interests of our community - both public and professional.

Sincerely,

Darrell Bourne
2011 IABA President

938 Aspen St. Fairbanks, AK 99709 (907)455-6650
iaba@mosquitonet.com www.InteriorABA.com

ORDINANCE NO. 5832

**AN ORDINANCE TO AMEND FGC SECTION 10-456, BY
ADOPTING THE 2009 INTERNATIONAL ENERGY
CONSERVATION CODE WITH AMENDMENTS AND SETTING
AN EFFECTIVE DATE**

WHEREAS, the Building Code Review and Appeals Commission has reviewed the 2009 International Energy Conservation Code and the amendments thereto; and

WHEREAS, the City Council now desires to accept the recommendations of the Building Code Review and Appeals Commission to adopt the 2009 International Energy Conservation Code with local amendments,

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

Section 1. The current FGC Sec. 10-456 is hereby repealed and re-enacted as follows:

Sec. 10-456. Adopted; amendments.

The 2009 International Energy Conservation Code is hereby adopted.

The 2009 International Energy Conservation Code is hereby amended as follows:

Section 202 General definitions.

Vapor Retarder. Create a new definition to read as follows:

Vapor retarder. A vapor resistant material, membrane or covering having a permeance rating of .06 perm and recognized as a class 1 vapor retarder in accordance with the International Residential Code.

Section 401.3 Certificate. Delete this section in its entirety.

Table 402.1.1 Insulation and Fenestration Minimum R-Values by Component.
Delete the table in its entirety and replace with the following:

Table 402.1.1 Insulation and Fenestration Minimum R-Values by Component								
Climate Zone	Windows	Doors	Ceiling ^a	Exterior frame wall ^d	Floor ^e	Below grade wall ^b	Slab ^c & Depth	Crawl-space wall ^b
8	3.22	7	60 or 49	21	38	15/19	15, 4ft	15/19

a. The smaller value may be used with a properly sized, energy-heel truss.

b. The first R-value applies to continuous insulation, the second to framing cavity insulation; either meets the requirement.

c. R-5 shall be added to the required slab edge R-values for heated slabs. Insulation shall not be placed below the footing portion unless bearing on entirely non-frost susceptible soils.

d. Includes rim joists

e. For exposed floors, floors above crawl spaces do not require insulation.

Section 402.1.2 R-value Computation.

Delete the last sentence in its entirety.

Table 402.1.3 Insulation and Glazing Maximum U-Factors by component. Delete the table in its entirety and replace with the following:

Table 402.1.3 Insulation and Glazing Maximum U-Factors by Component ^c								
Climate Zone	Windows	Doors	Ceiling ^a	Exterior frame wall	Floor ^e	Below grade wall ^b	Slab	Crawl-space wall ^b
8	.31	.14	0.017 or 0.020	0.047	0.0026	0.067/ 0.053	0.067	0.066/ .052

a. The smaller value may be used with a properly sized, energy-heel truss.

b. The first R-value applies to continuous insulation, the second to framing cavity insulation; either meets the requirement.

c. R-5 shall be added to the required slab edge R-values for heated slabs. Insulation shall not be placed below the footing portion unless bearing on entirely non-frost susceptible soils.

d. Includes rim joists

e. For exposed floors, floors above crawlspaces do not require insulation.

Section 402.2.1 Ceilings with attic spaces. Amend this section by adding the following exception:

Exception: R-49 fiberglass blanket insulation may be compressed at the eave to provide a 1.5 inch air space when installed between wood trusses having a minimum heel height of 11.25 inches.

Section 402.2.4 Mass walls. Delete this section in its entirety.

Section 402.2.9 Crawl space walls. Delete this section in its entirety and rename and replace as follows:

Section 402.2.9 Crawl space walls and adjacent floor.

Floors located above crawl spaces and not directly exposed to exterior ambient temperatures are not required to be insulated if such spaces contain, plumbing piping, hydronic piping or water and sewer services. Crawl spaces may be vented by natural or mechanical means as prescribed by the International Residential Code or International Building Code. Crawl spaces which are vented to the exterior and contain piping as described above shall be protected during freezing temperatures by an approved method or material. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor level to the top of the footing. Exposed earth in crawl space foundations shall be covered with a continuous vapor retarder. All joints of the vapor retarder shall overlap by 6 inches and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches up the stem wall and shall be attached or secured to the stem wall in an approved manner.

Section 402.3.7 Glazing limitation. Add a new section to read as follows:

Glazing shall be limited to 15% of the conditioned floor area unless substantiated by a design prepared by a licensed engineer or architect registered in the State of Alaska

Section 402.4.6 Moisture control (Mandatory) Create a new section and title to read as follows.

Moisture control (Mandatory). The building design shall not create conditions of accelerated deterioration from moisture condensation. Walls, floors, ceilings, crawl space walls, crawl space floors and concrete slabs shall incorporate an approved, continuous, vapor retarder. The vapor retarder shall be installed on the warm side of the insulation. All seams shall be lapped a minimum of one stud or joist bay or sealed with an approved tape or sealant. All voids between joists and studs shall be insulated and sealed in an approved manner.

Exceptions:

- 1. In construction where moisture or its freezing will not damage materials.**
- 2. One-third of total installed insulation may be installed on the warm side of vapor retarders.**

Section 403.2.2 Sealing (Mandatory). Delete this section in its entirety and replace with the following:

All ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with the 2009 International Mechanical Code as adopted by the City Of Fairbanks.

Section 403.2.4 Duct material. Create a new subsection to read as follows:

A duct transporting ventilation air shall be constructed of a smooth-walled material, such as galvanized steel or lined fiberglass (rigid or semi-rigid). The use of flexible ducting is approved as a transition from rigid ducting to mechanical and air handling equipment. In all circumstances flexible ducting shall be installed per the manufacturer's instructions. Flexible ducting shall be supported to prevent sags. The radius at the centerline shall not be less than one duct diameter.

Section 403.3 Mechanical system piping insulation (Mandatory). Insert an exception to read as follows:

Exception: piping installed within the building thermal envelope.

Section 403.5 Mechanical ventilation (Mandatory) Add a second sentence to read as follows:

Exterior exhaust vents shall be located to prevent exhaust air from entering attic or soffit vents.

Section 403.6 Equipment sizing (Mandatory). Add the following to the end of the paragraph:

Heating and cooling equipment shall be sized in accordance with the 2009 International Mechanical Code as adopted by the City of Fairbanks or based on design loads determined in accordance with the procedures described in ASHRAE Fundamentals Handbook, or other approved equivalent computational procedures.

Section 403.10 Ventilation standard. Add a new section to read as follows:

Ventilation shall comply with the 2009 International Mechanical Code or the latest edition of the ASHRAE Standard 62.2 as referenced.

Section 405.3 Performance based compliance Add an exception to read as follows:

Exception: Compliance may be demonstrated through a home energy rating under a program approved by the Alaska Housing Finance Corporation (AHFC) that meets the following:

1. A minimum four star plus rating is required.
2. The maximum air infiltration rate shall not exceed seven air changes per hour at 50 Pascal's pressure difference.
3. The compliance rating shall be performed by a person authorized by AHFC.
4. Compliance with sections 404.4 through 404.6 is not required.

