

MATANUSKA-SUSITNA BOROUGH - REGULAR MEETING

ASSEMBLY - MAY 15, 2001

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on May 15, 2001, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Larry DeVilbiss, Assembly District No. 1
Ms. Sara Jansen, Assembly District No. 2 (Deputy Mayor)
Mr. Talis J. Colberg, Assembly District No. 3
Mr. Dan Kelly, Assembly District No. 4
Ms. Jody Simpson, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6
Ms. Kelly Lankford Ladere, Assembly District No. 7

Staff in attendance were:

Ms. Sandra Dillon, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Michael Gatti, Borough Attorney
Ms. Elizabeth Manfred, Deputy Borough Clerk
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Mr. Ron Swanson, Community Development Director
Mr. Kevin Koechlein, Public Safety Director
Mr. Karl Borglum, Borough Assessor

III. APPROVAL OF AGENDA

Mayor Anderson noted the following changes to the agenda:

- Assemblymember Kelly requested that Ordinance Serial No. 01-066, Resolution Serial No. 01-040, and AM No. 01-064, all relating to the new Wasilla public safety building, be moved to Public Hearing item no. 1 from item no. 15 to accommodate the audience signed up to speak to the issue.

There was no objection to the agenda as amended.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Sarah Palin, city of Wasilla.

V. MINUTES OF PRECEDING MEETING

- A. Regular Assembly Meeting: May 1, 2001
- B. Special Assembly Meeting: May 3, 2001

The mayor referenced the minutes of May 1, 2001, and asked for any corrections.

Assemblymember DeVilbiss noted a correction to the maker of the motion to adopt Ordinance Serial No. 01-061 on page 11. *[After clerk's research, the motion was corrected to read "Assemblymember DeVilbiss moved for adoption of Ordinance Serial No. 01-061."]*

Assemblymember DeVilbiss noted that the second bullet of his comments on page 16 incorrectly referenced Lazy Mountain Community Council and Project Impact as

one item. [After clerk's research, the bullet was corrected to read "requested that Project Impact be placed on the May 15, 2001, assembly agenda under agency reports."]

Assemblymember DeVilbiss asked for clarification of Mayor Anderson's comment on page 17 regarding the power bill. [After clerk's research, the comment was expanded to read "spoke to Senators Green and Masek about increased funding for HB 175 to include electrification to Port MacKenzie."]

Assemblymember Jansen noted that Ms. Dillon's comments on page 4 may have incorrect dates listed for the summer AML meeting. [After clerk's research, the meeting dates were corrected to read "July 12 and 13."]

Mayor Anderson requested a correction to his declaration of a potential conflict of interest on page 13 stating he was contracted by the Upper Susitna Seniors. [After clerk's research, the conflict of interest was corrected to read "Mayor Anderson declared a potential conflict of interest and requested a ruling from the borough attorney stating that he is contracted by the Upper Susitna Seniors as an accountant."]

GENERAL CONSENT: The minutes from the regular meeting of May 1, 2001, were approved without objection pending the clerk's research.

The mayor referenced the minutes of May 3, 2001, and asked for any corrections.

Assemblymember Colberg identified the comments on the top of page 4 as being made by Assemblymember Colver not Colberg. [After clerk's research, the comments were attributed to Assemblymember Colver.]

Assemblymember DeVilbiss noted that public comments made by Robert Hall on page 3 may have included support for education funding. [After clerk's research, the following addition was made to Mr. Hall's comments: "voiced support for full education funding."]

GENERAL CONSENT: The minutes from the special meeting of May 3, 2001, were approved without objection pending the clerk's research.

VI. SPECIAL ORDERS OF THE DAY

A. Proclamation for Daniel Blanton, Alaska's National Distinguished Elementary School Principal for 2001.

Mayor Anderson read the proclamation for Mr. Blanton. Mr. Blanton accepted the proclamation, thanked the assembly for fully funding education.

