

# **MATANUSKA-SUSITNA BOROUGH REGULAR MEETING**

**ASSEMBLY JUNE 5, 2001**

## **I. CALL TO ORDER**

The regular meeting of the Matanuska-Susitna Borough Assembly was held on June 5, 2001, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. The meeting was called to order at 6:09 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. Sandy Garley, Planning 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:

- spoke to the items placed in the front of the packet : (1) Project Impact documentation, (2) IM 01-137 (redistricting), and (3) Ordinance No. 01-084 and AM 01-076 (Hatcher Pass); and
- requested that assembly members bring the "Parks, Recreation, and Open Space Plan" presented for introduction this evening in book form, back to the June 19 meeting.

## **IV. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by former Assemblymember Jim Turner.

## **V. MINUTES OF PRECEDING MEETINGS**

A. Special Assembly Meeting: May 8, 2001

B. Special Assembly Meeting: May 10, 2001

C. Special Assembly Meeting: May 14, 2001

D. Regular Assembly Meeting: May 15, 2001

The mayor referenced the minutes of May 8, 2001, and asked for any corrections. (There were no corrections noted.)

The mayor referenced the minutes of May 10, 2001, and asked for any corrections.

Assemblymember DeVilbiss asked for clarification of Mr. Duffy's comment on the bottom of page 7 regarding bond ratings. *[After clerk's research, the comment was corrected to read "Mr. Duffy stated that this action would result in an increase of interest rates for bonds."]*

The mayor referenced the minutes of May 14, 2001, and asked for any corrections. (There were no corrections noted.)

The mayor referenced the minutes of May 15, 2001, and asked for any corrections.

Assemblymember Jansen asked for clarification of Carol Christiansen's comments regarding the rail corridor under Audience Participation on page 12. *[After clerk's research, the comment was expanded to read "Carol Christiansen requested that the assembly maintain the current width of the proposed rail corridor between Houston and Port MacKenzie."]*

GENERAL CONSENT: The minutes from the special meetings of May 8, 10, and 14, 2001, and the regular meeting of May 15, 2001, were approved without objection pending the clerk's research.

## **VI. REPORTS/CORRESPONDENCE**

### **A. AGENCY REPORTS**

#### **1. Reports from cities**

Wasilla Council Member Cottle:

- stated that the city of Wasilla adopted their FY02 budget and set the mill rate at .9 mills;
- noted that agenda items for the joint assembly/city meeting will include the borough sales tax proposal, the Wasilla's sports complex, and library issues;
- expressed personal support for a borough sales tax; and
- stated that sales tax supports development of infrastructure projects.

#### **2. Matanuska-Susitna Borough School District**

Kim Floyd, Public Information Officer:

- thanked those that have attended borough graduation services;
- reported that the last school day is June 7, 2001;
- noted that 1,583 are currently registered for the "Math Matters" summer school program;
- commented that the Colony High School girl's track team received the sportsmanship award at the state track meet held in Palmer;
- stated that Steve Cook, business teacher at Palmer High School, was recently named Alaska's 2001/2002 Christa McAuliffe fellow for the state, which is an award accompanied by a \$43,000 appropriation to be used for professional

development and materials for his project to integrate state standards into the business program;

- shared that Carl Sleight, Principal at Snowshoe Elementary, was invited to attend U. S. Department of Education Principals Leadership Summit in Washington D.C.;

Assemblymember DeVilbiss requested that the district provide the assembly with the latest bench mark results.

Assemblymember Lankford Ladere asked if Talkeetna Elementary Principal Dan Blanton would return as principal next year.

Ms. Floyd responded that Mr. Blanton had requested personal leave.

### 3. Project Impact Update

Mr. Koechlein and Ms. Bonnie Carrington, Project Impact Coordinator, gave a staff report and stated that the principal objective of project impact is to make Matanuska-Susitna Borough disaster resistant while preserving the safety of borough citizens and visitors.

The regular meeting recessed at 6:55 p.m. and reconvened at 7:06 p.m.