Chapter 5 Commercial Energy Efficiency. Delete this section in its entirety.

Chapter 6 Referenced Standards. Add the following to the ASHRAE section:

62.2-2004 Ventilation and acceptable indoor air quality in low rise buildings.

Section 2. That the effective date of this ordinance shall be the ____ day of March 2011.

JERRY CLEWORTH, Mayor

AYES:
NAYS:
ABSTAIN:
ABSENT:
ADOPTED:

ATTEST:

APPROVED AS TO FORM:

JANEY HOVENDEN, CMC, City Clerk

PAUL EWERS, City Attorney



CITY OF

FAIRBANKS

800 Cushman Street
Fairbanks, AK 99701

Building Department

Phone (907) 459-6720
Fax (907) 459-6719

February 2, 2011

To: Code Review Commission

**From: S. Shuttleworth
Building Official**

Re: Proposed Changes to IEC from Cold Climate Housing

Provided for your discussion and consideration are proposed amendments to the 2009 IEC. As you will note there is only one new amendment proposed from the building department, which is an increase in the attic ventilation from R-38 to R-49.

Building department staff has recently met with staff from Cold Climate Housing and they have requested consideration of further local amendments to the IEC which we can not support; briefly our comments to those requested changes are as follows:

- Raising the window requirements for triple pane windows through out is simply cost prohibitive. The role of the building code and building departments is to establish baseline minimums and not maximum code requirements. While triple pane windows may in fact be recommended there is nothing that prevents builders to incorporate them into their project. But establishing this as baseline criteria is without objective analytical support.**
- Raising the maximum percent of glazing in order to take advantage of potential solar gain above 15% may have some merit; but the building department feels that if more glazing is provided then an engineered design should also be provided. The code should provide an option to address more glazing but should be provided in the form of an engineered “whole house performance design” prepared by a licensed engineer. If this or similar language is included we could support this recommendation from Cold Climate Housing.**
- Eliminating the otherwise required 6 mil vapor barrier and replacing it with an exterior “tyvek wrap” is not supported by the building department. This represents a significant departure from commonly accepted engineered principles and practices. We have not seen analytical documentation which**

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justifies this unique and proprietary wall construction technique. We have not seen problems related to stud space condensation within the city limits as all phases of construction are inspected providing quality control and assurance through routine inspections.

Perhaps the proponent has seen some limited problems outside the City of Fairbanks which incorporate their unique R wall system that warrants further investigation. Inserting a code change based on an uncommon and unique proprietary exterior wall design is not appropriate for convention exterior wall construction. Elimination of a tried and true method incorporating a 6 mil vapor retarder is without scientific justification, is contrary to the fundamental provisions of the energy code, and should be rejected.



CITY OF


FAIRBANKS

Building Department

800 Cushman Street
Fairbanks, AK 99701

Phone (907) 459-6723
Fax (907) 459-6719

MEMORANDUM

Date: 2-2-2011
To: Steve Shuttleworth
From: Kirk C. Larson 
Re: IECC meeting with CCHRC

On 1-31-11 Marty and I had a lunch meeting with Ilya Benesch from CCHRC. This meeting was to discuss their review of our proposed amendments to the IECC.

The following items were recommended by Cold Climate.

- 1) Raising the minimum window R-value to exclude double pane windows.
- 2) Raising the maximum percent of glazing area so that homes can take advantage of solar gain. I recommend keeping the 15% maximum glazing area however adding language that would allow more glazing when substantiated by an engineered design.
- 3) Cold Climate would like to use drain wrap "Tyvek" in lieu of a 6 mil vapor retarder. They have admitted that during certain periods of cold, condensation does form within the wall cavity of the REMOTE system and the drain wrap allows drying inside the wall once the temperature warms up. It was also indicated that a working HRV is required to manage moisture and condensation.

Let me know if you have any questions.

Kirk Larson P.E.

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City of Fairbanks

From the
Office of the City Attorney

MEMORANDUM

TO: Mayor and Council

FROM: Paul Ewers, City Attorney 

SUBJECT: A Street Apartments, LLC, Referral of claim to Factfinding Commission

DATE: February 8, 2011

“A” Street Apartments, LLC, filed a claim against the city for damages caused by flooding during a heavy rain storm in July of last year. “A” Street Apartments, LLC is owned by Seth Church and Joe Kurber. The total claim is for \$51,605.81. The claim was denied by Risk Management. The denial was reviewed and confirmed by both Mayor Strle and Mayor Cleworth.

The parties discussed the possibility of referring the matter to the city’s Factfinding Commission (“FFC”). The owners are amendable to this referral on the condition that both sides agree to be bound by the decision of the FFC, waiving any right they might have to an appeal or to file a separate lawsuit.


The city code provides for referrals by the council to the FFC. Normally, the matter is referred and the FFC conducts its inquiry and reports its findings to the council. At that point, the council decides whether or not to accept the FFC’s findings. The council could agree to refer this matter to the FFC and agree to the condition that both sides be bound by the FFC’s findings. To accomplish this, a motion would be needed specifying the terms of the referral (suggested form would be: A motion to refer the claim of A Street Apartments, LLC to the Factfinding Commission and to be bound by the Commission’s findings, conditioned on A Street Apartments, LLC signing a written agreement specifying that the decision of the Commission will be final and binding on A Street Apartments, LLC and its owners).

City of Fairbanks

From the
Office of the City Attorney

MEMORANDUM

TO: Mayor and Council

FROM: Paul Ewers, City Attorney 

SUBJECT: Request for Council Approval of Indemnity for Dan Hoffman and Brad Johnson in Hutton/Whorton v. City of Fairbanks, 4:08-cv-00029-RRB

DATE: February 8, 2011

I am proposing that the defense in the Hutton/Whorton case be consolidated. Matthew Singer of Jermain Dunnagan & Owens represents the city. Singer was retained to defend the City by AML/JIA. At the beginning of the case back in 2008, the individual defendants, former Police Chief Dan Hoffman and current Deputy Chief Brad Johnson, were assigned separate counsel (Joe Evans). My proposal is to have Singer substitute for Evans and represent all defendants. This substitution is in no way intended to reflect on Evan's representation of Hoffman and Johnson. This proposal is being brought forward because the initial concerns that triggered the need for separate counsel are no longer an issue and because a consolidated defense will be more cost effective.

INDEMNIFICATION

FGC Sec. 2-862 states that the city shall indemnify, defend, and hold harmless public officials, officers, employees, and board and commission members from all costs resulting from any claim made against them. This indemnity does not extend to any liability or cost which the council has determined to be the result of bad faith, malicious, or willful and wanton misconduct. At the outset of this litigation, both Whorton and Hutton brought claims against Hoffman and Johnson and sought an award of punitive damages. Whorton has since dropped his claims against Hoffman and Johnson; Hutton has not.

Punitive damages are generally considered to be an award designed to punish bad conduct. Punitive damages may be awarded against an individual but not a municipality.

An officer or employee of the city might not be entitled to indemnification from the city for a punitive damages judgment if the council determined that the punitive damages judgment was the result of bad faith, malicious, or willful and wanton misconduct on the part of the officer or employee.

