

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING
ASSEMBLY JULY 16, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on July 16, 2002, at the Matanuska-Susitna Borough Assembly Chambers, Palmer, Alaska. Mayor Timothy L. Anderson called the meeting to order at 6 p.m..

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. David Germer, Assistant Borough Manager
Mr. John Aschenbrenner, Assistant Borough Attorney
Ms. Melissa Niemi, Borough Clerk's Secretary
Mr. Jim Swing, Public Works Director
Ms. Tammy Clayton, Finance Director
Ms. Sandra Garley, Planning Director
Mr. Ron Swanson, Community Development Director
Mr. Karl Borglum, Borough Assessor
Mr. Jack Krill, Interim Public Safety Director
Ms. Heather Bovat, Chief of Planning

III. APPROVAL OF AGENDA

Mayor Anderson:

• inquired if there were any changes to the agenda and stated that there are blue and yellow sheets in the assembly's red folders substituting two pages in the packet.

GENERAL CONSENT: The agenda was approved without objection.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by John Hourihan, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: June 11, 2002

Mayor Anderson referenced the special assembly meeting minutes of June 11, 2002, and asked if there were any corrections.

Assemblymember Jansen:

- noted a correction on page 5 of 8, bulleted item no. 2 under her comments; and
- clarified that she was making a statement that the school district also incurred lease payments in other places, and that the PEDDA proposal would have to make fiscal sense. [After clerk's research this statement was confirmed and corrections were made to the June 11, 2002, minutes.]

GENERAL CONSENT: The minutes, as amended, were approved pending the clerk's research.

B. Regular Assembly Meeting: June 18, 2002

Mayor Anderson referenced the regular assembly meeting minutes of June 18, 2002, and asked if there were any corrections.

GENERAL CONSENT: The minutes were approved as presented with no objection.

C. Special Assembly Meeting: June 25, 2002

Mayor Anderson referenced the special assembly meeting minutes of June 25, 2002, and asked if there were any corrections.

GENERAL CONSENT: The minutes were approved as presented with no objection.

VI. SPECIAL ORDERS OF THE DAY

Mayor Anderson:

- acknowledged the members of the Americorps *NCCC "Red 5" Team;
- read the proclamation to the audience; and
- presented each member with a proclamation in honor of their achievements.

John Hourihan:

- distributed the proclamations to the team members;
- spoke to the projects completed by the team; and
- thanked the borough for their support.

Assemblymember Simpson presented the members with a picture taken by Jay Nolfi in mid-June of the members at the Fish Creek apparatus.

VII. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

Palmer City

Mayor Jim Cooper:

- informed the members that 60 building permits have been issued so far this year equaling approximately \$11.5 million;
- stated that the city is working on other capital projects, many of which are water and wastewater facilities;
- commented that a parallel taxiway has been constructed at the airport;
- stated that the RFP for Denali Street gets awarded next Tuesday and that October 11 is the deadline for completion of the project;
- informed that the city appropriated \$120,000 and gave it to the state for work to be done at Gulkana Street and to improve the intersection at the charter school;
- stated that the annexation is progressing;

- commented that the presentation for the Glenn Highway being approved as a scenic byway will be given on Wednesday;
- informed that the concrete blocks on Main Street have been removed and will be replaced with trees and metal flower stands;
- discussed the progress of the Palmer ice rink recreational facility;
- stated that the urban revitalization companies have completed their review and there will be a citizens advisory group meeting to recommend some construction alternatives; and
- informed that July 26 is Palmer Pride from 4-7 p.m. at the depot, and noted that this will also be the grand opening of the depot.

2. Matanuska-Susitna Borough School District

Superintendent Bob Doyle:

- stated that the school board will be meeting to consider a new charter school that will be for home schooling and will serve approximately 200 students;
- informed that on August 7 the school board will be considering the capital improvement project list for the next six years;
- commented that the school district is working with the borough on some information technology items; and
- stated that the school district will be preparing for 13,200 students this fall.

Assemblymember Ladere queried Mr. Doyle as to what area of the borough the proposed charter school would serve.

Superintendent Doyle responded that this would be a correspondence school for Mat-Su residents for grade levels kindergarten through grade 12.

Assemblymember Kelly requested a report on summer school this year as compared to last year.

