

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY MARCH 19, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on March 19, 2002, 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. J. Bruce Bush, Assembly District No. 1
Ms. Sara Jansen, Assembly District No. 2
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 Ladere, Assembly District No. 7

Staff in attendance were:

Ms. Sandra A. Dillon, Borough Clerk
Mr. John Duffy, Borough Manager
Mr. Michael Gatti, Borough Attorney
Mr. Dave Germer, Assistant Borough Manager
Ms. Michelle M. McGehee, Deputy Borough Clerk
Mr. Jim Swing, Public Works Director
Ms. Sandra 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 Representative Ogan's recent illness, advised that a "get well" card was being circulated, and expressed his wishes for a quick recovery;
- stated that the clerk's evaluation would be rescheduled for March 26, 2002; and
- inquired if the administration had any items that they wished to be pulled from the agenda.

Mr. Duffy:

- requested that Ordinance Serial No. 02-031, item A, Unfinished Business, be postponed until April 9, 2002, as administration is in the process of inserting another step in the appeal process.

GENERAL CONSENT: The agenda, as amended, was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Rindi White, a member of the audience.

V. MINUTES OF PRECEDING MEETING

A. Special Assembly Meeting: March 5, 2002

B. Regular Assembly Meeting: March 5, 2002

Mayor Anderson referenced the March 5, 2002 special meeting minutes and the March 5, 2002, regular meeting minutes and asked for any corrections thereto.

Assemblymember Simpson:

- March 5, 2002, regular meeting minutes - noted a correction on page 11 of 12, to strike the word "harbor" and insert "resort". [After clerk's research, this correction was made.]

GENERAL CONSENT: The March 5, 2002, special meeting minutes and the March 5, 2002, regular meeting minutes were approved, as amended, pending clerk's research.

VI. SPECIAL ORDERS OF THE DAY

A. Evaluation of Borough Clerk (Continued from 03/05/02)

(This item of business was postponed until the March 26, 2002, special assembly meeting(see p. 1))

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from the cities

Wasilla City

Ms. Diane Keller, Wasilla City Council Member:

- reported that the city has let out on RFP for library expansion;
- noted that the city has hired a sexual abuse officer to work with the State Troopers;
- commented regarding a \$50,000 match trails grant;
- stated that the voters did approve a .5 cent sales tax increase effective July this year to fund the sports arena;
- spoke to bond sales for improvements to Lucille Park; and
- extended the city's wishes for a quick recovery for Representative Ogan.

Assemblymember Kelly:

- noted that the United States Department of Justice (DOJ) has earmarked funds for homeland security; and
- reported that no monies are dedicated to the borough at this time.

Palmer City

Assemblymember Jansen stated that the mayor of Palmer is currently out of town.

2. Matanuska-Susitna Borough School District

School Board President, Dan Contini:

- reported that all borough students are currently off due to spring break;
- noted that Superintendent Chesbro was out of town and that Bob Doyle was currently in charge;
- spoke to quarterly awards that were presented by British Petroleum;
- reported that the school district has just completed student testing and that Superintendent Chesbro would update the assembly when the results were in; and
- remarked that the school board is meeting tomorrow night to discuss budgetary issues.

Assemblymember Jansen inquired if the school district will be going into mediation.

School Board President Dan Contini responded that mediation would take place.

Assemblymember Simpson reiterated her requested the total amount spent on the Math Matters program in the borough.

B. COMMITTEE REPORT

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Jansen stated that the next meeting is scheduled for April 1 and that she will be out of town.

2. Intergovernmental Liaison Committee:

(There has been no meeting since the last was held.)

C. MANAGER COMMENTS

Mr. Duffy:

- debriefed members of the assembly regarding his recent lobbying trip to Washington D.C.;
- noted items discussed with members of our congressional delegation including: all legislative priorities adopted in the assembly resolution, an extension of time to utilize FTA funds, the central landfill, Port MacKenzie Road, the Knik Arm Crossing; funding for fire response and forest management programs, and the proposed nutrition center;
- reported that a teleconference would be held through the Wasilla legislative information office on March 20, 2002, to discuss the prison proposal;
- spoke to information provided regarding port authorities;
- commented regarding the EMS fire rescue review group's organizational proposal; and
- reported that the bids for the Brett Ice Arena came in under budget and that the earmarked funds could be used to include all other proposed improvements.

Assemblymember Simpson asked Mr. Koechlein to report regarding the ambulance repage data.