B. Proclamation of the Matanuska-Susitna Borough Arbor Day celebration to be conducted by the Boy Scout Troop 367, Cub Scout Pack 367, and Matanuska Valley American Legion Post No. 15 on May 21, 2001, to establish a veteran's grove.

Mayor Anderson read an announcement inviting the public to participate in the dedication ceremony establishing a Veteran's Grove. The ceremony will be held at the Palmer Visitor's Center , 7 p.m. on May 21, 2001.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer Mayor Guinotte:

- noted that the city of Palmer will be awarding contracts for local road construction projects at their next regular meeting;

- remarked that as government-owned land is annexed into the city, it becomes public use land;
- shared that the city will be returning a portion of grant funds because they were unable to complete all of the grant requirements; and
- explained that the city manager has the responsibility of personnel issues.

Wasilla Council Member Bennett :

- commented that the operating engineers have donated their time to design and install storm drain basins for the Idapark;
- mentioned that the city of Wasilla will extend water mains this summer.

Wasilla Mayor Palin:

- remarked that they are continuing to develop infrastructure projects within the city of Wasilla;
- advised that the city of Wasilla is in the middle of their annual budget process;
- invited the assembly and public to attend a public forum on Thursday, May 31, 2001, 7:30 p.m., at Wasilla City Hall, to discuss the multi-use facility; and
- thanked Assemblymembers Kelly and Lankford Ladere for attending the Wasilla Council meeting.

2. Matanuska-Susitna Borough School District

Superintendent Pat Chesbro:

- thanked the assembly for the budget appropriations;
- invited the assembly to a reception at 5:30 p.m. on May 23, 2001, at the Palmer High School;
- reported that the borough will receive a \$1.5 million grant from the state for learning opportunities and quality schools;
- spoke to the state legislation passed to award high school diplomas to WWII veterans;
- recounted that approximately 1,300 students are currently enrolled in the Math Matters summer program;
- recited several personnel appointments and changes; and
- advised that the series of graduations begin on May 31, 2001.

B. Committee REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colberg:

- shared that the Committee had discussed the additional state funding received and various revenue options; and
- informed the assembly that the school district expects to pay \$1.1 million in this year's budget to apply to the RIP payment.

C. MANAGER COMMENTS

Mr. Duffy:

- advised that a Project Impact status report will appear on the June 5, 2001, agenda;
- shared information concerning Northwest Pacific Industries and their timber purchases;
- disclosed that an article appeared in the First Alaskan's magazine regarding the modular homes being shipped from Port MacKenzie;
- commented that he and the planning director continue to sit on the Anchorage International Airport Master Plan Update Committee;
- discussed the time schedule for the charter school relocation;

reported that Port MacKenzie is reopened at 25 percent of maximum usable load;

- stated that the borough is moving forward with the project of electrification to the dock;
- said that there was no change in the status of Hatch Pass development as Mr. Romack was unavailable to meet with the borough consultants.

D. ATTORNEY COMMENTS (Unavailable for comment, see page 13)

E. CLERK COMMENTS

Ms. Dillon:

- spoke to the schedule of meetings;
- requested that the assembly add a work session on June 5, 2001, at 3 p.m., to discuss revenue options;
- noted that the joint meeting with the Anchorage assembly will be at the Elks Lodge on Finger Lake;
- remarked that the assembly will have joint meetings with the planning commission and the school board in June;
- reminded the assembly that a joint work session is scheduled with the Wasilla City Council for June;
- advised that June 17 is the last day for the state to adopt their plan and a press release is scheduled for June 18;
- referred to the borough's time schedule and process for redistricting; and
- shared the assembly tracking report and asked for comments or suggestions.

Mr. Duffy spoke to the initial low response of applications for borough clean-up funds available

Mayor Anderson questioned the interest earning revenues listed on the current monthly financial report.