### B. Committee REPORTS (Continued on page 6)

## VII. 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.)

1. Ordinance Serial No. 01-049: AN ORDINANCE AMENDING MSB 23.10.230, AGREEMENTS BY APPLICATION, REPLACING THE LAND MANAGEMENT DIVISION POLICY AND PROCEDURE MANUAL POLICY ENTITLED "REAL PROPERTY DISPOSALS: SALES AND LEASES BY APPLICATION," AND REPEALING POLICY ENTITLED "TIME LIMITS FOR FILING COMPETING APPLICATIONS AND WHO CAN PARTICIPATE IN A COMPETITIVE SALE." (Sponsor: Assemblymember Colver)(*Motion pending 04/17/01, reopen public hearing*)

a. IM No. 01-008

b. IM No. 01-127

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

Mr. Duffy:

- stated that the ordinance had been returned to the planning commission for review;
- commented that the planning commission recommended two amendments; and
- recommended that the phrase "in the best interest of the borough to process the application based on economic development incentives" be replaced with "in accordance with the conditions of the business incentive ordinance." (MSB 23.10.230(A)(1)(f))

MOTION: Assemblymember Jansen moved a primary amendment to MSB 23.10.230(A) to read as follows:

(A) The manager may, with the approval of the assembly by ordinance when required by this title, approve a sale or lease of borough-owned real property by application if the following conditions exist[S]:

(1) the application [TO PURCHASE OR LEASE BOROUGH-OWNED REAL PROPERTY] is:

(a) by a public utility **or public agency** for facilities serving the general public; or

[(B) FOR A BENEFICIAL NEW INDUSTRY; OR

(C) FOR A PARTICULAR, STATED PURPOSED WHICH IS FOUND TO BE IN THE BEST INTEREST OF THE BOROUGH; AND]

**(d) for an adjacent property owner for access or to address a substandard or unusable lot condition; or**

**(e) for use for a non-profit organization; or**

**(f) for a disposal where the assembly has determined it is in the best interest of the borough in accordance with conditions of the business incentive ordinance.**

(2) All other requirements and conditions applicable to sales or leases under this title are met.

Discussion followed regarding the amendments incorporating statements made during the initial public hearing for Ordinance Serial No. 01-049, and the reference to the business incentive ordinance.

MOTION: Assemblymember Jansen moved a secondary amendment to MSB 23.10.230(A)(1)(f) to strike "in accordance with conditions of the business incentive ordinance" and to insert "based on economic development incentives."

GENERAL CONSENT: The secondary amendment passed without objection.

GENERAL CONSENT: The primary amendment, as amended, passed without objection.

MOTION: Assemblymember Jansen moved a primary amendment to the effective date of Ordinance Serial No. 01-049 to strike "for all applications that have not been approved this date by the assembly or by the manager's decision" and to insert "All applications pending at the time of adoption of this ordinance shall continue to be processed under former MSB 23.10.230."

GENERAL CONSENT: The primary amendment passed without objection.

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

2. 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, PROJECTNO. 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

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 Lankford Ladere moved for adoption of Ordinance Serial No. 01-074 and Resolution Serial No. 01-044.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Jay Nolfi spoke to a sales tax issue and requested the assembly consider a 3 percent sales tax and a property tax cap of

9 mills.

MOTION: Assemblymember DeVilbiss to reconsider Ordinance Serial No. 01-049.

Mr. Gatti advised that the assembly consider a technical amendment to Section 1 of Ordinance Serial No. 01-049 to add section 6 as non-code classification.

GENERAL CONSENT: The motion, to reconsider, passed without objection.

MOTION: Assemblymember DeVilbiss moved a primary amendment to Section 1, Classification, to insert "6" to read: Sections 3, 4, 5, and 6 are non-code.

GENERAL CONSENT: The primary amendment passed without objection.

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

## B. Committee REPORTS (Continued from page 3)

### 1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colberg:

- reported that the adopted school budget allocates approximately \$200 per student for instructional supplies;
- remarked that the reductions in the budget for sports pertain to transportation for elementary and middle school events;
- shared that there is a memorandum of understanding between the borough and school district to work together on various projects which include libraries and computers;
- noted that approximately 1500 students have enrolled in the summer program "Math Matters";
- commented that the bench mark scores have improved and the school district will release the scores soon; and
- stated that the next Committee meeting is scheduled for July 23, 2001.

Assemblymember Colver reported that the Sherrod Site Selection Committee has narrowed the selection to three possible sites.