Discussion ensued regarding:

- repage occurrence being greater in the daytime;
- service responses when all ambulances in Wasilla are out on calls; and
- the percent of calls being repaged - three to four percent.

Assemblymember Ladere inquired regarding monies coming into the borough for transportation projects.

Mr. Duffy stated that he would have to confer with the planning director regarding the amount of funds received.

Mr. Duffy (report continued):

- spoke to the proposed Euclidian zoning ordinance, the need to address nuisance uses and neighborhood conflicts, and the interim protection of implementing a conditional use ordinance that addresses nuisance uses within the core area.

MOTION: Assemblymember Jansen moved to direct the Administration and the Planning Commission to accomplish two tasks:

1. To prepare and deliver to the assembly by June 4, 2002, a conditional use ordinance that addresses nuisance uses within the core area that relies upon a performance approach rather than a specific list of uses; and

2. To take the necessary time to continue and complete work on the proposed Euclidian ordinance utilizing additional citizen input as necessary.

Assemblymember Jansen spoke in favor of a conditional use ordinance and interim protections.

MOTION: Assemblymember Kelly moved an amendment to have the planning commission hold a couple of public hearings addressing the core area comprehensive plan to gain public input before a conditional use ordinance addressing nuisance uses is implemented.

Mayor Anderson asked if Assemblymember Kelly would be willing to make his motion after the motion of the floor was addressed it was not germane to the main motion.

WITHDRAW: Assemblymember Kelly withdrew his motion at this time.

Discussion ensued regarding:

- clarification of the definitions of "nuisance use" and "performance approach";
- the need for interim protection while the planning department is working on the proposed core area zoning ordinance;
- the time frame associated with the completion of the proposed core area zoning ordinance; and
- ending the work in progress on the proposed ordinance.

MOTION: Assemblymember Bush moved a primary amendment to strike provision two, to take the necessary time to continue and complete work on the proposed Euclidian ordinance utilizing additional citizen input as necessary.

Discussion continued regarding:

- opposition to ending the work in progress on the ordinance as the assembly and public is not yet aware of what will be contained in the final document;
- the allocation of more time to allow the planning commission to complete their work;
- the results of the advisory vote on zoning by precinct taken in 1999;
- public sentiment for or against zoning in the core area; and
- the effectiveness of implementing a conditional use ordinance for nuisance uses.

VOTE: The primary amendment, to strike provision two from the main motion failed with Assemblymembers Ladere and Bush in favor.

GENERAL CONSENT: The main motion passed without objection.

MOTION: Assemblymember Jansen moved for immediate reconsideration.

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

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.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Resolution Serial No. 02-022: A RESOLUTION ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FY 2003-2008.
 - a. IM No. 02-055

Mr. Duffy reported that the administration has set out revisions to the Capital Improvement Program (CIP), including

project priority and some housekeeping issues.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Resolution Serial No. 02-022.

MOTION: Assemblymember Jansen moved a primary amendment to Resolution Serial No. 02-022 to accept the revised CIP with the changes as delineated in the March 8, 2002, memorandum from planning to the manager and ask the clerk to read the changes on page 1 into the record.

Ms. Dillon read the changes into the record per the memorandum contained in the manager's report.

Assemblymember Jansen encouraged the assembly to give the amendment due consideration.

GENERAL CONSENT: The primary amendment passed without objection.

MOTION: Assemblymember Ladere moved a primary amendment to the CIP to include projects that the Willow Area Community Organization (WACO) would like placed on the five-year borough development list under community projects:

- Structural reinforcement for the roof at the Willow Community Center (east section);
- Heating and ventilation control for the Willow Community Center;
- Building the extension to the Willow Public Library;
- Outside door replacements or repair for access doors on the west side of auditorium;
- A water spigot and drinking fountain installed in the back of the Willow Community Center for landscaping public use;
- Paving of the drive and parking lot at the Willow Community Center;
- Paving of a basketball court in the back of the Willow Community Center;
- Replacement of carpet in the Willow Community Center atrium;
- Paint for the inside of the Willow Community Center;
- Push First Street through to the parking lot to use as an additional exit, and to further isolate private houses from the parking lot;
- Fix and repair floor tile work inside the auditorium at the Willow Community Center; and
- Roof replacement for the Willow Community Center.

Assemblymember Ladere noted the importance of the upgrades and stated that this effort has been ongoing.