Ms. Clayton:

- explained that all journal entries for interest earnings have not been posted and updated;
- reported non-areawide interest earnings are not allocated until after the close of June 30, 2001, as they are based on the average fund balance and average earnings for the entire year;
- relayed that the land management interest earnings are a results of borough land sales; and
- commented that interest rates are significantly lower than last year.

The regular meeting recessed at 6:55 p.m. and reconvened at 7:10 p.m.

VIII. SPECIAL ORDERS (to begin at 7 p.m.)

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

15. Ordinance Serial No. 01-066: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT, FUND 405, PROJECT 10140, TO CONSTRUCT AND FURNISH THREE OFFICES AND THE SECRETARIAL AND RECEPTION AREA FOR THE WASILLA PUBLIC SAFETY BUILDING.

a. Resolution Serial No. 01-040: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET, IN THE AMOUNT OF \$70,000, FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FIRE SERVICE CAPITAL PROJECT, FUND 405, PROJECT

10140, TO CONSTRUCT AND FURNISH THREE OFFICES AND THE SECRETARIAL AND RECEPTION AREA FOR THE WASILLA PUBLIC SAFETY BUILDING. IM No. 01-101

b. AM No. 01-064: CHANGE ORDER TO COLLINS CONSTRUCTION FOR ADDITIONAL CONSTRUCTION FOR THE WASILLA PUBLIC SAFETY BUILDING TO CONVERT A CONFERENCE ROOM INTO THREE OFFICES, A SECRETARIAL RECEPTION AREA, AND CORRIDOR.

Mr. Koechlein gave a staff report.

Mayor Anderson opened the public hearing. The following spoke in support of Ordinance Serial No. 01-066, Resolution Serial No. 01-040, and AM No. 01-064: Carol Christiansen.

There being no one else who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Kelly moved for adoption of Ordinance Serial No. 01-066, Resolution Serial No. 01-040, and AM No. 01-064.

Administration reported that the project is being completed under budget.

GENERAL CONSENT: The motion passed without objection.

1. Ordinance Serial No. 01-021: AN ORDINANCE CREATING WASILLA EAST SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 335, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-047

Mayor Anderson opened the public hearing. The following spoke in support of Ordinance Serial No. 01-021: Connie Sager.

There being no one else who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Colberg moved for adoption of Ordinance Serial No. 01-021.

GENERAL CONSENT. The motion passed without objection.

2. Ordinance Serial No. 01-022: AN ORDINANCE CREATING PARKWOOD DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 336, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-048

Ms. Clayton reported that an insufficient number of supportive ballots were returned.

Mayor Anderson opened the public hearing. There being no one who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 01-022.

Assemblymember DeVilbiss requested that the same criteria be used for creating and confirming local improvement districts.

VOTE: The motion failed unanimously (*The assembly may not proceed with the improvement unless ballots approving the local improvement district are timely filed by owners of the property bearing more than one-half of the estimated cost of the improvement. The LID received 38.46 percent in favor.*)

3. Ordinance Serial No. 01-023: AN ORDINANCE CREATING RALEIGH HILLS ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 339, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-049

Mayor Anderson opened the public hearing. There being no one who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Colver moved for adoption of Ordinance Serial No. 01-023.

GENERAL CONSENT: The motion passed without objection.

With assembly concurrence, items 4 through 13 were addressed together.

4. Ordinance Serial No. 01-029: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BLUFF VIEW ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 276 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-039: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$161,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BLUFF VIEW ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 276, AND FIXING DETAILS OF SAID BONDS. IM No. 01-071

5. Ordinance Serial No. 01-030: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CAREFREE ACRES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 293 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-040: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$57,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE CAREFREE ACRES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 293, AND FIXING DETAILS OF SAID BONDS. IM No. 01-072

6. Ordinance Serial No. 01-031: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ZAKANDRA CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 296 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-041: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$16,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ZAKANDRA CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 296, AND FIXING DETAILS OF SAID BONDS. IM No. 01-073