## C. MANAGER COMMENTS

Mr. Duffy:

- spoke to a call from Governor Sheffield (interim Anchorage Port Director) who indicated support for a ferry landing at Ship Creek;
- noted a planned meeting with VECO to discuss locating their manufacturing facilities in the port district;
- spoke to the information received concerning a proposed reduction of the federal Payment in Lieu of Taxes (PILT);
- announced that the division of forestry will sell 2-year-old White Spruce seedlings June 11 to June 15 to promote reforestation;
- stated that the Spring Clean Up 2001 Program was very popular;
- reported that the Hunter Creek Festival was held and no calls or complaints were received regarding this event;

- spoke to the proposed traffic calming techniques which will be implemented on Alder Road to address traffic issues;
- commented that a letter was sent to Mr. Stratton regarding Collier Road being accepted by the borough; and
- noted that the borough has not received the Army Corps of Engineers status report for the Port MacKenzie dock, and he intends to follow up on the status.

#### D. ATTORNEY COMMENTS

(There were no attorney comments.)

#### E. CLERK COMMENTS

Ms. Dillon:

- spoke to the meetings schedule presented and noted the change to June 12 and June 21, 2001;
- presented an agenda for the joint meeting with Wasilla City Council and a draft agenda for the joint meeting with the planning commission on June 26, 2001;
- commented regarding the attached AML survey ;
- provided information regarding upcoming AML meetings and addressed the change of location for the November annual meeting;
- noted that the quarterly code supplements were received and requested that the assembly members bring their code books to the clerk's office for updates;
- addressed the status of the state redistricting board program;
- referred to the tracking report and asked for comments or suggestions;
- pointed out the thank-you notes from the Sherrod elementary students for a presentation on government procedures given by the mayor and the clerk;
- advised the assembly that August 7, 2001, is the last regular scheduled meeting for adoption of ballot issues for the October election; and
- spoke to a celebration of life scheduled for past borough clerk Evelyn Thompson.

Assemblymember DeVilbiss encouraged people to contact the redistricting board and support the plan as proposed by the borough.

#### F. CITIZEN AND OTHER CORRESPONDENCE

##### 1. MSB Board/Committee Minutes:

- a. Agricultural and Forestry Advisory Board - 05/14/01
- b. Historic Preservation Commission - 03/02/01
- c. Local Road Service Area Advisory Board - 04/19/01
- d. Mat-Su Fire Chiefs Association - 03/28/01, 04/25/01

Assemblymember DeVilbiss questioned if the finance department made changes to fire service area budgets which may have changed mill rates.

Mr. Duffy responded that the changes were to line items only and did not affect the mill rates.

- e. Midway No. 9 Road Service Area - 04/30/01
- f. Parks, Recreation, and Trails Advisory Board - 04/24/01
- g. Planning Commission - 04/30/01, 05/07/01, 05/10/01
- h. Senior Citizens Advisory Board - 05/15/01

2. Community Council Correspondence:

- a. Meadow Lakes Community Council - 03/14/01
- b. Talkeetna Community Council - 04/02/01

The citizen and other correspondence was presented and no comments other than noted were given.

**G. INFORMATIONAL MEMORANDUMS**

1. IM No. 01-118: REVIEW OF COMMUNITY COUNCILS RESIDENCY REQUIREMENTS.

Assemblymember Simpson voiced concerns regarding single assembly members requesting administration to allocate staff time to pursue projects without assembly consensus.

The clerk noted that an item is on the tracking report to develop assembly policies regarding the issue of assembly members directing staff.

2. IM No. 01-129: FUND \$20,000 FROM ASSEMBLY RESERVES TO THE MAT-SU YOUTH COURT.

3. IM No. 01-137: STATUS REPORT ON REDISTRICTING MAP.

The informational memorandums were presented and no comments other than noted were given.

**VIII. 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. (Sponsors: Assemblymembers Lankford Ladere and Colver) (*Motion pending 04/03/01*)

- 1. IM No. 01-021
- 2. IM No. 01-130

WITHDRAW: Assemblymember Colver requested to withdraw the motion to amend by substitution. There was no objection.

MOTION: Assemblymember Lankford Ladere moved a primary amendment to substitute the pending resolution with the version titled Resolution Serial No. 01-006(sub 2).

Assemblymember Simpson questioned the process for borough staff to assess borough lands and identify salvage timber stands made available for sale.