Discussion ensued regarding:

- the process of project listing on the CIP and necessary review of amendments;
- prior listing of the WACO projects in last years CIP and review of the projects at that time;
- project funding through the "701 Plan", which are not included in the CIP;
- previously earmarked funding for some of the WACO projects listed in the amendment;
- the need to have all projects listed on the CIP;
- construction underway for some of the projects;
- the need for consistency in the CIP process; and
- difficulties that the community will experience if projects already under construction are delayed.

MOTION: Assemblymember Colver moved a secondary amendment to leave the paving projects on the FY04 list and to move the building projects listed to FY05 and FY06.

Discussion continued regarding projects already under construction.

GENERAL CONSENT: The secondary amendment passed without objection.

VOTE: The primary amendment passed with Assemblymember Jansen in opposition.

Discussion ensued regarding:

- priority ranking of the CIP projects; and
- the Department of Transportation's project scoring evaluation board and their desire to simply see all projects appear on the list.

MOTION: Assemblymember Colver moved a primary amendment to page 40 of the CIP to insert no. 22 to no. 11 and to renumber the remaining items on the list accordingly.

GENERAL CONSENT: The primary amendment passed without objection.

MOTION: Assemblymember Kelly moved a primary amendment on pp. 21 of 92, to insert no. 21 to no. 10 and to strike no. 10 as it is duplicative of no. 8.

VOTE: The primary amendment passed with Assemblymembers Colberg, Simpson, and Jansen in opposition.

MOTION: Assemblymember Colver moved a primary amendment to page 23, to insert no. 47 to no. 28 and to renumber the remaining items on the list accordingly.

VOTE: The primary amendment failed with Assemblymembers Colver, Ladere, and Kelly in favor.

MOTION: Assemblymember Kelly moved a primary amendment to add the Wasilla to Big Lake Trail project to the TRAAK needs list.

GENERAL CONSENT: The primary amendment passed without objection.

VOTE: The main motion, to adopt Resolution Serial No. 02-022 as amended, passed without objection.

MOTION: Assemblymember Jansen moved to hold a work session during the second meeting in August to discuss the compilation process for the CIP list.

Assemblymember Jansen spoke to the need to review the process.

GENERAL CONSENT: The motion passed without objection.

MOTION: Assemblymember Simpson moved to reconsideration Resolution Serial No. 02-022.

GENERAL CONSENT: The motion, to reconsider, failed unanimously.

2. Ordinance Serial No. 02-038: AN ORDINANCE ACCEPTING AND APPROPRIATING \$700 FROM THE ALASKA DIVISION OF EMERGENCY SERVICES TO THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT 20259, FOR FISCAL YEAR 2002 OPERATIONS.
 - a. IM No. 02-067

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-038.

GENERAL CONSENT: The motion passed without objection.

3. Ordinance Serial No. 02-039: AN ORDINANCE AMENDING MSB 3.24.030(B), ALLOCATION OF MOTOR VEHICLE REGISTRATION TAX REVENUES.
 - a. IM No. 02-068

Mr. Duffy stated that the borough has entered into an agreement with Matanuska Electric Association and the Department of Transportation regarding illumination on the Glenn Highway and noted that the vehicle tax revenues would fund maintenance of the lighting.

Discussion ensued regarding:

- the amount of revenue received from the motor vehicle registration tax in the last fiscal year;
- the length of time allotted in the ordinance for maintenance; and
- responsibility for maintenance after the allotted time has lapsed.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-039.

Assemblymember Jansen spoke in opposition to the borough funding lighting for a state project.

GENERAL CONSENT: The motion passed without objection.

4. Ordinance Serial No. 02-040: AN ORDINANCE APPROPRIATING \$225,000 FROM THE SERIES B GENERAL OBLIGATION PARKS, RECREATION, AND TRAILS BONDS, TO FUND 440, PARKS, RECREATION, AND TRAILS PROJECTS, PROJECT 15025, FOR IMPROVEMENTS AND UPGRADES TO THE MATANUSKA RIVER AND LAKE LUCILLE PARKS AND LITTLE-SU RIVER CAMPGROUND.
 - a. Resolution Serial No. 02-027: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR IMPROVEMENTS AND UPGRADES TO THE MATANUSKA RIVER AND LAKE LUCILLE PARKS AND LITTLE-SU RIVER CAMPGROUND USING SERIES B GENERAL OBLIGATION PARKS, RECREATION, AND TRAILS BONDS.
 - (1) IM No. 02-073

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-040 and Resolution Serial No. 02-027.