Mr. Doyle:

- informed that the Math Matters program, which had about 1200 students participating, ended in June;
- stated that he has asked George Troxil to prepare a report on the summer school programs this year; and
- spoke to the number of special education students in the programs.

Assemblymember Kelly inquired regarding the staffing of teachers.

Superintendent Doyle:

- responded with the current number of special education teachers; and
- stated that there are approximately 10 openings for special education teachers districtwide.

Assemblymember Colver inquired regarding the status of the carpet replacement at the elementary schools.

Mr. Doyle responded that projects are going very well and will be completed before school begins.

Assemblymember Colver stated that some of the school projects are short on money and inquired what approach would be considered to obtain the additional funds.

Discussion ensued regarding the funding for current projects.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board on School Issues

(There was no report presented.)

2. Intergovernmental Liaison Committee

(There was no report presented.)

3. Regional Transportation Steering Committee

Assemblymember Jansen:

- informed that the consultant for the project forwarded a memorandum of understanding and a resolution to be signed by the Municipality of Anchorage, the Mat-Su Borough, the Alaska Railroad, the Alaska State Department of Transportation, a Mat-Su and Anchorage designee from the Legislature, and the military as a non-voting member;
- stated that these documents should be coming forward in August; and
- commented that the first meeting is scheduled for September 16.

Assemblymember Ladere queried as to if the one project being completed will be the crossing of Knik ARM Crossing.

Assemblymember Jansen stated that the project continues to be discussed and that there are also other concerns addressed.

C. MANAGER COMMENTS

Mr. Duffy:

- informed that the borough has obtained verbal approvals on the procedures and documents for completing the dock structure and vibro-compaction, and the work should be completed by early November;
- stated that the exploratory drilling at Schulin Lake has been positive and the drilling has revealed diamonds;
- commented that he will be instituting quarterly meetings with all of the rescue, EMS, and fire chiefs to generate some new ideas for improving delivery of emergency services and that a quarterly report will be provided to the assembly in September regarding the organization;
- stated that the borough is implementing a more user-friendly program for the fire and rescue crews;
- informed that the borough received notice from the Governor's office for grant awards for \$230,000; this will include \$100,000 for streambank restoration at Willow Creek, \$50,000 for Swiftwater Creek fish passage and habitat improvements, and \$80,000 for GIS mapping;
- stated that the borough received a \$10,000 National Association of Counties (NACO) grant award for the Willow Creek Streambank Restoration Project; and
- commented that he has contacted the Economic Development Administration regarding the landfill grant application, and that he was notified that the borough will receive notice of the grant award shortly.

Assemblymember Colver:

- commented on the coastal impact grants;
- noted that there were some grants out of Mat-Su that scored very well;
- informed that there was one grant given to Wasilla High School for watershed inquiry; and
- stated that the intent of the grants is to educate children and for restoration of projects.

D. ATTORNEY COMMENTS

Mr. Aschenbrenner had no comments to present.

E. CLERK COMMENTS

Ms. Dillon:

- asked the assembly to check the tracking report for accuracy;
- requested that the assembly members make sure their schedules are updated according to the meeting list distributed; and
- informed that she will be out of the office starting tomorrow to attend classes at Seattle University as education coordinator for the Alaska Association of Municipal Clerks.

Assemblymember Kelly queried the manager regarding how the 2003 State Revenue Sharing pProgram compares with last year.

Ms. Clayton:

- responded that the amount is approximately equal to what was received last year; and
- stated that the borough will see some increases in road service areas where there were some additional roads certified.

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Animal Care and Regulation Board: 04/08/02, 05/07/02, 05/13/02
- b. Big Lake Fire Service Area Board of Supervisors: 11/12/01, 02/11/02, 03/11/02
- c. Greater Willow Road Service Area No. 20: 03/28/02
- d. Mat-Su Fire Chiefs Association: 05/22/02
- e. Parks, Recreation, and Trails Advisory Board: 05/28/02
- f. Planning Commission: 06/03/02, 06/10/02
- g. Port Commission: 06/10/02

2. Community Council Correspondence:

- a. South Knik River Community Council: 05/18/02
- b. Talkeetna Community Council: 06/03/02

G. INFORMATIONAL MEMORANDUMS

1. IM No. 02-151: NOTIFICATION OF CERTIFICATION OF 2002 REGULAR REAL PROPERTY ASSESSMENT ROLL.

2. IM No. 02-157: BACKGROUND INFORMATION ON THE STUDENT CONSERVATION ASSOCIATION (SCA) ASSISTING THE BOROUGH ON THE BANK RESTORATION PROJECT AT THE DESHKA RIVER CAMPGROUND.