7. Ordinance Serial No. 01-032: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE FINGER LAKE SOUTH VIEW ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 299 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-042: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$39,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FINGER LAKE SOUTH VIEW ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 299, AND FIXING DETAILS OF SAID BONDS. IM No. 01-074

8. Ordinance Serial No. 01-033: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE DONOVAN ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 303 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-043: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$378,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENTS BONDS FOR THE DONOVAN ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 303 AND

FIXING DETAILS OF SAID BONDS. IM No. 01-075

9. Ordinance Serial No. 01-034: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE COLONY EAST ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 305 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-044: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$50,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE COLONY EAST ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 305 AND FIXING DETAILS OF SAID BONDS. IM No. 01-076

10. Ordinance Serial No. 01-035: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE BROOKE HAVEN ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 310 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-045: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$32,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE BROOKE HAVEN ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 310, AND FIXING DETAILS OF SAID BONDS. IM No. 01-077

11. Ordinance Serial No. 01-036: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE HORSESHOE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 311 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-046: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$17,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE HORSESHOE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 311, AND FIXING DETAILS OF SAID BONDS. IM No. 01-078

12. Ordinance Serial No. 01-037: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ROAN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 312 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-047: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$22,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ROAN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 312, AND FIXING DETAILS OF SAID BONDS. IM No. 01-079

13. Ordinance Serial No. 01-038: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE DECAMP CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 330 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 01-048: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$8,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE DECAMP CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 330 AND FIXING DETAILS OF SAID BONDS. IM No. 01-080

The clerk read Ordinance Serial Nos. 01-029 through 048 into the record.

Ms. Clayton gave a staff report on the current bond rating for LID bond sales.

Mayor Anderson opened the public hearing on Ordinance Serial Nos. 01-029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, and 048.

Steve Edward:

• spoke to Ordinance Serial Nos. 01-033 and 043 (Donovan Estates) and inquired about the 25 percent matching funds.

Fred Brown:

- spoke to Ordinance Serial Nos. 01-033 and 043 (Donovan Estates);
- stated he personally paid for and installed culverts in his driveway; and
- questioned the additional expense of culvert installation in the assessment roll by a contractor.

Steve Edwards:

- voiced additional information on the placement of the culverts and the issue of the contractors damaging them with gravel.

There being no one else who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of the above-referenced legislation as read into the record by the clerk.

Assemblymember Lankford Ladere requested that administration prepare a report for the assembly concerning the construction and placement of culverts.

Assemblymember Colver requested that administration prepare a fiscal report of the expenses incurred forming an LID and the fiscal impact an LID has on the local road service area.

GENERAL CONSENT: The motion, to adopt Ordinance Serial Nos. 01-029 through 01-048, passed without objection.

14. Ordinance Serial No. 01-065: AN ORDINANCE APPROPRIATING \$1,470 FROM MATANUSKA TELEPHONE ASSOCIATION TO CULTURAL AND RECREATIONAL CAPITAL PROJECT FUND 440, PROJECT 20323, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES. IM No. 01-100

Mayor Anderson opened the public hearing. There being no one who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of Ordinance Serial No. 01-065:

GENERAL CONSENT: The motion passed without objection.

16. Ordinance Serial No. 01-067: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$418,080 GRANT FROM THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 450, PROJECT 70004, FOR COMPLETION OF A RAIL CORRIDOR STUDY.

a. Resolution Serial No. 01-041: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET IN THE AMOUNT OF \$418,080 FOR A RAIL CORRIDOR STUDY. IM No. 01-102

Mr. Duffy:

- reported that the borough received notice that the grant award was increased to \$500,000; and stated that no matching fund are required.

Mayor Anderson opened the public hearing. There being no one who wished to be heard, the public hearing was closed and discussion moved to the assembly.

MOTION: Assemblymember Jansen moved for adoption of Ordinance Serial No. 01-067 and Resolution Serial No. 01-041.