Assemblymember Colver queried regarding the scope of work for the projects.

Mr. Swanson provided a staff report regarding the scope of work.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following persons spoke in opposition of the proposed core area zoning ordinance in full, or partially: Sande Wright, Penny Nixon, Sheery Trbojevich, Jeff Disney, Larry Leuenberger, John Lawrence, Doug Millard, Ann Marie

Svedin, Walt Schumacher, Diane Holt, Chris Lawlor, and Darcie Salmon.

Sande Wright submitted additional signatures for a citizen petition in opposition to the proposed zoning ordinance.

Penny Nixon spoke to the recall of the mayor and members of the assembly regarding zoning in the core area.

Jay Nolfi spoke in favor of the CIP process, but opposed amendments at that table. Ms. Nolfi also spoke in favor of a boroughwide conditional use ordinance to address nuisance uses.

The regular meeting recessed at 8:50 p.m. and reconvened at 9:16 p.m.

Mayor Anderson:

- noted his concerns regarding the procedural soundness of the previous motion made to direct administration and the planning commission on zoning as the motion had not been advertised;
- stated that the attorney had echoed these concerns;
- stated that it is his intent to veto this action; an
- commented that other motions will be reviewed in the future to see if they are substantive enough to warrant advertising.

Ms. Dillon advised that per borough code, the veto on the motion would need to be exercised by 2/3rds majority vote of the assembly within 21 calendar days.

Mr. Gatti clarified the procedural process for advertising motions on the agenda and advised that to be cautious, it would be best to have notice requirements meant in this regard.

MOTION: Assemblymember Colver moved to suspend the rules to discuss the veto at this time.

Members of the assembly discussed supporting the motion to suspend the rules so that the public could hear the outcome of the issue.

Mayor Anderson stated that a short recess would be in order to allow him to finalize the veto language.

The regular meeting recessed at 9:23 p.m. and reconvened at 9:26 p.m.

Ms. Dillon read the mayor's veto of the motion into the record.

Mr. Gatti advised that the veto be discussed at the next regular meeting as an agenda topic, as this too requires adequate public notice.

Discussion followed regarding:

- the determination of motion as substantive enough to warrant public notice; and
- bringing forward a resolution at the April 9, 2002, assembly meeting that addresses directing the administration and the planning commission on zoning.

Ms. Dillon advised that the veto would have to be addressed first if a resolution were to be brought forward at the April 9, 2002, assembly meeting in this regard.

Discussion continued regarding disposal of the veto.

The regular meeting recessed at 9:36 p.m. and reconvened at 9:40 p.m.

Members of the assembly requested clarification on the process for the public addressing a resolution on the consent agenda.

Ms. Dillon noted that if requested, a resolution could be removed from the consent agenda to allow for public testimony.

Discussion resumed regarding the motion to suspend the rules.

Ms. Dillon advised that it would be appropriate to withdraw the motion to suspend the rules if the assembly had no objection.

WITHDRAW: The motion, to suspend the rules, was withdrawn.

VII. REPORTS/CORRESPONDENCE (continued)

D. ATTORNEY COMMENTS

Mr. Gatti had no comments to present.

E. CLERK COMMENTS

Ms. Dillon:

- advised regarding the current assembly meeting schedule through the month of May;
- noted that the March 28 joint assembly/port commission agenda and informational items were attached to the clerk's report for assembly review;
- spoke to the inclusion of other agendas for upcoming assembly meetings; and
- informed that annexation requests should be submitted to the clerk's office for possible placement on the October ballot.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Board of Adjustment and Appeals: 02/06/02, 02/15/02
- b. Historic Preservation Commission: 02/01/02
- c. Local Road Service Area Advisory Board: 02/21/02
- d. Meadow Lakes Fire Service Area: 01/21/02, 02/04/02
- e. Planning Commission: 01/30/02, 02/04/02, 02/12/02, 02/15/02, 02/16/02, 02/18/02, 02/25/02
- f. Senior Citizens Advisory Board: 02/19/02

The citizen and other correspondence were presented and no comments were noted.

G. INFORMATIONAL MEMORANDUMS

1. IM No. 02-084: INFORMATIONAL REPORT ON TRANSPORTATION PLANNING PROJECTS.

The informational memorandum was presented and no comments were noted.