3. IM No. 02-161: PURCHASE OF 3M SCOTCHSHIELD ULTRA SAFETY AND SECURITY FILM FOR INSTALLATION ON BOROUGH FACILITIES FROM MINNESOTA MINING AND MANUFACTURING COMPANY (3M) IN THE AMOUNT OF \$60,395.

4. IM No. 02-173: REVISOR OF ORDINANCE CORRECTING PUBLISHING ERRORS TO ORDINANCE SERIAL NO. 01-118 (AM BY SUB 2) RELATING TO REGULATING RACE TRACKS.

The informational memoranda were presented and no comments were noted.

X. NEW BUSINESS

The mayor suggested that Item B for introduction be addressed first. There was no objection from the assembly.

B. INTRODUCTION (For public hearing - 08/13/02, 7 p.m., Colony High School, 9550 Colony School Way, Palmer, Alaska 99645)

1. Ordinance Serial No. 02-115: AN ORDINANCE ADOPTING MSB 17.26, CORE AREA ZONING

a. IM No. 02-156

2. Ordinance Serial No. 02-116: AN ORDINANCE ADOPTING MSB 17.61 CORE AREA CONDITIONAL USE PERMITS.

a. IM No. 02-170

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to introduce the legislation as read into the record by the clerk and set the

public hearing for August 13, 2002, to be held at the Colony High School auditorium.

MOTION: Assemblymember Colberg moved to divide the question to take Ordinance Serial No. 02-115, the core area zoning ordinance, separately.

GENERAL CONSENT: The motion to divide the question passed without objection, and the assembly took up Ordinance Serial No. 02-115 first.

Assemblymember Colberg:

- spoke to his reasoning for requesting that the core area zoning ordinance be addressed separately;
- opined that the core area zoning ordinance has become too focused on defining uses that have never been a concern;
- stated that the document does not get to the point of what the assembly has wanted to achieve in the past, which is to eliminate nuisance types of uses that impact adversely adjoining pieces of property;
- stated that the conditional use permit process can begin to address these concern with less impact on non-controversial uses; and
- noted that the conditional use permitting ordinance accomplishes two things: (1) it does not concern itself with non-offending uses, and (2) it limits damaging or unreasonable uses in the core area.

Assemblymember Ladere stated that she is opposed to the introduction of Ordinance Serial No. 02-115 because she feels that the ordinance is not ready for introduction.

Assemblymember Kelly:

- stated that he supports the zoning ordinance coming forward;
- opined that the assembly can make some necessary changes to the ordinance;
- commented in favor of introduction in recognition of all the work done by the planning commission and others; and
- supported the ordinance coming forward to allow open discussion with the public.

VOTE: The motion to introduce Ordinance Serial No. 02-115 failed with Assemblymembers Colver and Kelly in favor.

MOTION: Assemblymember Bush moved to amend the public hearing date for Ordinance Serial No. 02-116 by adding a second public hearing on October 17, 2002.

Assemblymember Bush:

- opined that this is important legislation for the borough and the assembly needs more time to review the ordinance; and
- stated that most people are too busy in the summer to have an August meeting on this issue.

Assemblymember Jansen:

- stated that she is opposed to a public hearing two months after the first one;
- commented that the assembly has heard from the public regarding the desire for a conditional use permit;
- spoke to the conversation from assembly members in the work session on zoning; and
- stated that the conditional use permitting ordinance doesn't impact the number of people that the Euclidean zoning document would impact.

Assemblymember Kelly stated that he is opposed to having the public hearing in October because this would be after the election and there may be new assembly members.

Assemblymember Ladere:

- commented that she supports the amendment because the assembly is going in right direction, recognizing that there are still flaws in the ordinance; and
- stated that she would like staff to have time after the initial public hearing to make changes.