MOTION: Assemblymember Jansen moved a primary amendment to Ordinance Serial No. 01-067 and Resolution Serial No. 01-041 to strike the amount of \$418,080 throughout the ordinance and resolution and to insert \$500,000, and to

recalculate the budget in the resolution to reflect the \$500,000.

GENERAL CONSENT: The primary amendment passed without objection.

Discussion followed concerning the inclusion of a road corridor.

The manager noted that roads will be included, but advised that the primary objective is the rail corridor.

Assemblymember Kelly requested that the rail corridor study be added to the tracking report.

GENERAL CONSENT: The motion, as amended, passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Lucille Frey discussed zoning issues.

Jean Woods spoke to the borough budget taxation package.

Carol Christiansen requested that the assembly maintain the current width of the proposed rail corridor between Houston and Port MacKenzie.

IX. UNFINISHED BUSINESS

A. Resolution Serial No. 01-006: A RESOLUTION ESTABLISHING A POLICY TO SALVAGE TIMBER ON BOROUGH-OWNED LAND PRIOR TO CLEARING THAT LAND FOR A PUBLIC FACILITY. (Sponsor: Assemblymember Lankford Ladere) IM No. 01-021 (*Motion pending 04/03/01*)

MOTION: Assemblymember Colver moved to amend by substitution as presented.

Assemblymember Colver:

- voiced concerns regarding debris left by contractors, trees cut by mistake, surveys required for logging area and for perimeter of the construction area;
- suggested the department contract to arrange how the timber will be salvaged;
- specified that the clearing contractor cut and stack the timber; and
- stated that Roger McRoberts, Borough Resource Specialist, had reviewed the substitute resolution.

Assemblymember Ladere:

- stated that the issue of salvage timber is not time sensitive; and
- advised that air pollution occurs from timber clearing and burning.

MOTION: Assemblymember DeVilbiss moved to postpone Resolution Serial No. 01-006 to time certain of June 5 to allow administration to view both resolutions and combine the two.

GENERAL CONSENT: The motion, to postpone, was adopted without objection.

D. ATTORNEY COMMENTS (continued from page 5)

Mr. Gatti:

- reported that the planning department has responded to the Talkeetna incorporation request and that a hearing date is expected to be set for this fall.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

a. Planning Commission - 04/16/01

Assemblymember DeVilbiss spoke to the Farm Loop precinct request to be removed from the core area comprehensive plan.

Assemblymember Colberg echoed Assemblymember DeVilbiss's comments.

b. Platting Board - 04/19/01

c. Senior Citizens Advisory Board - 04/17/01

2. Community Council Correspondence:

1. Point MacKenzie Community Council - 02/24/01

G. INFORMATIONAL MEMORANDUMS

1. IM No. 01-027: PORT DISTRICT TIMBER SALE

Assemblymember Ladere thanked administration for this method to not waste a valuable resource.

The regular meeting recessed at 8:35 p.m. and reconvened at 8:45 p.m.

X. NEW BUSINESS

A. INTRODUCTION (Suggested public hearing - 06/05/01)

1. Ordinance Serial No. 01-074: AN ORDINANCE REAPPROPRIATING \$30,000 FROM THE FISCAL YEAR 2001 MEADOW LAKES FIRE SERVICE AREA OPERATING BUDGET, FUND 257, TO FUND 405, PROJECT NO. 45074, TO REPLACE A CASCADE SYSTEM.

a. Resolution Serial No. 01-044: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MEADOW LAKES FIRE SERVICE AREA CASCADE SYSTEM, FUND 405, PROJECT NO. 45074. IM No. 01-110

B. INTRODUCTION (Suggested public hearing - 06/19/01)

1. Ordinance Serial No. 01-070: AN ORDINANCE CREATING LAKE WALLACE SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 341, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-106

2. Ordinance Serial No. 01-071: AN ORDINANCE CREATING WESWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 342, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-107

3. Ordinance Serial No. 01-072: AN ORDINANCE CREATING KNIK GOOSE BAY ROAD MILE 14 AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT 334, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-108

4. Ordinance Serial No. 01-073: AN ORDINANCE CREATING UPPER LAZY MOUNTAIN AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 337, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT. IM No. 01-109

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for introduction of the legislation as read into the record by the clerk and set the respective public hearings for June 5 and 19, 2001.