The possibility of a non-indemnifiable punitive damage award against an individual defendant creates a potential conflict between the individual defendant and the municipal defendant and triggers the requirement for separate attorneys. Such a potential conflict can be eliminated if the council agrees to indemnify the individuals for all liabilities, including any possible punitive damage award.

An award of punitive damages in a civil lawsuit against a city officer or employee does not automatically mean that the officer or employee is not entitled to indemnification. The standard for awarding punitive damages in a civil rights lawsuit, where federal law controls, is not the same as the city's non-indemnification standard (bad faith, malicious, or willful and wanton misconduct). In addition, the council is not bound by a jury's finding in making its indemnity determination under FGC Sec. 2-862.

This lawsuit was filed over two and one half years ago. Depositions of most, if not all, of the key witnesses have been taken. Hoffman and Johnson have been deposed by plaintiffs' attorney. There are no facts that have come to light from any of the discovery (depositions, interrogatories, production of documents) that would support a finding of bad faith, malicious, or willful and wanton misconduct on the part of Hoffman and Johnson.

Especially of note are the two arbitrations that have now been completed (Whorton's demotion arbitration and Hutton's termination arbitration). In both arbitrations, independent fact-finders held that the city acted properly in demoting/terminating Whorton/Hutton. There were no findings of misconduct (let alone egregious misconduct) on the part of Hoffman or Johnson in either arbitration.

REQUESTED ACTION

In order to consolidate the defense of the Whorton/Hutton lawsuit, the council would need to make a determination that Hoffman and Johnson engaged in no bad faith, malicious, or willful and wanton misconduct in regards to the performance of their duties

Memo to Mayor and Council
February 8, 2011
Page 3 of 3

as related to this lawsuit (Hutton/Whorton v. City of Fairbanks, 4:08-cv-00029-RRB) and agree to indemnify them for all potential liabilities. It is my request that the council consider this matter at the February 14 meeting. A motion would be needed to accomplish this (suggested form: A motion to indemnify Hoffman and Johnson for all potential liability in the Hutton/Whorton v. City of Fairbanks lawsuit).

City Of Fairbanks

MEMORANDUM



To: City Council Members

From: Jerry Cleworth, City Mayor

A handwritten signature in black ink, appearing to be "JC", is written over the name "Jerry Cleworth".

Subj: Building Code Review & Appeals Commission

Date: February 14, 2011

There are currently two vacancies on this commission: the first vacancy is the seat previously held by Mr. Tyler Birkholz, term expired; the second vacancy is the seat previously held by Mr. Bill Hao, an alternate member who has resigned.

I request your concurrence to the appointment of:

Mr. John Ellison – permanent member. Term to expire: December 31, 2015

Mr. Spencer Damschroder – alternate member. Term to expire: December 31, 2015

Thank you.

ABC/



CITY OF FAIRBANKS
 Clerk's Office
 800 Cushman Street
 Fairbanks, Alaska 99701-4615
 Office: 907 459-6774
 jhovenden@ci.fairbanks.ak.us

**BOARDS AND COMMISSIONS
 APPLICATION FORM**

DATE: 1/19/11
 NAME: Spencer Damschroder
 BOARD: Code Review and Appeals Commission

The information provided below will be made available to the public. The Clerk's Office will provide a mailing address, at least one phone contact, and an e-mail address, please indicate your preferred method of contact with the public by placing a check mark in the appropriate box(es).

RESIDENCE ADDRESS: 3294 Helen Bl Fairbanks, AK 99709

MAILING ADDRESS: same

BUSINESS ADDRESS: _____

CELL PHONE: (907) 388 - 3176

WORK PHONE: (907) 456 - 5565

HOME PHONE: (907) 479 - 4911

E-MAIL: spencer@tillyandcompany.com

Statement of Interest:

I have worked in the residential & commercial building trades as a carpenter / foreman / bidding & estimating / project management for 25 years in Fairbanks.

Brief Personal Biography (or attach resume):

25 years Union Carpenter (Local 1243)
B.S. Alma College, Alma, MI

Professional Licenses/Training:

Please return this application to the City Clerk's Office.

FOR INTERNAL USE ONLY

Date Seated on Board	Date of Resolution or Council Action	Term Dates



CITY OF FAIRBANKS
 Clerk's Office
 800 Cushman Street
 Fairbanks, Alaska 99701-4615
 Office: 907 459-6774
jjhovenden@ci.fairbanks.ak.us

RECEIVED
 JAN 21 2011
 CITY CLERKS OFFICE

**BOARDS AND COMMISSIONS
 APPLICATION FORM**

DATE: 1-21-2011
 NAME: John R. Ellison
 BOARD: Code Review Commission

The information provided below will be made available to the public. The Clerk's Office will provide a mailing address, at least one phone contact, and an e-mail address, please indicate your preferred method of contact with the public by placing a check mark in the appropriate box(es).

RESIDENCE ADDRESS: 1503 8nd ave. Fairbanks AK. 99701

MAILING ADDRESS: _____

BUSINESS ADDRESS: 401 Driveway street, Fairbanks AK. 99701

CELL PHONE: (907) 590-1153
 PHONE: (907) 457-0221

WORK

HOME PHONE: () _____

ablinc@acsalaska.net

E-MAIL:

Statement of Interest:

Brief Personal Biography (or attach resume):

ATTACHED

Professional Licenses/Training:

Residential Endowment, Bees Certificate, AK Craftsman Home Program
 Lead based Paint Renovation

Please return this application to the City Clerk's Office.

FOR INTERNAL USE ONLY

Date Seated on Board	Date of Resolution or Council Action	Term Dates

ABC Inc.

From: John Ellison [abcinc@acsalaska.net]
Sent: Friday, January 21, 2011 1:20 PM
To: abcinc@acsalaska.net
Subject: FW: Bio

From: John Ellison [<mailto:abcinc@acsalaska.net>]
Sent: Thursday, January 06, 2011 10:55 AM
To: 'RT Tilly'
Subject: Bio

BIO:

John Ellison and his wife Sue own ABC and work together, they opened their doors in 1995 and have specialized in remodeling existing homes.

ABC is a licensed and bonded General Contractor with a Residential Endorsement, emphasizing in siding, , seamless gutters, interior remodeling, door and window replacement.

ABC employess 15-20 locals, their business model has evolved from primarily contracting to include material sales for both resedential and commercial work.

Prior to starting ABC, John was fortunate enough to work for some talented contractors in Fairbanks and had the opportunity to learn the trade from the ground up.



CITY OF

FAIRBANKS

800 Cushman Street
Fairbanks, AK 99701

Building Department

Phone (907) 459-6720
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February 9, 2011

To: Mayor Cleworth
City Council Members

From: S. Shuttleworth
Building Official

Re: Adoption of Newest Edition of Construction Codes

During the last month the Code Review Commission has been meeting on a regular basis for the purpose of reviewing and evaluating the new construction codes along with local amendments; minutes of those meetings have been included in your packet. A brief synopsis of each of the codes is presented for your information. The review and adoption of local codes is based on a three year cycle which coincides with the debate, review and publication of those documents at the national level.

2011 National Electrical Code (second reading)

Only one new amendment was proposed all other amendments are existing amendments carried forward. The new amendment is the elimination of plastic covered head bolt heater covers.