Discussion ensued regarding continuing the public hearing date.

VOTE: The motion to set an additional public hearing for Ordinance Serial No. 02-116 on October 17, 2002, failed with Assemblymembers Bush and Ladere in support.

VOTE: The motion to introduce and set the public hearing on Ordinance Serial No. 02-116 for August 13, 2002, passed with Assemblymembers Bush and Ladere in opposition.

Ms. Dillon reminded the assembly that the public hearing is scheduled to be at Colony High School because the location can accommodate more people.

MOTION: Assemblymember Colberg moved to reconsider the introduction of Ordinance Serial No. 02-116.

VOTE: The motion failed with Assemblymembers Bush and Ladere in support.

The regular meeting recessed at 6:50 p.m. and reconvened at 7 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.)

1. Ordinance Serial No. 02-054: AN ORDINANCE PLACING BEFORE THE VOTERS AT THE REGULAR ELECTION ON OCTOBER 1, 2002, AN AREA WIDE ADVISORY QUESTION OF WHETHER THE BOROUGH SHALL CONSIDER IMPLEMENTING ZONING CHANGES IN AREAS OUTSIDE OF THE CITIES OF HOUSTON, PALMER, AND WASILLA. (See ordinance for proposition language.) (Sponsor: Assemblymember Kelly)
 - a. IM No. 02-098

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 Kelly moved to adopt Ordinance Serial No. 02-054.

Assemblymember Kelly:

- spoke to the history of the zoning question; and
- stated that the people should be allowed to advise, and then the assembly should decide.

Assemblymember Colberg:

- commented that he was opposed to the ordinance; and
- stated that this would create increased confusion because people may believe that the issue is about the Euclidean ordinance that was set aside.

Assemblymember Simpson stated that she is voting against the ordinance because of the way the voters and assembly would interpret the language.

Assemblymember Ladere spoke to her reasoning for voting against this ordinance.

Assemblymember Kelly:

- informed the assembly members that he will be voting against the ordinance because the Euclidean ordinance was not introduced.

VOTE: The motion to adopt Ordinance Serial No. 02-054 failed unanimously.

2. Ordinance Serial No. 02-086: AN ORDINANCE CREATING A NEW CHAPTER OF BOROUGH CODE, CHAPTER 2.85, PARKS, RECREATION, AND TRAILS SYSTEMS, AND AUTHORIZING THE MANAGER TO ESTABLISH USER FEES; RESOLVE USER CONFLICTS; AND RESTRICT RECREATIONAL FACILITIES FOR ENVIRONMENTAL, HEALTH, OR SAFETY ISSUES.

a. IM No. 02-125

Mr. Duffy stated that there was an oversight in the code in that there is no approval for the manager to set fees for the parks, recreation, and trails systems, and that this is an attempt to have that oversight corrected.

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. 02-086.

Assemblymembers Jansen and Simpson voiced support for the administration's recommendation.

MOTION: Assemblymember Colver moved an amendment, page 2, proposed MSB 2.85.010 to strike the word "manager" and insert the word "assembly" to allow the fees to be set by the assembly.

Assemblymember Colver:

- stated that the assembly should be involved in the decision of fees because questions from the constituents will be addressed by the assembly; and
- commented that this would be a check and balance on those budgets to be sure that the fees are adequate.

Assemblymember Simpson queried the manager as to whether the assembly has oversight on any other fees.

Mr. Duffy responded that the assembly approves and regulates some charges, but generally not for fees or fines.

Assemblymember Simpson voiced objection to the amendment because it appears to be an administrative function.

Discussion ensued regarding fees which are approved by the assembly.

VOTE: The amendment to strike the word "manager" and insert "assembly" passed with Assemblymembers Jansen and Simpson opposed.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-086, as amended, passed without objection.

3. Ordinance Serial No. 02-087: AN ORDINANCE AMENDING MSB 1.50.060 TO CLARIFY AND MAKE MORE SPECIFIC THE PROVISIONS FOR RESPONDING TO REQUESTS FOR PUBLIC RECORDS.

a. IM No. 02-134

Mr. Duffy:

- spoke to the necessity for changing the public records request process;
- explained the current process; and
- discussed the appeal process.

Mayor Anderson opened the public hearing.