GENERAL CONSENT: The motion passed without objection.

C. CONSENT AGENDA

(Resolution Serial No. 01-045 and AM Nos. 01-058 and 060 were pulled from the consent agenda, see page 15 for assembly action.)

1. RESOLUTIONS

2. ACTION MEMORANDUMS

a. AM No. 01-053: APPROVAL OF STREET LIGHT INSTALLATION AND RETROFITTING IN PORTIONS OF MIDWAY ROAD SERVICE AREA NO. 9, SOUTH COLONY ROAD SERVICE AREA NO. 16, LAZY MOUNTAIN ROAD SERVICE AREA NO. 19, WILLOW ROAD SERVICE AREA NO. 20, BUTTE ROAD SERVICE AREA NO. 26, GOLD TRAILS ROAD SERVICE AREA NO. 28, AND SUTTON ROAD SERVICE AREA NO. 31.

b. AM No. 01-054: APPROVAL OF THE PURCHASE OF BULK CALCIUM CHLORIDE FOR ROAD MAINTENANCE.

c. AM No. 01-055: VACATION OF ANY PUBLIC INTEREST IN THE NORTH-SOUTH TRAIL CROSSING TRACTS A-3 AND A-4 BULCHITNA LAKE SUBDIVISION, T21N, R9W, SECTION 9, SEWARD MERIDIAN, ALASKA, SKWENTNA COMMUNITY COUNCIL AREA.

d. AM No. 01-057: APPROVAL OF A CHANGE ORDER TO WILDER CONSTRUCTION CO. TO ADD EXTRA WORK FOR THE 2000 ROADS PAVING PROJECT PHASE II.

f. AM No. 01-059: AWARD OF BID NO. 01-099, 2001 ROADS PAVING PROJECT, PHASE I

h. AM No. 01-061: AWARD OF BID NO. 01-107, BOGARD ROAD SERVICE AREA NO. 25, GRAVEL OVERLAY PROJECT.

i. AM No. 01-062: AWARD OF BID NO. 01-090, TO PURCHASE CIRCUL-AIR HOSE DRYERS, CIRCUL-AIR PORTABLE HOSE STORAGE UNITS, AND TURNOUT GEAR STORAGE UNITS FOR WASILLA PUBLIC SAFETY BUILDING.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved for adoption of the above-referenced legislation as read into the record by the clerk.

GENERAL CONSENT: The motion passed without objection.

a. Resolution Serial No. 01-045: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN THE FISCAL YEAR 2001 BUDGET, CAPITAL PROJECTS FUND 425, PROJECT 45062, FOR THE AMOUNT OF \$7,921, TO PURCHASE RADIOS AND RELATED EQUIPMENT. IM No. 01-111

MOTION: Assemblymember Kelly moved for adoption of Resolution Serial No. 01-045.

Mr. Koechlein stated the requested purchase will replace radios for emergency responders.

GENERAL CONSENT: The motion passed without objection.

e. AM No. 01-058: AWARD OF BID NO. 01-101, HOUSTON HIGH SCHOOL CONSTRUCTION (RE-BID).

CONFLICT OF INTEREST: Assemblymember Lankford Ladere declared a potential conflict of interest for AM No. 01-058 and AM No. 01-060 and requested a ruling from the chair stating that her son is employed by Wolverine Construction.

RULING: Mayor Anderson ruled that Assemblymember Lankford Ladere had a conflict of interest and would be recused for both items. (*Assemblymember Lankford Ladere left the assembly chambers.*)

MOTION: Assemblymember Jansen moved for adoption of AM No. 01-058.