2009 Uniform Plumbing Code (second reading)

Essentially most of the existing amendments were carried forward; new amendments include: provisions of administrative chapter 1 have been recommended for adoption as those provisions now coincide with the existing Uniform Administrative Code. (The contractor will not be required to access two different codes for administrative regulations.) Definitions have been added so that they are compatible with the residential code and energy code. Additional options have been provided for pipe freezing protection. Cross control measures have also been clarified with respect to chemical dispensers attached to potable water systems.

2009 International Residential Code (first reading)

The major proposed changes to the residential code consist of four amendments, those amendments include. Elimination of the mandatory requirements for sprinkler protection in one and two family dwelling, creation of a specific definition for "townhouses", clarification of fire resistive protection options for the horizontal separation between a garage and habitable space located above the garage and

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unfinished basements are now required to be protected with sheetrock on the underside of the floor framing. Substantial public input was provided by the Interior Builders Association.

2009 International Energy Code (first reading)

The only new proposed amendment pertains to increasing the minimum R value for attic insulation from R-38 to R-49. R49 is equivalent to 15 inches of fiber glass insulation. Contractors for the most part have not been installing insulation less than R-49 therefore the proposed amendment is in keeping with the standard local practice.

- **Currently the Building Code, Fire Code, Fuel Gas Code, Abatement Code and Administrative Code are also under review. Ordinances will be forwarded from the commission when this in depth review process is concluded. We anticipate that all current editions of the construction codes will be completed within the next month and submitted for your review and consideration.**

FNSB / City of Fairbanks
CHENA RIVERFRONT COMMISSION
MINUTES

December 6, 2010
Salcha Conference Room, FNSB Admin Center
11:30 a.m.

A regular meeting of the FNSB / City of Fairbanks CHENA RIVERFRONT COMMISSION was held in the Salcha Conference Rm, 809 Pioneer Road, Fairbanks, Alaska. The meeting was called to order at 11:40 a.m. by Michelle Roberts, Chair.

1. ROLL CALL

PRESENT: Bill Brophy
Frank Eagle
Annette Freiburger
Kelley Hegarty Lammers
Karen Lavery
Timothy Mullins
Michelle Roberts, Chair

ABSENT: Willie Bliss
Cameron Leonard
Anna Plager, Vice Chair
Matt Wilken

ALSO PRESENT: Jackson Fox, City of Fbks
Donna Gardino, FMATS
Mark Mussman, FNSB Community Planning
Steve Taylor, FNSB Parks & Rec
Rachel Boyd, Recording Clerk

Barbara Tanner, ADOT
Lee Wood, member of public

2. APPROVAL OF AGENDA - approved

3. APPROVAL OF MINUTES (November 1, 2010) - approved with a motion from Brophy, seconded by Freiburger.

4. COMMUNICATIONS TO THE COMMISSION

Roberts was advised that Mayor Hopkins had written a letter to the Interior Delegation supporting the CRFC Resolution backing the Assembly's resolutions which urge a land transfer on the north bank of the Chena River. Both mayors expressed support and enthusiasm for the CRFC's resolution.

Roberts passed out copies of the letter she sent commending the Riverside West Condo Assn for their riverbank restoration.

Brophy suggested that if Dermot Cole could add his attaboys, that would enhance the effectiveness of the recognition.

5. PUBLIC COMMENTS - none

6. NEW BUSINESS

A. Wendell Street Bridge project resolution

Gardino distributed two draft resolutions: Wendell Ave Bridge and Graehl Park Access Project. These two projects are separate and will be funded separately and done at different times. Both will propose connection to the bike/pedestrian path and ADA compliance. In fact, the Graehl Park project doesn't yet exist. Because of that, she doesn't know what improvements will be made along Front St. The Graehl Park project will require coordination with the State, the City, and the Borough.

Brophy noted that the boat access needs to be kept unimpeded. He also wondered if any parking spots will be eliminated.

After motions by Hegarty, seconded by Lavery, the resolutions were both adopted unanimously.

B. Borough reports - none

7. UNFINISHED BUSINESS

A. Map study

Mussman said he had contacted graphic artists as suggested by Hegarty and found that 5th Avenue Design will either eliminate the red line or change its color for less than \$200. He thinks it could be done by the end of the week, but he needed to be sure which the Commission wants done so the final product won't have to be re-edited.

Roberts explained that the many different uses that will be made of these maps would be less complicated by having no line.

The Commission agreed to having no line.

Mussman will have 5th Avenue Design save the project in a couple of different electronic formats that can be e-mailed. He will also have each panel saved as a separate document. Printing and laminating can be done in-house.

Roberts said it would be very helpful to have the maps on disk. She will be meeting with Interior Delegation members all throughout the next two weeks. This would be a very helpful tool to have for those meetings.

B. Report on Elodea Canadensis meeting

Roberts reported that the meeting room at DNR was packed. She thinks there were representatives from every Interior Delegate, Harding Lake, Quartz Lake, Birch Lake, folk all up and down the river, ADF&G, USF&W, Corps of Engineers, miners, etc. Our waters are ideal habitat for this plant. Possible mitigation methods discussed were dredging out the roots and a herbicide that won't negatively impact the wildlife. Proliferation of this plant can fill up waterways, impede the navigability of water, negatively impact spawning of salmon and grayling, and make fishing impossible. Harding Lake and Quartz Lake representatives plan to mobilize this week. The Interior

is going to be very aggressive about fighting the spread of this plant. Float planes are a big issue, because of flying from water body to water body. The same thing is true of the BLM fire fighting scoop planes. The multipliers of this invader are astonishing. There is a plan of action; there will be outreach, surveying, and mitigation. The Interior is going to be very aggressive. The Interior Delegation is behind this 100%. Various State agencies and the Corps of Engineers said they have money that could be used for this. There were even youth groups that are willing to provide labor. At this point, the hope is at least as great as the trepidation. So much is not known about this plant. It is hoped the University will be able to help with research. This infestation is potentially a huge problem, but everyone is on red alert for it now.

C. Committee Reports

- 1) Ad hoc committee report (Plager) - none

8. COMMISSIONERS' COMMENTS

Roberts has been working with the Rail Safety Development Group, composed of Bob Thomas, Lowell Purcell, Hank Bartos, Dick Brickley, Gene Therriault's brother, Wally Cox, John Phillips, and others. She has also been working with the Interior Delegation, the local mayors, and the Assembly regarding the FNSB Res #2010-44, which has to do with the transfer of the north side of the Chena Riverbank.

Completion of the Chena River bike path on the north side of the river is dependent on securing property on the north side of the river. Festival Fairbanks is meeting with the Interior Delegates, both individually and as a group, to make sure they have the tools they need to make this happen. Festival Fairbanks's primary goal is to make sure they get the right-of-way to put in a bike/pedestrian path. The ideal would be to secure all the strip along the river from Peger Rd to Driveway St and from the river to Phillips Field Rd. This is just a drop in a puddle of all the land the ARRC controls. There are a lot of local people involved and supporting this effort, and a lot of work is being done. This will be an active issue during the up-coming legislative session.

Roberts thanked Brophy for his years of service. He has chosen not to be re-appointed.

Brophy said he will still be available if the Commission needs his help. The river is important to him, and he has enjoyed being part of the Commission.