IX. UNFINISHED BUSINESS

A. Ordinance Serial No. 02-031: AN ORDINANCE ADOPTING MSB 3.08.225, ESTABLISHING RULES AND REGULATIONS GOVERNING THE PREQUALIFICATION OF CONTRACTORS BIDDING ON CONSTRUCTION PROJECTS EXCEEDING \$750,000 FOR THE MATANUSKA-SUSITNA BOROUGH.

(Sponsor: Assemblymember Colver) (Motion pending)

1. No. 02-047
2. IM No. 02-064

3. AM No. 02-035: APPROVAL OF PREQUALIFICATION PROCEDURES

Mayor Anderson noted that this item had been postponed to the April 9, 2002, regular assembly meeting. (See p. 1)

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 04/09/02, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 02-043: AN ORDINANCE AMENDING MSB 3.15.030(C), ESTABLISHING PROCEDURES AND DEADLINES FOR FILING FOR SENIOR CITIZEN AND DISABLED VETERAN EXEMPTIONS UNDER AS 29.45.030(f).
 - a. IM No. 02-049
2. Ordinance Serial No. 02-044: AN ORDINANCE ACCEPTING AND APPROPRIATING \$131,216 FROM THE UNITED STATES DEPARTMENT OF COMMERCE, COASTAL IMPACT ASSISTANCE PROGRAM GRANT, TO PROJECT 20329, FUND 480.
 - a. Resolution Serial No. 02-030: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE COASTAL IMPACT ASSISTANCE PROGRAM GRANT, PROJECT 20329, FUND 480.
 - (1) IM No. 02-074
3. Ordinance Serial No. 02-045: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,000 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TO FUND 440, PROJECT 15014, FOR THE COMPLETION OF THE PORT MACKENZIE TRAILHEAD.
 - a. Resolution Serial No. 02-031: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PORT MACKENZIE TRAILHEAD COMPLETION GRANT FUNDED BY THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION.
 - (1) IM No. 02-081
4. Ordinance Serial No. 02-046: AN ORDINANCE ACCEPTING AND APPROPRIATING \$4,750 FROM THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TO FUND 480, PROJECT 15006, FOR THE CONSTRUCTION OF THE LITTLE-SU WINTER TRAILHEAD.
 - a. Resolution Serial No. 02-032: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE LITTLE-SU WINTER TRAILHEAD CONSTRUCTION GRANT FUNDED BY THE STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION.
 - (1) IM No. 02-082

B. INTRODUCTION (For public hearing - 04/16/02, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 02-041: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE SOUTH BIG LAKE ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 325 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS
 - a. Ordinance Serial No. 02-042: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$172,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE SOUTH BIG LAKE ROAD NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 325, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 02-076

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 hearings for April 9 and April 16, 2002, respectively.

GENERAL CONSENT: The motion passed without objection.

C. CONSENT AGENDA

(Resolution Serial Nos. 02-034, 02-038, and 02-039 and AM Nos. 02-029, 02-030, and 02-032 were pulled from the consent agenda. See pp. 14)

1. RESOLUTIONS

- a. Resolution Serial No. 02-033: A RESOLUTION ADOPTING A RISK MANAGEMENT POLICY STATEMENT TO GUIDE THE IMPLEMENTATION OF THE MATANUSKA-SUSITNA BOROUGH'S SAFETY/LOSS PREVENTION PROGRAM.
(1) IM No. 02-053

- c. Resolution Serial No. 02-035: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INFRASTRUCTURE PROJECTS USING THE TRANSIENT ACCOMMODATION TAX (BED TAX) IN AN AMOUNT NOT TO EXCEED \$190,000.
(1) IM No. 02-056

- d. Resolution Serial No. 02-036: A RESOLUTION REVISING THE SCOPE OF WORK AND BUDGET FOR THE CENTRAL LANDFILL EXPANSION, PROJECT NO. 25033.
(1) IM No. 02-077

- e. Resolution Serial No. 02-037: A RESOLUTION APPROVING THE CHANGE OF THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE ADMINISTRATION BUILDING REPAIR AND REHABILITATION PROJECTS, PROJECT NO. 10057.
(1) IM No. 02-078

2. ACTION MEMORANDUMS

- c. AM No. 02-031: HOUSTON HIGH SCHOOL CHANGE ORDER APPROVAL, TO ALASKA TEST LAB, IN THE AMOUNT OF NOT-TO-EXCEED \$26,500.