Assemblymember Colver complimented the staff for their assistance in drafting Resolution Serial No. 01-006(sub 2).

GENERAL CONSENT: The motion, to amend by substitution, passed without objection.

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

**IX. NEW BUSINESS**

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

1. Ordinance Serial No. 01-077: AN ORDINANCE APPROVING THE SALE AT FAIR MARKET VALUE OF

BOROUGH-OWNED LAND DESCRIBED AS THAT PORTION OF THE S 1/2 N 1/2 LOCATED EAST OF THE PARKS HIGHWAY RIGHT-OF-WAY CENTERLINE, SECTION 20, T23N, R4W, SEWARD MERIDIAN, ALASKA, LOCATED IN THE GOOSE CREEK AREA, MSB003308. IM 01-112

2. Ordinance Serial No. 01-078: AN ORDINANCE AMENDING MSB 15.24.030(B)(1), THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE MATANUSKA-SUSITNA BOROUGH BY CHANGING THE PARKS, RECREATION, AND OPEN SPACE SUB-ELEMENT OF THE PLAN. IM No. 01-113

3. Ordinance Serial No. 01-079: AN ORDINANCE REAPPROPRIATING \$24,513 FROM THE LAND MANAGEMENT FUND, LAND MANAGEMENT DIVISION FY 2001 OPERATING FUND, TO FUND 480 FOR THE GOOSE CREEK SITE ASSESSMENT (MSB 003198). IM No. 01-114

4. Ordinance Serial No. 01-080: AN ORDINANCE REAPPROPRIATING \$75,000 FROM THE LAND MANAGEMENT FUND, LAND MANAGEMENT DIVISION FY 2001 OPERATING FUND, TO FUND 480, FOR THE SURVEY OF BOROUGH-OWNED LAND. IM No. 01-115

5. Ordinance Serial No. 01-081: AN ORDINANCE REQUESTING A REAPPROPRIATION OF \$70,000 FROM THE AREAWIDE FUND, FINANCE ADMINISTRATION OPERATING BUDGET, FUND 100, TO FUND 480, FOR THE GASB 34 IMPLEMENTATION PROJECT. IM No. 01-116

6. Ordinance Serial No. 01-082: AN ORDINANCE CLASSIFYING TRACT B, BEST VIEW SUBDIVISION AS "RESERVE USE LANDS" AND AUTHORIZING A LONG-TERM MANAGEMENT AGREEMENT REQUESTED BY AREAWIDE COMMUNITY SERVICES COUNCIL, INC. WITHIN A PORTION OF THE TRACT, FOR THE PURPOSE OF CARE AND MANAGEMENT OF THE EXISTING VETERANS' MONUMENT AREA, TO INCLUDE EXPANSION OF THE WALL OF HONOR AND INSTALLATION OF A WAR DOG'S MEMORIAL, ALL BEING WITHIN SECTION 15, T17N, R1E, SEWARD MERIDIAN, ALASKA, IN THE GATEWAY COMMUNITY COUNCIL AREA NEAR THE INTERSECTION OF THE PARKS HIGHWAY AND EAST MATANUSKA ROAD (MSB 003512/MSB 003372). IM No. 01-117

7. Ordinance Serial No. 01-083: AN ORDINANCE AMENDING MSB 3.28.010 AND 3.28.020, TO REQUIRE THAT LOCAL IMPROVEMENT DISTRICT PETITIONS BE SIGNED BY OWNERS OF PROPERTY THAT WILL BEAR MORE THAN ONE-HALF OF THE ESTIMATED COST OF THE IMPROVEMENT. IM No. 01-119

8. Ordinance Serial No. 01-084: AN ORDINANCE REQUESTING A REAPPROPRIATION OF \$325,000 (\$277,500) FROM THE AREAWIDE FUND FISCAL YEAR 2001 OPERATING BUDGET TO FUND 450, PROJECT 20161, HATCHER PASS SKI AREA DEVELOPMENT.

a. IM No. 01-120

b. AM No. 01-076: ACQUISITION OF THE HATCHER PASS DEVELOPMENT CORPORATION'S INTEREST IN THE HATCHER PASS LAND LEASE.