The following person spoke in favor of Ordinance Serial No. 02-087: Penny Nixon.

The following person testified that the fee for copies of tapes is too high: Mary Psenak.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-087.

MOTION: Assemblymember Jansen moved to amend Ordinance Serial No. 02-087, page 102 of the packet, by adding a sentence to subsection (B) to read as follows: "The requesting party may also grant the borough an additional request of time to respond; such claims shall be made in writing."

Assemblymember Jansen stated that the ordinance addresses the fact that some of the material may not be found in the amount of days permitted, and this simply adds that to the ordinance.

GENERAL CONSENT: The motion to amend the ordinance passed without objection.

Discussion ensued regarding the amount of tapes requested per year and the associated cost.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-087, as amended, passed without objection.

4. Ordinance Serial No. 02-088: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30078, SETTLEMENT AVENUE DRAINAGE, UPGRADE AND CULVERT RESTORATION.

a. Resolution Serial No. 02-055: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SETTLEMENT AVENUE DRAINAGE, UPGRADE, AND CULVERT RESTORATION PROJECT, AND AUTHORIZING THE BOROUGH MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

(1) IM No. 02-148

CONFLICT OF INTEREST: Mayor Anderson questioned Mr. Aschenbrenner as to whether he had a conflict of interest because he lives on Settlement Avenue.

Mr. Aschenbrenner stated that there is no conflict because this would be an interest held in common with the general public to prevent the road from flooding.

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 Colver moved to adopt Ordinance Serial No. 02-088 and Resolution Serial No. 02-055.

Assemblymember Ladere questioned the United States Department of the Interior, Fish and Wildlife Services' approval of the culvert.

Mr. Swing:

- informed the assembly that Fish and Wildlife Services approves culverts quite often; and
- stated that, in this instance, fish and game has requested a larger culvert than fish and wildlife requested, and a larger one is being installed.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-088 and Resolution Serial No. 02-055 passed without objection.

5. Ordinance Serial No. 02-089: AN ORDINANCE AMENDING MSB 3.04.020, BUDGET AND BUDGET MESSAGE; SUBMISSION, BY ESTABLISHING PROTOCOL FOR THE ATTORNEY AND CLERK TO PRESENT THEIR BUDGETS TO THE MANAGER. (Sponsor: Assemblymember Jansen)

a. IM No. 02-149

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. 02-089.

Assemblymember Jansen spoke in favor of the ordinance because she feels there should be autonomy in the budgets.

Assemblymember Ladere queried whether the clerk, manager, and attorney had any comments.

The clerk, manager, and attorney each stated that they are in favor.

GENERAL CONSENT: The motion passed without objection.

6. Ordinance Serial No. 02-090: AN ORDINANCE APPROPRIATING \$4,352 FROM LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 430, ROAD CAPITAL PROJECTS, FOR THE SOAPSTONE ROAD PUBLIC USE EASEMENT PURCHASE.

a. IM No. 02-152

Mayor Anderson opened the public hearing.

The following person spoke in support of Ordinance Serial No. 02-090: George Paulsberg

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-090.

Assemblymember Bush spoke in support of the ordinance.

Assemblymember Jansen thanked the property owners.

Assemblymember Ladere stated that this is the start of a major solution to the future transportation system.

Mr. Swing distributed a map of the area and explained it to the assembly.

GENERAL CONSENT: The motion passed without objection.

7. Ordinance Serial No. 02-091: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,275,588 FROM THE MUNICIPALITY OF ANCHORAGE TO FUND 480, FOR THE WORKFORCE INVESTMENT ACT PROGRAMS.

a. IM No. 02-153

b. AM No. 02-112: CONTRACT FOR ADULT DISLOCATED WORKER PROGRAM AND LOCAL ONE STOP SERVICE SYSTEM.

Mr. Duffy:

- explained that the Mat-Su Borough and the Municipality of Anchorage are located within the Anchorage/Mat-Su workforce investment area;
- stated that the borough is connected with Anchorage and separated from the rest of the state;
- advised that funds would be transferred to the borough so that borough residents would receive more targeted training for economic development and job training opportunities;
- stated that the funds would be used with the present economic program; and
- commented that the college will design programs that will be better suited to residents' needs.