9. STAFF and LIAISON COMMENTS - none

10. AGENDA SETTING FOR February 7, 2011 COMMISSION MEETING

- Update on ARR land transfer
- Mayors' official response as to the protocol for sharing CRFC resolutions
- Riverfront-related TIP (Gardino)
- Ad hoc committee report
- FNSB Parks & Rec projects for 2011
- Additional items

11. ADJOURNMENT

The meeting adjourned at 12:52 p.m.

/rb

**PUBLIC SAFETY
COMMISSION**

**November 9, 2010
11:30 AM
FECC (at City Hall)**

Minutes

CALLED TO ORDER: 11:25am

PSC MEMBERS IN ATTENDANCE:

Peter Stern, Buzzy Chiu, John Eberhart, Frank Eagle, Greg Taylor, Robert Hall

ADOPT AGENDA: addition of Community Service Patrol under Old Business (Eberhart)

PUBLIC COMMENT:

Sylvia Shultz: 20 year resident of the Fairbanks North Star Borough, not a City resident. Commended committee for work on hydronic heaters. Existing units continue to cause problems. The problem of air pollution doesn't know geographic boundary and everyone needs to work together to deal with this issue. Her chief concern is the public health risk, especially for children. She can be reached at cleanairfairbanks@gmail.com.

Jerry Norm: We all want to drink clean water and breathe clean air.

John Eberhart: Mr. Harry Davis met with Mayor Strle before leaving the commission, but the current status of the proposed ordinance is unknown. There was supposed to be a work session on the subject to educate City Council. This commission supported action to ban/remove these heaters from the city.

Mayor Jerry Cleworth: There are some concerns about an outright ban without looking at economic factors – consideration of grandfathering in units installed when allowed, for example the Food Bank.

Sylvia Shultz: There is a meeting this afternoon regarding the health issues at the LIO @ 3pm. EPA will be there as well.

OLD BUSINESS

Minutes of September 14, 2010: approved as submitted (Chui/Eberhart). The meeting of October 12, 2010 was cancelled due to lack of quorum.

City Air Pollution – Mr. Peter Stern commented that he was uncertain of the effect of the recent Borough vote. He also is not sure we have an accurate count of the number of units that are in service within the City. The commission has made its recommendation, and until there is additional information or direction from the new mayor there is no further action to take. Mr. Jerry Norm commented on the irony that pollution is created by the creation of electricity as well as heat.

Community Service Patrol – Mr. John Eberhart reported that he and Councilwoman Vivian Stiver had further discussions with the DTC and introduced an ordinance to the City Council last night to support CSP with a \$50,000 grant for the years 2011, 2012, 2013, and 2014. This grant will require a yearly cash match of \$140,000 to provide incentive for them to continue seeking alternate funding sources such as Fairbanks Memorial Hospital. They will also be required to coordinate services and boundaries with FPD. Still debate where the \$50K will come from and impact on FEDCO if it does come from the Hotel/Motel Tax as proposed. CSP is part of the equation for dealing with the chronic inebriates. Other components are also housing/shelters

which reduces the need for CSP services if people have a place to be. Shirley Lee is working on the development of damp shelters. Unknown if CSP is involved with that project.

Mr. Norum commented that there are many local agencies interested and involved in providing “good Samaritan” services. Serious consideration should be given to using a percentage of alcohol taxes to fund CSP.

Mr. Stern said this is a community-wide service and has a measurable benefit both FPD & FFD by freeing up personnel time which has a monetary value. It is not the PSC job to decide where to get the funds, but it does support the work of the CSP.

Mr Eberhart said that he had an email from Mike Powers of Fairbanks Memorial Hospital and that FMH has been supporting CSP for over 10 years and encourages the City to “get into the game.” If the work done by CSP is taken over by FFD or FPD this increases the City’s liability as well as the cost of employee time. Having CSP functioning does provide a savings for the city.

NEW BUSINESS:

Membership Changes: Harry Davis has resigned from Seat B (Law Enforcement/Criminal Law) In reviewing terms it appears that some seats have already come to an end and others are approaching it in December. All current members are willing to continue serving on the commission. Mr. Stern has drafted a letter to Mayor Cleworth. Appointments/reappointments will be formalized at the December meeting.

Heavy Rescue: FFD is seeking to obtain a CDBG grant to purchase a heavy rescue. The current medium duty rescue is overloaded and unable to carry all the equipment needed for an initial response vehicle. The fire department is requesting the PSC provide a letter of support for the project. This would be a community resource, completely self-sufficient with generator, hurst pumps and even a portable repeater, that could be used in any emergency within the Fairbanks area. The closest similar unit is in Anchorage, even the local military departments do not have this resource. The grant requires a match, which has already been budgeted and approved in the Fire Department’s Capital Budget. A motion was made (Eagle/Chui) to support the project and authorize Mr. Stern to draft the letter on behalf of the commission and it passed 2-1 with Mr. Eberhart voting against.

FPD Report – Report made by Deputy Chief Brad Johnson. He reports they have one recruit finishing field training and two recruits finishing the academy and will soon be assigned to field training. In addition he reported:

- FPD spent 8 months chairing the Health & Safety Committee for AFN. All went well.
- One FPD sergeant has taken on the task of spearheading Title 4 enforcement. His team is conducting spot checks and doing undercover activities. Mr. Frank Eagle said that it is very difficult for some staff members to be able to spot a fake ID. He said that it is not fair to a staff member who takes the appropriate steps to seek ID that they still run the risk of serious penalties if it turns out the ID is a fake one. He believes the penalty should be directed at the person using the fake ID. Officer Hall said that a staff person will not get in trouble if they are doing their best. Mr. Eagle said he knows individual(s) who have had to get out of the business as they already have one incident of charges related to missing a fake ID and they cannot face the penalties of risking a second conviction. He thinks there is something wrong

with this picture and it needs to be re-evaluated. Chief Johnson said FPD is not focusing on restaurants.

- VPSO's did not work with FPD during AFN as there was other scheduled training during the convention. The opportunity was provided but not taken.
- The Doyon officer program is still waiting for interested share holders who can pass the screening requirements.

FFD Report – Report made by Asst Chief Ernie Misewicz. He reported AFN went well, although the Potlatch was attended by over 2,000 people and did present some fire code challenges. In other news:

- He was sad to report that a family of four died in a fire this morning near Talkeetna, no details known at this point.
- October was Fire Prevention Month and public education activities occurred the entire month, reaching 5,000 local children.
- Increase in kitchen fires mostly from unattended cooking (sometimes alcohol involved)
- The Prevention Division is working with FNA on a "Sleep Safe" program focusing on safety and home safety for children. This program dove-tails nicely with the Risk Watch program they have been conducting in the local schools for years.
- Both new engines are in service.
- FFD provide an engine company to the Riverboat Discovery maintenance shop fire and were on scene for 1 ½ hours. Through the combined efforts of area departments they were able to save the 100' x 100' building and most of the contents. There were various hazardous materials in the structure which is not unusual for a building of this use. Water was supplied for a distance of 1600'.
- Mayor Cleworth indicated that the City was trying to get into the Governor's Budget to purchase a medium duty ambulance. He also indicated he wanted to develop a city-wide emergency preparedness plan to include IT, FFD, FPD and Dispatch.