9. Ordinance Serial No. 01-085: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS. IM No. 01-122

10. Ordinance Serial No. 01-086: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$35,102 FROM ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO FUND 480, PROJECT NO. 20307, FOR THE MAT-SU VOLUNTEER WATER QUALITY MONITORING PROGRAM.

a. Resolution Serial No. 01-046: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MAT-SU VOLUNTEER WATER QUALITY MONITORING PROGRAM, PROJECT NO. 20307, AS FUNDED BY THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION. IM No. 01-123

11. Ordinance Serial No. 01-087: AN ORDINANCE REAPPROPRIATING \$43,165 FROM THE FY 2001 RECORDS MANAGEMENT OPERATING BUDGET (100-100-106), TO FUND 435, PROJECT NO. 10117/1803, FOR THE RECORDS/ELECTRONIC RECORDS MANAGEMENT PROGRAM.. IM No. 01-124

12. Ordinance Serial No. 01-088: AN ORDINANCE ACCEPTING AND APPROPRIATING \$19,800 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, FOR THE INTERPRETATIVE SIGNS PROJECT FOR MATANUSKA COLONY HISTORIC DISTRICT. IM No. 01-128

13. Ordinance Serial No. 01-089: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SALES TAX NOT EXCEEDING TWO AND ONE-HALF PERCENT OF SALES, SERVICES, AND RENTALS WITHIN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE LEVYING OF THE SALES TAX AND THE ESTABLISHING OF AN AREAWIDE PROPERTY TAX LIMIT TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 2, 2001, BOROUGH ELECTION.

- a. Ordinance Serial No. 01-092: AN ORDINANCE ADOPTING MSB CHAPTER 3.35, A UNIFORM SALES TAX.
- (1) IM No. 01-131
  - (2) IM No. 01-133

14. Ordinance Serial No. 01-090: AN ORDINANCE APPROPRIATING \$155,400 FROM THE 2001 SERIESB GENERAL OBLIGATION BONDS, RECREATION, AND TRAILS BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40136 FOR THE REPAIR/ REPLACEMENT OF THE WASILLA POOL ROOF.

- a. Resolution Serial No. 01-047: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REPAIR/REPLACEMENT OF THE WASILLA POOL ROOF.

IM No. 01-132

15. Ordinance Serial No. 01-091: AN ORDINANCE AMENDING ORDINANCE SERIAL NO. 01-067 TO REFLECT THE REVISED GRANT AMOUNT OF \$418,080 FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 450, PROJECT 70004, FOR COMPLETION OF A RAIL CORRIDOR STUDY.

- a. Resolution Serial No. 01-048: A RESOLUTION AMENDING RESOLUTION SERIAL NO. 01-041 TO REFLECT THE REVISED BUDGET AMOUNT OF \$418,080 FOR A RAIL CORRIDOR STUDY. IM No. 01-136

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 public hearing for June 19, 2001.

DIVIDE THE QUESTION: Assemblymember DeVilbiss moved to divide the question and address separately Ordinance Serial No. 01-084: AN ORDINANCE REQUESTING A REAPPROPRIATION OF \$325,000 (277,500) FROM THE AREAWIDE FUND FISCAL YEAR 2001 OPERATING BUDGET TO FUND 450, PROJECT 20161, HATCHER PASS SKI AREA DEVELOPMENT and AM No. 01-076: ACQUISITION OF THE HATCHER PASS DEVELOPMENT CORPORATION'S INTEREST IN THE HATCHER PASS LAND LEASE.

VOTE : The motion, to divide the question, passed with Assemblymembers Jansen and Colver opposed.

DIVIDE THE QUESTION: Assemblymember Kelly moved to divide the question and address separately Ordinance Serial No. 01-089: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SALES TAX NOT EXCEEDING TWO AND ONE-HALF PERCENT OF SALES, SERVICES, AND RENTALS WITHIN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE LEVYING OF THE SALES TAX AND THE ESTABLISHING OF AN AREAWIDE PROPERTY TAX LIMIT TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 2, 2001, BOROUGH ELECTION and Ordinance Serial No. 01-092: AN ORDINANCE ADOPTING MSB CHAPTER 3.35, A UNIFORM SALES TAX.

VOTE: The motion, to divide the question, passed with Assemblymember Jansen opposed.

GENERAL CONSENT: The motion, for introduction of legislation read into the record by the clerk and set public hearings on June 19, was passed without objection.