- e. AM No. 02-034: AWARD OF BID NO. 02-107, TO DELTA INDUSTRIES, IN THE AMOUNT OF \$55,763.59; PURCHASE DOCKS FOR THE DESHKA RIVER.

- f. AM No. 02-036: AWARD OF PROPOSAL NO. 02-090, TO TRYCK, NYMAN, AND HAYES, IN THE AMOUNT OF NOT-TO-EXCEED \$399,627; RAIL CORRIDOR STUDY.

- g. AM No. 02-037: SHERROD ELEMENTARY SCHOOL DESIGN APPROVAL.

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to approve the consent agenda as read into the record by the clerk.

GENERAL CONSENT: The motion passed without objection.

- b. Resolution Serial No. 02-034: A RESOLUTION AUTHORIZING THE BOROUGH MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE CITY OF PALMER N THE AMOUNT OF \$28,150 FOR PAVING.
(1) IM No. 02-054

MOTION: Assemblymember Ladere moved to adoption Resolution Serial No. 02-034.

Assemblymember Ladere noted her opposition to the resolution.

VOTE: The motion passed with Assemblymember Ladere in opposition.

- f. Resolution Serial No. 02-038: A RESOLUTION APPROVING THE CHANGE OF THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE COMMUNITY POOLS REPAIR AND RENOVATION PROJECTS, PROJECT NO. 15007.
(1) IM No. 02-079

MOTION: Assemblymember Colver moved to adopt Resolution Serial No. 02-038.

Assemblymember Colver opined that the community pools repair and renovation project was a good project for improvements and reallocation of existing funds.

MOTION: Assemblymember Colver moved a primary amendment to insert "install towel hooks in the Palmer Pool locker rooms."

GENERAL CONSENT: The primary amendment passed without objection.

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

- g. Resolution Serial No. 02-039: A RESOLUTION SUPPORTING A LONG-RANGE FISCAL PLAN THIS YEAR THAT ENSURES A STABLE FUTURE FOR ALL ALASKANS BY PROMOTING AFFORDABLE STATE AND LOCAL TAX LEVELS AND ADEQUATE STATE AND LOCAL SERVICES.
(1) IM No. 02-085

MOTION: Assemblymember Colberg moved to adopt Resolution Serial No. 02-039.

Assemblymember Colberg spoke in opposition to the resolution and stated that the intent of the legislation could be misperceived by the legislature.

MOTION: Assemblymember Colver moved to postpone Resolution Serial No. 02-039 to a time certain of April 9, 2002, and to direct the manager to bring back a resolution redrafted that the assembly can support.

GENERAL CONSENT: The motion, to postpone Resolution Serial No. 02-039 to a time certain of April 9, 2002, passed without objection.

- a. AM No. 02-029: BURCHELL HIGH SCHOOL ADDITION CHANGE ORDER APPROVAL, TO COLLINS CONSTRUCTION, IN THE AMOUNT OF \$29,411.
- b. AM No. 02-030: KNIK-GOOSE BAY FIRE TRAINING FACILITY CHANGE ORDER APPROVAL, TO COLLINS CONSTRUCTION, IN

THE AMOUNT OF \$15,854.

CONFLICT OF INTEREST: Assemblymember Colver asked Mayor Anderson for a conflict of ruling regarding AM No. 02-029 and AM No. 02-030 as he was a subcontractor on the projects.

RULING: Mayor Anderson ruled that Assemblymember Colver did have a conflict of interest in regard to AM Nos. 02-029 and 02-030.

(Assemblymember Colver exited chambers at this time.)

MOTION: Assemblymember Jansen moved to approve AM Nos. 02-029 and 02-030.

GENERAL CONSENT: The motion passed without objection.

(Assemblymember Colver returned to chambers.)

d. AM No. 02-032: VALLEY HOSPITAL, AMBULANCE LINEN CLEANING, IN THE APPROXIMATE AMOUNT OF \$20,000 TO \$25,000.

MOTION: Assemblymember Jansen moved to approve AM No. 02-032.

MOTION: Assemblymember Jansen moved a primary amendment to strike "15,000" and to insert "not to exceed \$25,000."

GENERAL CONSENT: The primary amendment passed without objection.