FECC Report – Director Stephanie Johnson reported that the OSSI computer project continues. The Police records management system administrator training is in progress and a go live for that module is expected to occur in March 2011. The State of Alaska interface is online but is in beta testing. In addition she reported:

- The work study is done regarding the services provided by dispatch to area departments and a final report and business plan will be the final product.
- She reports that 2/3 to 3/4 of all 911 calls are coming in via cell. This presents a problem as cell phones do not tie in to the E911 system to automatically supply location information. Although new cell phones have GPS locator capability, the current software in use by ACS does not support that information. ACS is diligently working on finding solutions to 911 issues.
- In a related issue, the emergency notification system only works with calling landlines. It is a tool in the toolbox and has been used occasionally.
- Yesterday [November 8] there was a domestic violence stand-off in which Troopers requested assistance from FPD and NPF.

CLOSING COMMENTS

John Eberhart – Would request an email of the high points of the Air Quality meeting today. This commission needs direction on how to proceed with this issue.

Frank Eagle – It would be helpful to commission members to know what the priorities are for the PSC to focus on. What issues we should study.

Peter Stern – the current focus regarding public safety at the city level is the 2011 budget. The commission serves to advise the council and mayor and it is for them to set priorities.

NEXT MEETING: December 14, 2010 hosted by FPD

MEETING ADJOURNED at 1235

Respectfully submitted,
Lisa Howard, FFD

(Approved 12/14/2010)

PUBLIC SAFETY COMMISSION

**January 11, 2011
11:30 AM
Fairbanks Fire Department**

Meeting Minutes

CALL TO ORDER: 1137 AM

ATTENDEES: CHIU, STERN, ZAGER, EBERHART, TAYLOR, CLEWORTH, BURGLIN, JOHNSON, CUMMINGS, SATTERBERG Frank Eagle and Robert Hall are out of town.

ADDITIONS TO AGENDA: There are no additions to the agenda, but Lisa Howard will be asked to clarify the expiration on CHIU's commission seat.

AMEND December Minutes: The minutes are approved with the following change. CHIU is misspelled.

APPOINTEMENT OF NEW CHAIR: Peter Stern will continue to Chair the commission.

NEW BUSINESS:

There was continued discussion regarding Chronic Inebriates and a Damp shelter in Fairbanks similar to Brother Frances shelter in Anchorage. That project may not happen, and instead the focus would be for the Housing First project. There is talk that TCC could serve as the Housing First site but that is still subject to negotiations. The Housing First project would serve approximately 60-70 people.

The soup kitchen on Hall Street may be shutting down but nothing is confirmed.

There was discussion regarding the CSP response area and if it would be expanded. The Ordinance stated that CSP would liaison with FPD for the coverage area. It was asked if they consider going out to Walmart. If that happened maybe Walmart would consider contributing to the program. Mayor started a project of working with them to regarding this and should have an update by the next meeting.

FPD:

We have lost one recruit due to a family medical issue. We seem to be getting better at the hiring process. The FPD Command Staff annual retreat will be later this month where we will discuss planning this year.

We are heavily weighted to training due to OSSI, OSHA and the normal required training.

Chief Zager discussed FCC in regards to the ongoing issue of medical screening and their refusal even though FMH has cleared them. We get involved in the issues of whether someone is too drunk or injured to be booked. FCC Director Charles Stevenson is on military leave and it is causing some complications. The situation arises when a person is arrested criminally, FMH clears them but jail still refuses them. The Department of Corrections policy says .30 or higher won't take them.

Satterberg asked about having an on call magistrate like in Anchorage that an officer can call to bail them out or order the jail to take them.

ILLEGAL TO TEXT WHEN DRIVING: Satterberg stated that there should be legislation passed to make an exemption for police officers for the rare times that they have to text when driving.

DISCOVERY REQUESTS: Satterberg asked if was possible for the officer to get attorneys the copies of CD's they request. Chief Zager stated that requests go through the City attorney's office and will continue that avenue to maintain consistency.

FFD

Chief Cummings distributed the annual statistics for Fire Department and discussed the results. There was discussion regarding the fire at 2nd and Bonnefield last night. It looks like a house, but it was a 12-plex. It had power but no heat to the building and was being used as a storage place. There was discussion about the fire at Peger auto body across from AST. When FFD arrived, the roof already caved in. In both fires, the owners tried to fight it themselves which delayed FFD's response. FFD accepted a grant to replace the generator Station 3 and for Firefighter rescue training. FFD will request a grant from the state for radios. We received our ISO rating and we are still a 3 but we may move to a 2 as we are making changes towards this effort. The affect on ISO rating for residential properties is not much when going from 3 to 1, but we will see it on the commercial end. Satterberg asked what is class 10? Chief Cummings responded that it means no protection. Often they are areas that had a Fire department once but the people that ran it moved on but they still have the truck and station.

FECC

OSSI- The staff continues to work on the OSSI audits to ensure progress and make sure all the data is working so that on the date of cutover there won't be any problems. FECC is continuing to work with Alaska management resources regarding the business plan. It should be done by the end of the month and then there will be a presentation to council. Once that is done we will start negotiations with the client agencies. Dispatch is full strength with one trainee coming out of training next month. Discussion was had regarding tracking Fire and Police. Dispatch does everything in the CAD system for both. All Fire departments are using Firehouse. Dispatch does the timekeeping, completes the call and it rolls into Firehouse. Law Enforcement is similar, we track the officers and when the call is completed it will roll into OSSI Pistol. The University doesn't have a CAD system. They will be using Eforce. Our CAD system has worked with other agencies. AST doesn't use or plan to use a CAD system.

COMMENTS:

MAYOR-In discussions regarding CSP, we are trying to figure out if we can eliminate that load from out Police and Fire Departments. When appropriated the \$50,000, we should have talked about the service area. The biggest area affected is the Graehl Street landing. There was discussion regarding a full time downtown patrol officer for that area.

NEXT MEETING: The agenda states it is on the 15th, it should be on the 8th. Satterberg will be overseas in February and March, but may be here on the 8th. Frank may be absent at the next meeting. Johnson will be in OSSI System Administrator training on 15th. Lisa will send out confirmation on the next meeting date.

ADJOURNED: 1248PM

Submitted by: Yumi McCulloch

Jan 2011 Public Safety Commission Meeting Minutes

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As approved 2/8/11

CODE REVIEW COMMISSION MEETING

Date: 1/12/2011

Meeting #1

**Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 1/12/2011**

Agenda:

**Review and evaluate 2011 National Electrical Code
Review and evaluate 2009 Uniform Plumbing Code
Review and evaluate 2009 International Residential Code**

Members Present:

**Richard Tilly, Pete Jacobsen, Bill Gryder, Jim Movius, Gary Pohl, Martha Hanlon,
Mike Sexton, Jerry Mustard**

**Others Present: S. Shuttleworth, Ernie Misewicz, Kirk Larson, Marty Woodrow,
Clem Clooten, Steve Anderson**

The meeting was called to order at 11:45 am by Chairman Richard Tilly. The purpose of the meeting was to review and reevaluate local amendments to the newest editions of the electrical, plumbing and residential code and to make recommendations to the city council for adoption of same.