Discussion followed on the motion to introduce Ordinance Serial No. 01-084 and AM 01-076.

Assemblymember DeVilbiss stated for the record an objection to introduction of Ordinance Serial No. 01-084 and AM No. 01-076.

VOTE: The motion, to introduce Ordinance Serial No. 01-084 and AM 01-076, passed with Assemblymember DeVilbiss opposed.

Discussion followed on the second segment of the motion to introduce Ordinance Serial Nos. 01-089 and 091.

Assemblymember Kelly spoke to the procedure for amending the ordinance title as to the amount of sales tax proposed.

Mr. Gatti:

- advised that the correct time to make amendments is during the public hearing phase; and
- spoke to the need to readvertise when an ordinance title's descriptive summary is changed.

Ms. Dillon spoke to the parliamentary procedure that a motion to adopt is required before amendments can be made which would be after the public hearing and reiterated Mr. Gatti's comments.

The regular meeting was recessed at 8:25 p.m. and reconvened at 8:40 p.m.

Discussion continued regarding amending the title of Ordinance Serial No. 01-089.

Assemblymember Kelly withdrew his concerns regarding the amount of the proposed sales tax.

GENERAL CONSENT: The second segment, to introduce Ordinance Serial Nos. 01-089 and 091, passed without objection.

## B. CONSENT AGENDA

(Resolution Serial Nos. 01-049 and 050 and AM Nos. 01-067,068, and 071 were pulled from the consent agenda, see pages 14 and 15 for assembly action.)

CONFLICT OF INTEREST: Assemblymember Lankford Ladere requested a ruling from the chair stating a possible conflict of interest regarding AM No. 01-074 as her son works for the main contractor for the Houston High School project.

RULING: Mayor Anderson ruled that Assemblymember Lankford Ladere did not have a conflict of interest with this award for testing services which are not performed by the main contractor.

### 1. RESOLUTIONS

### 2. ACTION MEMORANDUMS

a. AM No. 01-065: PURCHASE OF GRAVEL IN THE AMOUNT OF \$15,000 FOR THE HORSESHOE LAKE ROAD PROJECT, ROAD SERVICE AREA NO. 21, PROJECT NO. 30043, BY EXECUTING A MATERIAL SALE CONTRACT WITH THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, MENTAL HEALTH TRUST LAND OFFICE.

b. AM No. 01-066: VACATION OF 60-FOOT-WIDE PUBLIC ACCESS EASEMENT WITHIN TRACT 14, ASLS 80-111, WITHIN SECTIONS 24 AND 25, T15N, R5W, SEWARD MERIDIAN, ALASKA, POINT MACKENZIE COMMUNITY COUNCIL AREA.

e. AM No. 01-069: SCOPE OF WORK AND BUDGET FOR THE SCHOOL DISTRICT RENEWAL AN

RENOVATION PROJECTS (FIFTH INCREMENT).

- f. AM No. 01-070: AWARD OF PROPOSAL NO. 01-119 MEMORY LAKE DRAINAGE STUDY (REISSUE), NOT TO EXCEED \$18,000.
- h. AM No. 01-072: AWARD OF BID NO. 01-120, MISCELLANEOUS SOFTWARE AND HARDWARE PURCHASE.
- i. AM No. 01-073: AWARD OF BID NO. 01-108 TO YOUNG'S FIREHOUSE, IN THE AMOUNT OF \$63,911.75, FOR TWO BREATHING AIR CENTERS.
- j. AM No. 01-074: AWARD OF BID NO. 01-097, FIELD TESTING SERVICES FOR HOUSTON HIGH SCHOOL, PROJECT NO. 40131, NOT TO EXCEED \$91,108.
- k. AM No. 01-075: REVISING THE SCOPE OF WORK FOR PROJECT NO. 10124, SUTTON LIBRARY WELL WATER TREATMENT; PROJECT NO. 10118, LIBRARY RENOVATIONS TO PROJECT NO. 10122, LIBRARY UNDERGROUND STORAGE TANK REMOVAL; AND PROJECT NO. 15012, PARKS SHOP NATURAL GAS AND PARKS SHOP HOOKUP AND INSTALL WATER TO PARKS MAINTENANCE BUILDING RELOCATION.
- l. AM No. 01-077: APPROVAL OF LIST OF PROJECTS AND BUDGET TO UTILIZE FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS AT PORT MACKENZIE.