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

D. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Public Safety Building and Fire Training Facility Naming Committee

Peter Burchell
Colleen Cottle
Bessie Miller
June Robinette
Carlene Sanders

Public Works Building Naming Committee

Charles Griffin
Joe Lawton
Charles Logsdon
Dee Prickett
Carol M. Strouse

Transportation Advisory Board

Wrex Diem (LRSAAB Chairman)

Mayor Anderson requested the following confirmations:

Emergency Medical Services Board

Daniel Bellknap

Stella Wiggins
Gordon Butt
Shelia Lamar

Equalization Board
Thomas Antonovich

Local Emergency Planning Committee
Elmer Feltz
David Mayschak
Platting Board
Evelyn Goughnour

Transportation Advisory Board
Tim Mahoney (replaced as LRSAAB Chairman)

Meadow Lakes Road Service Area No. 27
Warren L. Hutchinson

Mayor Anderson requested the following confirmation of resignation:

Transportation Advisory Board
Scott Schwald

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening and to accept resignations as presented.

GENERAL CONSENT: The motion passed without objection.

E. OTHER NEW BUSINESS

(There was no new business.)

X. RECONSIDERATION

(There were no reconsiderations.)

XI. VETO

(There were no vetos.)

XII. EXECUTIVE SESSION

(There was no executive session held.)

XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Ladere:

- commented regarding the process undertaken on the motion to direct the administration and planning commission on zoning; and
- cautioned the assembly to think carefully consider some matters in order to be comfortable with decisions ultimately made.

Assemblymember Bush:

- expressed his disappointed regarding the assembly's action on the motion to direct the administration and planning commission on zoning;
- opined that the assembly should have disposed of the zoning ordinance when had a chance; and
- stated his intent to make an amendment at next meeting to dispose of the ordinance.

Assemblymember Colberg had no comments to present.

Assemblymember Kelly:

- spoke to the advisory vote on zoning by precinct taken in 1999;
- stated that majority of the voters in the core area at that time stated that they were in favor of zoning;
- spoke to public opposition in regard to the proposed core area zoning ordinance;
- opined that the zoning question could be resolved by sending an advisory question to the voters again;
- commented that he feels a conditional use ordinance that addresses nuisance uses is appropriate; and
- directed the clerk to bring an ordinance forward at the next assembly meeting regarding sending an areawide advisory question on zoning to the voters.

Assemblymember Colver:

- reported regarding his recent lobbying trip to Washington, D.C. - noted that they were well received;
- noted items discussed in Washington, D.C., to include: substandard road funding, the Knik Arm Crossing, school funding for special education, Port MacKenzie Road paving, and federal funding for trails;
- spoke to the Fish Creek area and opening up the land to agriculture and homesteading;
- commented in favor of the effectiveness of the borough's federal lobbyist;
- spoke regarding an amendment to the energy bill for a spur off the Alaska gas pipeline; and
- encouraged the assembly members to travel to Washington, D.C.

Assemblymember Simpson

- queried regarding the results of 1999 advisory vote on zoning by precinct;
- asked the clerk to provide everyone with a copy of the election results; and
- stated that she was happy to hear that the Washington, D.C., lobbying trip was successful.

Assemblymember Jansen:

- spoke to the processes undertaken at the meeting;
- commented regarding political process;
- thanked the public for their reasonable and thoughtful comments;
- opined that government is the supreme compromise;
- commented that it was encouraging to hear positive responses from our congressional delegation; and
- commended the administration for work done on the prison bill.

Mayor Anderson:

- commented that the trip to Washington, D.C., was very responsive;
- spoke to the time spent with Senator Steven's staff;
- stated that the borough delegation met with all of its senators;
- reported that Congressman Young is supportive of the Knik Arm Crossing;
- spoke to the ferry landing at Port MacKenzie;
- agreed that the borough does get positive results from its federal lobbyist;
- commented that he will no longer be entertaining motions from the assembly that have not received adequate public notice;
- remarked that he was reminded of his campaign promises at the meeting tonight and that he would not support zoning if zoning is not supported by the people of the borough;
- stated that he cannot commit to a position on the proposed zoning ordinance when there is no final document

- available for review at this time;
- urged the planning commission to complete their work so that the assembly may review the proposed ordinance;
 - opined that there is a need for unity and sanity in the community; and
 - thanked everyone for their participation in the meeting.

IX. ADJOURNMENT

The regular meeting adjourned at 10:45 p.m.

Minutes approved: April 9, 2002

Signed copy available at the Clerk's office.