MOTION: Assemblymember DeVilbiss moved to enter executive session for: (1) potential or pending litigation to which the Matanuska-Susitna Borough may become or is a party; (2) matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; (3) confidential attorney-client communications made for the purpose of facilitating the rendition of professional legal services to the borough, specifically for discussion of the Houston High School and bid award.

GENERAL CONSENT: The motion passed without objection and the assembly entered the executive session at 8:55 p.m. in the assembly chambers. Those present during the executive session were Mayor Anderson, Assemblymembers, DeVilbiss, Jansen, Colberg, Kelly, Simpson, Colver, the borough manager, attorney, finance director, and public works director.

MOTION: Assemblymember DeVilbiss moved to exit the executive session.

GENERAL CONSENT: The motion, to exit the executive session, passed without objection and the regular assembly reconvened at 8:59 p.m.

CONFLICT OF INTEREST: The borough attorney advised that Assemblymember Colver has a potential conflict of interest for AM No. 01-058 and requested a ruling from the chair stating that Assemblymember Colver is a subcontractor for Collins Construction on a different project.

RULING: Mayor Anderson ruled that Assemblymember Colver has a conflict of interest and would be recused.

MOTION: Assemblymember Colver moved to appeal the ruling of the chair.

VOTE: The ruling of the chair was sustained with Assemblymember Colver opposed. (*Assemblymember Colver exited the assembly chambers.*)

MOTION: Assemblymember DeVilbiss moved to enter executive session for: (1) potential or pending litigation to which the Matanuska-Susitna Borough may become or is a party; (2) matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; (3) confidential attorney-client communications made for the purpose of facilitating the rendition of professional legal services to the borough, specifically for discussion of the Houston High School construction and bid award.

GENERAL CONSENT: The motion passed without objection and the assembly entered executive session at 9:08 p.m. in the assembly chambers. Those present during the executive session were Mayor Anderson, Assemblymembers, DeVilbiss, Jansen, Colberg, Kelly, Simpson, Colver, the borough manager, attorney, finance director and public works director.

MOTION: Assemblymember DeVilbiss moved to exit the executive session.

GENERAL CONSENT: The motion, to exit the executive session, passed without objection and the regular assembly reconvened at 9:25 p.m.

Mayor Anderson stated for the record that Assemblymember Lankford Ladere's son

is a sub-contractor for the Houston High School bid award.

GENERAL CONSENT: The motion, for adoption of AM 01-058, passed without objection.

(Assemblymember Colver returned to the assembly chambers.)

g. AM No. 01-060: AWARD OF PROPOSAL NO. 01-105, OWNER'S PROJECT REPRESENTATIVE HOUSTON HIGH SCHOOL FOR A CONSTRUCTION SITE PROJECT REPRESENTATIVE.

MOTION: Assemblymember Jansen moved for adoption of AM No. 01-060.

GENERAL CONSENT: The motion passed without objection.

MOTION: Assemblymember Kelly moved to reconsider AM No. 01-058.

VOTE: The motion, to reconsider, failed unanimously.

MOTION: Assemblymember Kelly moved to reconsider AM No. 01-060.

VOTE: The motion, to reconsider, failed unanimously.

(Assemblymember Lankford Ladere returned to the assembly chambers.)

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Emergency Medical Services Board

- Christine Fritz, Dispatch Center

Local Emergency Planning Commission

- Timothy McKeown, EMS position

Talkeetna Sewer and Water Service Area No. 36

- Gene Jenne
- Jim Kellard
- Vern Rauchenstein

Mayor Anderson requested the following confirmations:

Animal Care and Regulation Board

- Ninotchka Snow

Historical Preservation Commission

- James V. Grizzell, Jr.