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. 01-049: A RESOLUTION APPROVING THE USE OF FUNDS PROVIDED BY THE COASTAL IMPACT ASSISTANCE PROGRAM. IM No. 01-134

MOTION: Assemblymember Lankford Ladere moved for adoption of Resolution Serial No. 01-049.

Assemblymember Lankford Ladere questioned satellite imagery versus ortho imagery.

GENERAL CONSENT: The motion passed without objection.

- b. Resolution Serial No. 01-050: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO COMPLETE PHASE II CONSTRUCTION AT PORT MACKENZIE. IM No. 01-135

MOTION: Assemblymember DeVilbiss moved for adoption of Resolution Serial No. 01-050.

GENERAL CONSENT: The motion passed without objection.

CONFLICT OF INTEREST: Assemblymember Colver requested a ruling from the chair concerning a possible conflict of interest stating he is a client of Collins Construction (AM No. 01-067) and states that he is also a subcontractor for the Teeland Middle School project (AM No. 01-068).

RULING: Mayor Anderson ruled that Assemblymember Colver had a conflict of interest for AM Nos. 01-067 and 068 and would be recused from voting on the issues. (Assemblymember Colver exited the assembly chambers.)

- c. AM No. 01-067: AWARD OF BID NO. 01-094, BURCHELL HIGH SCHOOL ADDITION (REBID) IN THE AMOUNT OF \$2,300,000.

MOTION: Assemblymember Jansen moved for adoption of AM No. 01-067.

GENERAL CONSENT: The motion passed without objection and with Assemblymember Colver abstaining.

d. AM No. 01-068: TEELAND MIDDLE SCHOOL CHANGE ORDER NO. 16, IN THE AMOUNT OF \$50,795.

MOTION: Assemblymember Jansen moved for adoption of AM No. 01-068.

GENERAL CONSENT: The motion passed without objection and with Assemblymember Colver abstaining. (Assemblymember Colver reentered the assembly chambers.)

g. AM No. 01-071: AWARD OF CONTINUATION OF CONTRACT WITH BELLO-VISTA FOR OWNERS PROJECT REPRESENTATIVE 2000 ROADS PAVING PROJECTS, PROPOSAL NO. 00-123, NOT TO EXCEED \$75,000.

MOTION: Assemblymember Colver moved for adoption of AM No. 01-071.

Assemblymember Colver spoke to the issue of the high expense for contractual services versus employee administered contracts.

Mr. Swing responded citing the lack of qualified paving inspectors.

GENERAL CONSENT: The motion passed without objection.

## C. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

Mayor Anderson made the following recommendations:

- Adjustment and Appeals Board

Jim Kracker  
Jane Duester

- Platting Board

William H. Bruu, District 5

- Senior Citizens Advisory Board

Dee Pralle, Willow Senior Center  
Delores E. Brown, Palmer Senior Center

- Talkeetna Flood Control SSA No. 7

Rob Holt

- North Colony RSA No. 23

Lorena Stratton

Mayor Anderson requested the following confirmations:

- Emergency Medical Services Board

Christine Fritz

- Local Emergency Planning Committee

Timothy McKeown, EMS

- Talkeetna Sewer and Water SSA No. 36

Gene Jenne

Jim Kellard

Vern Rauchenstein

- Circle View and Stampede Estates Flood and Erosion Control SSA No. 131

Richard Jensen

Mayor Anderson requested that the assembly accept the following resignations:

- Port Commission

Jerry Fletcher

- Senior Citizens Advisory Board

Constance Rohloff

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening and to accept the resignations of Jerry Fletcher and Constance Rohloff.

GENERAL CONSENT: The motion passed without objection

Assemblymember Colver questioned the residency of platting board members as listed.

Mayor Anderson introduced a member of the audience, William H. Bruu, as an applicant for the Platting Board.

#### D. OTHER NEW BUSINESS

(There was no other new business.)

#### X. RECONSIDERATION

(There was no reconsideration pending.)

#### XI. VETO

(There was no veto pending.)

#### XII. EXECUTIVE SESSION

(There was no executive session.)

#### XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember DeVilbiss:

- requested that administration present a resolution asking for full funding of PILT;

- suggested that benchmark test results be discussed at the next assembly/school board joint meeting.