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-091 and AM No. 02-112: Tammy Carr, Shirley Morgan, Angela Clark, and Karen Walton.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-091 and AM No. 02-112.

Assemblymember Jansen:

- spoke in support of the legislation; and
- opined that this is a wonderful opportunity for valley businesses.

Assemblymember Kelly:

- stated that he is in support of the ordinance; and
- opined that this is an opportunity to train people and help the university with their educational programs.

Assemblymember Ladere:

- stated that she is in support of the ordinance; and
- queried the manager as to whether the program goes forward for several years, or if this is a one-time funding.

Mr. Duffy responded that this program requires multi-year funding from the United States Department of Labor.

Assemblymember Colver opined that this is a very worthy project to deliver jobs and job training for valley residents.

Mayor Anderson stated that he is very excited that the youth employment program has been reinstated.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-091 and AM No. 02-112 passed without objection.

8. Ordinance Serial No. 02-092: AN ORDINANCE AMENDING MSB 25.05.100, BY REQUIRING A RUNOFF ELECTION FOR EACH ASSEMBLY SEAT IF NO CANDIDATE RECEIVES MORE THAN 40 PERCENT OF THE VOTES CAST FOR THAT OFFICE. (Sponsor: Mayor Anderson)

a. IM No. 02-154

Mayor Anderson opened the public hearing.

The following spoke in support of Ordinance Serial No. 02-092: Penny Nixon.

The following spoke against Ordinance Serial No. 02-092: Michelle Church and Jay Nolfi.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-092.

Assemblymember Jansen:

- stated that she will be voting against the proposed ordinance; and
- opined that the ordinance could be used as a tool to influence elections.

Assemblymember Ladere spoke in opposition to the proposed ordinance.

Assemblymember Kelly:

- voiced objection to the proposed ordinance;
- noted that the school board seats were not included in the proposed ordinance; and
- commented on the expenses to an individual running for candidacy.

Assemblymember Simpson:

- stated that this proposed ordinance is unnecessary;
- opined that runoff elections are costly;
- stated that there is a potential to have runoff elections every year; and
- spoke to the history of runoffs.

Assemblymember Colberg stated that he would be voting in support of the proposed ordinance.

VOTE: The motion to adopt Ordinance Serial No. 02-092 failed with Assemblymember Colberg in support.

9. Ordinance Serial No. 02-093: AN ORDINANCE ACCEPTING AND APPROPRIATING \$1,206,560 FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT AUTHORITY, TO FUND 450, FOR POINT MACKENZIE PORT DEVELOPMENT.

a. Resolution Serial No. 02-057: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE POINT MACKENZIE PORT DEVELOPMENT.

b. Resolution Serial No. 02-058: A RESOLUTION AMENDING THE SCOPE OF WORK FOR CONTINUED DEVELOPMENT OF PHASE II CONSTRUCTION AT PORT MACKENZIE.

(1) IM No. 02-158

Mr. Duffy:

- spoke to the history of the grant;
- discussed the proposed use of the funds;
- indicated that the grant requires match funds; and
- stated that the borough has asked the Municipality of Anchorage to fund their share of the work and the municipality has agreed.

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 Simpson moved to adopt Ordinance Serial No. 02-093, Resolution Serial No. 02-057, and Resolution Serial No. 02-058.

Assemblymember Ladere complimented the manager on his work on this project.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following people spoke regarding an incident involving their horse falling through a culvert on May 26, 2002: James Armistead, Theresa Armistead, Monika Swan-Armistead, George McKee and Dee McKee.

The following people spoke regarding the lack of procedures and poor customer service at the animal care and regulation shelter: Betty Vehrs and April Thompson.

The regular meeting recessed at 8:30 p.m. and reconvened at 8:40 p.m.

IX. UNFINISHED BUSINESS

(There was no unfinished business.)