Labor Relations Board

- Helen Y. Kaye
- Esker W. Coffey

Platting Board

- Janet Kincaid, District 2

Senior Citizens Advisory Board

- Don E. Anderson, Mid Valley Senior Center

Greater Willow Road Service Area No. 20

- Darryl Kowalski

Mayor Anderson requested that the assembly accept the following resignations:

Emergency Medical Services Board

- Andrew F. Good

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening and to accept the resignation of Andrew F. Good.

GENERAL CONSENT: The motion passed without objection.

E. OTHER NEW BUSINESS

(There was no other new business.)

XI. RECONSIDERATION

(There was no reconsideration pending.)

XII. VETO

(There was no veto pending.)

XIII. EXECUTIVE SESSION

(See pages 16 and 17 for executive session.)

XIV. MAYOR AND ASSEMBLY COMMENTS

MOTION: Assemblymember Kelly moved to fund the Mat-Su Youth Court \$40,000 from assembly reserves.

MOTION: Assemblymember Jansen moved a primary amendment to strike \$40,000 and insert \$20,000.

Discussion followed on funding non-profit requests with public funds.

VOTE: The primary amendment passed with Assemblymember Colberg opposed.

MOTION: Assemblymember DeVilbiss moved for immediate reconsideration of the primary amendment.

VOTE: The motion, for immediate reconsideration of the primary amendment, failed unanimously.

VOTE: The main motion, as amended, passed with Assemblymembers Colberg and Simpson opposed.

MOTION: Assemblymember Colver moved for immediate reconsideration.

VOTE: The motion, for immediate reconsideration, failed with Assemblymember Colver and DeVilbiss in support.

Assemblymember Colberg voiced concerns regarding presenting more than one

proposal for tax generated revenue.

Mr. Duffy:

- stated that revenue generating options will be addressed at a work session on June 5, 2001.

Assemblymember Jansen was excused at 10:10 p.m.

Assemblymember DeVilbiss:

- requested that administration distinguish the budget surplus in future budget presentations;
- questioned the removal of trees at the Palmer airport;
- spoke to road conditions on Lazy Mountain;
- commented that a proposed Lazy Mountain gas LID includes a parcel which is also included in a subdivision application;
- stated he would like to see the timber salvage issue dealt with project by project; and
- requested that an ordinance be proposed requiring 40 percent of the vote to elect assembly members with the incorporation of a voter preference policy to prevent run-off elections.

Assemblymember Simpson:

- expressed an interest in the proposal of a comprehensive revenue option plan;
- shared information regarding the Nike site and the cooperation of various departments involved;
- questioned the lack of drainage plans for road service areas and suggested that drainage plans be developed by the borough or all road service areas; and
- appreciated the borough staff's work required to accomplish a land trade for the Big Lake library.

Assemblymember Lankford Ladere:

- spoke to her voting rights concerning the issue of Assemblymember Colver's conflict of interest ruling.

Mr. Gatti:

- responded that Assemblymember Lankford Ladere had a conflict of interest declared in relation to the award of bid for the Houston High School construction; and
- reiterated that to avoid the appearance of impropriety, Assemblymember Lankford Ladere should not vote on any matter associated with the award of the bid.

Assemblymember Lankford Ladere:

- spoke to a request to have Gate Creek, Amber Lake, and Denali Butte state land disposal pulled; and
- asked that administration research the issue of having these state land disposals pulled.

Mayor Anderson:

- requested that the clerk schedule Miss Palmer Teen for a verbal presentation to the assembly and acknowledged that Miss Palmer Teen may also participate in a community service program coordinated by administration;
- stated that he had attended the military appreciation luncheon in Wasilla;
- commented that the manager and mayor will speak to the Eagle River Chamber of Commerce about the borough's economic development plans and the joint Anchorage/Mat-Su borough economic development plans;

remarked that he has received positive feedback concerning the annual budget action; and

• advised that the recent ethics charge filed against him was rejected by the Board of Ethics.

XV. ADJOURNMENT

The regular meeting adjourned at 10:30 p.m.

Minutes approved: June 5, 2001

Signed copy available at the clerk's office