MOTION: Assemblymember DeVilbiss moved to direct administration to bring forward a resolution addressing Farm Loop Community Council's request to be pulled from the core area boundary.

Mr. Duffy:

- explained that Farm Loop area did not want to participate in the core area comp plan; and
- noted that it was the general agreement of a community survey to develop and adopt a local community comp plan.

Ms. Garley:

- advised that the planning commission decision requested the issue of Farm Loop be tabled until the text to the core area zoning amendment is completed and a draft map is presented.

Discussion followed on bypassing the process of the planning commission.

WITHDRAW: Assemblymember DeVilbiss requested to withdraw his motion. There was no objection.

Assemblymember Lankford Ladere:

- thanked the borough staff for a recent site visit to Oil Well road; and
- requested that the borough address Sherman Lake Trail area.

Assemblymember Colver:

- thanked the assembly for supporting the competitive land sales ordinance.

MOTION: Assemblymember Colver moved for reconsideration of Ordinance Serial No. 01-049.

VOTE: The motion, to reconsider, failed with Assemblymember Jansen in favor.

Assemblymember Colver:

- expressed his condolences to the family and friends of Evelyn Thompson;
- questioned the status of Ed McCain, Willow volunteer firefighter, who suffered injury during a fire; and
- spoke to his concerns regarding the procurement process for the Houston High School construction.

Assemblymember Lankford Ladere responded that Mr. McCain remains in the hospital with second degree burns and is healing rapidly.

Assemblymember Kelly:

- thanked the school district for the appreciation reception;
- commented that the current proposal for the Wasilla multi-use facility consists of one sheet of indoor ice and one large area for common use;
- spoke to the public input process of the Wasilla multi-use facility;
- announced his attendance in the community technology center network presentation, a school federally funded for three years and available free to the public; and

- said the Wasilla Public Safety building will have a grand opening this month.

Assemblymember Colberg:

- requested the staff revisit the race track ordinance and add a noise control standard;
- thanked the manager for his efforts on the Alder Road traffic control problem;
- appreciated the school principal's gift of tickets to a play about a small town lawyer who stood up to the majority.

Assemblymember Simpson:

- spoke to observing emergency services training procedures and encouraged assembly members to attend similar training events in their own districts;
- spoke to attendance of a Meadow Lakes FSA Board of Supervisors meeting and voiced appreciation for members of boards and commissions;
- stated the borough parks and recreation department will co-host the recreation rendezvous in mid-September;
- expressed disappointment in AML not advising municipalities of the PILT funding proposal;
- voiced appreciation for the comradery shared among assembly members; and
- encouraged assembly members to maintain standards of decorum during meetings.

Assemblymember Kelly requested that administration add the topic of North Star Speedway to the joint assembly/planning commission agenda on June 26, 2001.

Assemblymember Jansen:

- spoke to the sales tax issue and the goal of diversification of sources of revenue;
- requested a discussion with the school board on sales tax;
- asked administration to include the core area zoning time frame on the joint assembly/planning commission agenda for June 26, 2001;
- commented regarding recent attendance of an central landfill open house and spoke to the expense of solid waste disposal;
- voiced appreciation to the legislature for the \$1.65 million to fund landfill issues;
- encouraged borough staff site visits of festivals and events held; and
- appreciated Assemblymember Simpson's comments regarding assembly decorum.

Mayor Anderson:

- thanked Assemblymember Simpson for comments regarding decorum maintained at meetings;
- reported on his attendance at various school district graduation services;
- encouraged assembly members to coordinate meetings to allow attendance for all graduation services next year;
- stated his intention to attend each community council meeting once a year;

- attended a Talkeetna Community Council meeting and explained that a SPUD is not a method to revisit a comprehensive plan;
- stated that the Talkeetna Community Council will have an advisory vote on the SPUD issue in October and present a recommendation to the assembly based on the results of the vote;
- reported that Talkeetna has requested the borough restripe main street;
- remarked that the community of Talkeetna is supporting the transportation study; and
- shared that he and Mayor Palin are scheduled to speak to the Valley Board of Realtors on June 6, 2001.

#### **XIV. ADJOURNMENT**

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

Minutes approved: June 19, 2001

*Signed copy available at the clerk's office*