

**ORDINANCE NO. 5936, AS AMENDED**

**AN ORDINANCE AMENDING FGC SECTIONS 2-486 AND 2-487  
REGARDING THE CLAY STREET CEMETERY COMMISSION**

**WHEREAS**, in July of 2010, the City Council created the Clay Street Cemetery Commission by passing Ordinance No. 5813 that enacted FGC Sections 2-485 through 2-488; and

**WHEREAS**, FGC Sec. 2-487, which established the composition of the five-member commission, was amended by Ordinance No. 5821 on November 22, 2010; and

**WHEREAS**, after the confirmation of the appointments to the Commission, it was determined that not all seated members were residents of the City; and

**WHEREAS**, it appears that the commission may be better served by a cross-section of members from both inside and outside the city limits; and

**WHEREAS**, the council believes that the Clay Street Cemetery Commission needs administrative support from city staff and that the appointment of the City Clerk as a liaison would be beneficial; and

**WHEREAS**, the requirement for recording permanent records or minutes of the meetings was omitted from the originating ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, HEREBY ENACTS** the following:

**SECTION 1.** That Fairbanks General Code Sections 2-486 and 2-487, are hereby amended as follows [new text in **underlined bold** font; deleted text in ~~striketrough~~ font]:

**Sec. 2-486. Duties and powers.**

The commission shall:

- (a) Advise the council and mayor regarding the restoration, improvement and maintenance of the Clay Street Cemetery.
- (b) Conduct regular public meetings, including public hearings required as a condition of receipt of grants.
- (c) Provide and update a long-term plan for the cemetery.
- (d) If authorized by the city council, convene into executive session in accordance with state law.
- (e) Establish its rules of procedure.

**(f) Keep permanent records or minutes of all meetings. The minutes shall promptly be filed in the office of the City Clerk and shall be open to public inspection.**

**Sec. 2-487. Composition.**

The membership of the Clay Street Commission shall be ~~five~~seven members as follows:

(a) ~~Five~~Seven voting members, **three of whom must be** residents of the city, appointed by the city mayor and confirmed by the city council:

1. One member active in the study of Fairbanks history.
2. One member with experience or interest in maintaining the cemetery.
3. ~~Three~~Five at-large public members or ~~two~~four at-large public members if a council member is appointed to the commission.

(b) The City Public Works Director, or designee, shall be an *ex officio* member of the commission.

(c) The chairperson shall be selected from among the commission's members by the commission.

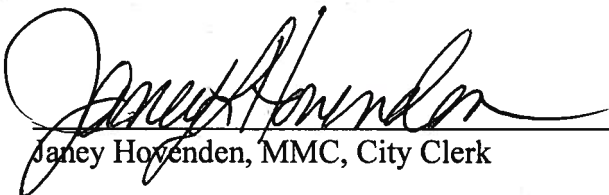
**(d) The City Clerk shall supply the commission with administrative support.**

**SECTION 2.** That the effective date of this Ordinance shall be the 1st day of March 2014.

  
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John Eberhart, City Mayor

AYES: Matherly, Hilling, Walley, Staley, Gatewood, Anderson  
NAYS: None  
ABSENT: None  
ADOPTED: February 24, 2014

ATTEST:

  
\_\_\_\_\_  
Janey Hoyenden, MMC, City Clerk

APPROVED AS TO FORM:

  
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Paul J. Ewers, City Attorney