The 2011 National Electrical Code and proposed amendments were presented by Clem Clooten, city electrical inspector and assistant building official. Only one new amendment was proposed for consideration. The amendment is actually a deletion of a former amendment wherein plastic covers were previously approved for outdoor heavy duty use for headbolt heaters. The current code only recognizes "heavy duty in use" covers which are metal - such requirement is only applicable to commercial applications. Past history of plastic covers indicated a high level of damage and replacement rate, the current code requirement is intended to reduce these conditions. The current code will however continue to accept plastic covers for exterior receptacles for residential use.

The commission briefly discussed the new code requirement and its local application. A motion was made by Mr. Movius to accept the deletion of the old amendment, retain the current language of the new code and to carry forward all other existing amendments. The motion was seconded by Martha Hanlon-the motion was unanimously approved. The Code Review Commission recommends adoption of the 2011 NEC with local amendments as presented.

Mr. Anderson presented the proposed amendments to the 2009 Uniform Plumbing Code.

Clarification and editorial language from chapter one of the plumbing code was recommended to be adopted as the proposed language is compatible with the existing administrative code. Three new definitions were also requested to be adopted. These definitions are consistent with the International Residential Code and will provide a convenient cross reference for the plumbing contractor without indirectly requiring the contractor to purchase other code books.

Three new and significant code amendments were presented; those amendments included; 1) location and clarification of piping within exterior walls and methodology to prevent freezing 2) connection of chemical dispensers to potable water and protection of the potable water system and 3) mandatory installation of domestic dishwasher air gap.

The commission reviewed and discussed the proposed new amendments. Mr. Anderson indicated that there were new valves and which can be used to address the chemical dispenser problem as witnessed during routine liquor license inspections – the new amendment would provide a cost effective method to solve the problem. Jerry Mustard moved to approve the local amendments as presented, the motion was seconded by Martha Hanlon; the motion was unanimously approved. The Code Review Commission recommends adoption of the 2009 Uniform Plumbing Code with local amendments as presented.

Ernie Misewicz presented three amendments to the 2009 International Residential Code which involved more protection for fire fighters while engaging a fire in “light frame residential construction”. Due to the length of the meeting the review of the residential code and subsequent amendments was requested by the chairman to be postponed to the next scheduled meeting.

The next meeting of the Code Review Commission is scheduled for January 19th at 11:30 am city council chambers 800 Cushman Street. The commission will review the 2009 residential code, building and fire code. The meeting was adjourned at 1:00 pm.

Respectfully Submitted,



Richard Tilly / Chairman

January 19, 2011

CODE REVIEW COMMISSION MEETING

Date: 1/19/2011

Meeting #2

**Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 1/19/2011**

Agenda:

**Review and evaluate 2009 International Residential Code
Review and evaluate 2009 International Building Code**

Members Present:

Richard Tilly, Pete Jacobsen, Jim Movius, Martha Hanlon, Mike Sexton, Jerry Mustard, Spenser Damschroder

Others Present: S. Shuttleworth, Kirk Larson, Marty Woodrow, Clem Clooten, Steve Anderson, Wally Smith and Darrel Bourne with the Interior Builders Association

The meeting was called to order at 11:45 am by Chairman Richard Tilly. The International Residential Code was presented by Marty Woodrow building inspector. Most existing local amendments were requested to be carried forward. New amendments consisted of: Increasing the size of detached accessory buildings which would be exempt from a building permit, a new and concise definition for a "townhouse", revision and clarification for the one hour horizontal fire resistive separation between a garage and dwelling and coordination of chapter 4 of the IRC with local prescriptive foundation wall and footing design and deletion of the mandatory requirement for sprinkler installation in one and two family dwellings.

Mr. Woodrow clarified the revised language for the horizontal separation required between a garage and habitable space. The new amendment provided options for the various types of ceiling joists which are routinely used in the Fairbanks area.

The commission discussed at length the revised language of attic access as proposed by the building department. The commission questioned the new language and requested more input from the Interior Builders Association at the next meeting.

Written copies of the proposed amendments from the fire department were provided to each commission member. The board requested these amendments be tabled until the next meeting so that fire department personnel could be present and provide a full presentation and justification for the proposed amendments.

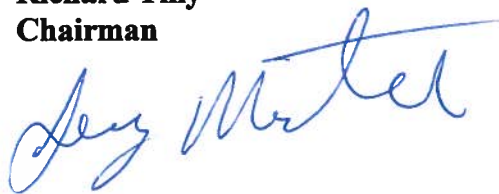
The building official stated that it was the building department's recommendation to delete the mandatory sprinkler provision in the code. The sprinkler installation was not recognized in appraisals and the cost to install was high. Until private sector insurance companies, appraisal and lending institutions recognized the full value of the system and include that value in the construction loan package and final appraisal - sprinkler systems simply do not pencil out. The building department requested that this item also be discussed the following week when the fire department could provide equal testimony on the matter – the commission concurred and tabled this item for further discussion.

The commission requested that further discussion of the IRC be postponed until the next meeting and further requested that a brief presentation be provided for the 2009 International Building Code. The building official indicated that new amendments were minimal but those offered for consideration provided clarity for a new definition for family child care homes and revised language for assisted care living facilities. The most controversial local amendment was the “manual security bar” for protection of property. The building official briefly indicated the problems and challenges that the owners of restaurants, bars and taverns have experienced with respect to break-ins and the proposed amendment was an attempt to address the concerns as raised by the Cabaret Association.

The commission requested that due to the length of the meeting that the meeting be adjourned until the following Wednesday for further discussion of the 2009 IRC and 2009 IBC. The meeting was adjourned at 1:05 pm.

Respectfully submitted

**Richard Tilly
Chairman**



January 26, 2011

CODE REVIEW COMMISSION MEETING

Date: 1/26/2011

Meeting #3

**Meeting Location and Time: City Hall Council Chambers 800 Cushman Street
11:30 am 1/26/2011**

Agenda:

**Review and evaluate 2009 International Residential Code and local amendments
Review and evaluate 2009 International Building Code and local amendments**

Members Present:

Richard Tilly, Pete Jacobsen, Jim Movius, Martha Hanlon, Mike Sexton, Jerry Mustard, Spenser Damschroder, John Ellinson, Gary Pohl

Others Present: S. Shuttleworth, Kirk Larson, Marty Woodrow, Clem Clooten, Steve Anderson, Ernie Misewicz, Chris Miller, Wally Smith and Darrel Bourne with the Interior Builders Association

The commission requested the continuation and discussion of the International Residential Code beginning with the three amendments proposed by the fire department. Amendment #1 – requested blocking in the area immediately above an exterior opening (window). Mr. Movius stated that ventilation was a priority and blocking would be problematic with our environment. Mr. Ellinson inquired how many fire problems of this nature actually occurred and stated that we may be creating a bigger problem by eliminating ventilation. Mr. Jacobsen asked if other community's had changed this code section. Mr. Misewicz stated that he was aware of the importance for ventilation but also noted that when a fire breaches an exterior window the fire is immediately in the combustible attic space and there in lies the problem.

The commission debated the proposed amendment and asked members of the Interior building association if they had problems with the amendment. The builders association indicated that this could be a significant warranty issue and eliminating ventilation is a bigger problem affecting all housing inventory. They provided a letter dated 1/26/2011 stating their position on all amendments as proposed by the fire department.

The commission unanimously voted against amendment #1.

Amendment #2 and #3 as proposed by the fire department requires all unfinished basement ceilings to be protected with a single layer of ½ inch thick gypsum board.

Mr. Tilly inquired if hard wired smoke detectors would be an equivalent alternative to the proposed amendment. Jerry Mustard stated he could not support the amendment because the hard ceiling would create installation problems with respect to plumbing piping and mechanical duct work. The Interior builders Association stated that the placement of gypsum board on the ceiling could be a redundant cost and requested disapproval of the amendments. The fire marshal stated the amendment was needed for fire fighter safety as unfinished basements represent a fuel load that contributes to the premature failure of the floor. Ms. Hanlon and Mr. Pohl supported the proposed amendment and stated that proper planning is required.

The chairman requested a vote on both amendments as they addressed the same issue. The commission voted in favor of the fire department amendment; 5 votes for approval 3 votes against – amendment #2 and #3 carried.

The commission discussed attic gable vents and attic access, which was a topic carried over from the previous meeting. The commission did not support “hinged or friction fit” wording as proposed by the building department however they requested that the words, “readily accessible” be included in the revised amendment.

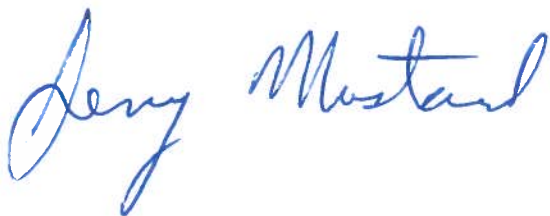
The commission also concurred that while residential sprinklers were highly recommended they could not at this time support a mandate to sprinkler one and two family dwellings.

Mr. Movius moved to recommend approval of the 2009 IRC with local amendments; the motion was seconded by Ms. Hanlon. The motion carried unanimously.

The building officially provided a brief introduction of the new “manual security hardware” amendment within the Building Code. The commission questioned whether the proposed language offered flexibility- the building and fire department stated that it did and all variations of security hardware would require specific approval from the fire department before installation. Gary Pohl stated he was not comfortable with the amendment but understood the problem. The commission requested that this item be tabled for the next meeting. Mr. Jacobsen stated that he would also like to re-evaluate proposed changes to section 2306.2 and section 2308.6 and would provide language for discussion at the next meeting.

The meeting with the consent of the commission was adjourned at 1:00 pm.

**Respectfully submitted
Richard Tilly**

A handwritten signature in blue ink that reads "Jerry Mustard". The signature is written in a cursive style with a large, looped initial "J" and a long, sweeping underline.



City of Fairbanks

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MEMORANDUM

TO: Mayor Jerry Cleworth
City Council Members

FROM: Janey Hovenden, CMC, City Clerk

SUBJECT: January City Clerk's Report

DATE: February 9, 2011

The following is a summary of the activities and efforts by the City Clerk's Office for the month of January 2011:

YTD # Issued	Type of License	2010 Budgeted	Revenue Collected	Percentage Reached
1815	Business License	\$750,000	\$428,907	57.19%
22	Liquor License	\$81,950	\$59,800.	72.97%
0	Private Detective License	\$2,000	\$0	0.00%
3	Massage Practitioner License	\$3,000	\$800	26.67%
5	Mater Plumber's License ¹	\$3,000	\$1,000	33.33%
15	Chauffeur License	\$18,000	\$1,675	9.31%
8	Commercial Vehicle Permit	\$15,000	\$1,600	10.67%
0	Commercial Vehicle Co Licn		\$0	
0	Multi-Vendor Event Permit		\$0	
4	Special Event Permit ²	\$11,950	\$400	3.35%
0	Transient Vendor Permit		\$0	

¹Approved by Building Department

²Approved by Engineering Department

Personnel

After a very long and harrowing process, we have finally found a good fit to take Danyielle's place. We are very pleased to welcome Kim Rasavong to the position of Clerk / Cashier. We are busy training Kim and she is a quick learner.

Backup Audio System

The IT Department has assured me that they are working to provide a backup solution to the audio system. They will purchase and implement the system as time permits.

Business Licenses

We were able to process and mail out, earlier than previous years, the 2011 Business License Renewals. As you can tell from the numbers, we are almost half way through the approximately 3,800 licensed businesses. The process was much smoother this year because of the extensive efforts previously done on the data converted from the AS400 system.

<u>New Cases / Tickets</u>	624	New Violations Filed
	235	Paid Violations
	12	Contested
	11	Dismissed by Judge/Court
	45	Compliance Dismissals (Fixed Tickets with \$25/Admin Fee)
	3	Dismissed by District Attorney/City Attorney
	1	Found Not Guilty
	18	Voided Tickets (Minor consuming by non-minors)

Grant Efforts

Debi has submitted three grant applications to date, The National Endowment for the Humanities Preservation Assistance Grant to begin document preservation, the 2010 SHSP Grant for Electronic Key Card Readers and Identification Badges, and the State Historical Grant through the .Office of History and Archeology. We have been notified that the NEH grant was approved as was the 2010 SHSP Grant. Unfortunately, the City did not meet the requirements for funding under the strict limitations set out in the State Historical Grant.

NEH Preservation Assistance Grant: The preservation specialist is scheduled to visit Fairbanks in June, 2011, to begin her assessment of the City's historical records. She will prepare a report outlining short and long term goals.

The 2010 SHSP Grant: The City is in the process of obtaining three bids from vendors for card readers and ID badges so that the system can be purchased.

Debi, together with Margarita, are continuing to pursue other avenues for funding to continue the City's efforts in document preservation.

Boards and Commissions

Mayor Cleworth has been diligently filling board and committee vacancies; we are trying to set up a procedure to provide appointees with packets of information containing the code section for

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their committee, list of committee member contacts, executive session and Open Meetings Act information, and pertinent City policies.

Fluoride Task Force: The City's Fluoride Task Force is continuing to meet and is getting close to consensus on whether fluoride should continue to be added to the City's water supply or whether fluoride should be removed. The committee's final report will be available for public comment prior to its submission to the Council. The committee hopes to have its final recommendation to the Council sometime in March or April, 2011.

Bed Tax Committee: We have successfully completed another year of bed tax grant awards and we are grateful to the committee members' for their time and contribution to the process. We had a record 34 applications in 2010. Unfortunately, eight of those applications either did not meet the requirements set out in the grant, or did not appear for the scheduled presentation period. The Committee will have a follow up meeting sometime in April to review the pertinent section of Code and entertain possible modifications to it and/or the process in general.

Miscellaneous

Debi is currently attending an "Essential Records" webinar, followed by a "Records Emergency Planning & Response" webinar, both hosted by FEMA. The combined curriculum courses have complementary content and are designed to be taken sequentially. The curriculum will teach us how to define and identify essential records, evaluate the hazards and risks that threaten those records, and to develop appropriate protection strategies against potential threats. Additionally, the courses will help us better understand the benefits of creating a records emergency plan, test that plan, and identify resources that are available to assist when an emergency occurs.

These classes will prove to be invaluable during a local emergency and in preparation for the records preservation efforts that Debi is involved in.