X. NEW BUSINESS (Continued)

A. INTRODUCTION (For public hearing - 08/06/02, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 02-109: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,200,000 TO FINANCE THE DESIGN, ACQUISITION, AND CONSTRUCTION OF PARK AND RECREATIONAL FACILITY CAPITAL IMPROVEMENTS IN THE BOROUGH, INCLUDING \$1,000,000 FOR PART OF THE COST OF AN ICE ARENA IN PALMER; \$4,000,000 FOR HATCHER PASS INFRASTRUCTURE; AND \$1,000,000 FOR KNIK, BIG LAKE, AND SUSITNA VALLEY TRAILS, AND TO PROVIDE FOR THE COSTS OF

THE ISSUANCE OF SUCH BONDS; AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 1, 2002, ELECTION. (Sponsor: Assemblymember Colver)

a. IM No. 02-176

2. Ordinance Serial No. 02-098: AN ORDINANCE PROVIDING FOR THE DELEGATION OF PARKS AND RECREATIONAL POWERS TO A CITY; DELEGATING SUCH POWERS TO THE CITY OF PALMER FOR CERTAIN PARKS AND RECREATIONAL ACTIVITIES WITHIN ITS BOUNDARIES; ADOPTING MSB 1.10.121, DELEGATION OF A PORTION OF PARKS AND RECREATIONAL POWERS TO THE CITY OF PALMER; AND MSB 1.10.124, RELINQUISHMENT OF PARKS AND RECREATIONAL POWERS BY THE CITY OF PALMER.

a. IM No. 02-070

3. Ordinance Serial No. 02-099: AN ORDINANCE APPROPRIATING \$426,050 FROM THE SERIES B, GENERAL OBLIGATION PARKS, RECREATION, AND TRAILS BONDS TO FUND 440, PARKS, RECREATION, AND TRAILS PROJECTS, PROJECT 15023; FOR IMPROVEMENTS AND UPGRADES TO PALMER BALL FIELDS; AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE CITY OF PALMER FOR UTILIZING THESE FUNDS FOR THE IMPROVEMENTS AND UPGRADES.

a. IM No. 02-071

4. Ordinance Serial No. 02-100: AN ORDINANCE AMENDING MSB 5.25.142(A) AND PLACING ON THE BALLOT OF THE OCTOBER 1, 2002, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN THE WOLVERINE ROAD/LAKE AREA TO THE GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132.

a. IM No. 02-145

5. Ordinance Serial No. 02-101: AN ORDINANCE AMENDING MSB 5.25.044(A) AND PLACING ON THE BALLOT OF THE OCTOBER 1, 2002, REGULAR ELECTION THE ANNEXATION OF CERTAIN PROPERTIES IN AND AROUND ROLLING ACRES SUBDIVISION AND CERTAIN PROPERTIES IN AND AROUND THE MISSION HILLS SUBDIVISION INTO THE MEADOW LAKES ROAD SERVICE AREA NO. 27.

a. IM No. 02-146

6. Ordinance Serial No. 02-102: AN ORDINANCE AMENDING THE LAND MANAGEMENT POLICIES AND PROCEDURES MANUAL FOR PUBLIC NOTICES.

a. IM No. 02-147

7. Ordinance Serial No. 02-103: AN ORDINANCE ADOPTING TITLE 26, ECONOMIC DEVELOPMENT AND REPEALING MSB 3.15.035(E). (Sponsor: Assemblymember Jansen)

a. IM No. 02-160

8. Ordinance Serial No. 02-104: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 GRANT TO FUND 480, PROJECT 20322, FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION FOR CONTINUED STREAM BANK RESTORATION AT WILLOW CREEK.

a. Resolution Serial No. 02-059: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING A STREAM BANK RESTORATION PROJECT ALONG WILLOW CREEK.

(1) IM No. 02-163

9. Ordinance Serial No. 02-105: AN ORDINANCE ACCEPTING AND APPROPRIATING \$37,000 FROM ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO FUND 480, PROJECT NO. 20307, FOR THE MATANUSKA-SUSITNA VOLUNTEER WATER QUALITY MONITORING PROGRAM.

a. Resolution Serial No. 02-060: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MATANUSKA-SUSITNA VOLUNTEER WATER QUALITY MONITORING PROGRAM, PROJECT NO.

20307, AS FUNDED BY THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

(1) IM No. 02-168

10. Ordinance Serial No. 02-106: AN ORDINANCE ACCEPTING AND APPROPRIATING \$7,000 FROM SUMMIT ALASKA INC. TO THE AREAWIDE FUND, FUND 100, CULTURAL RESOURCES FISCAL YEAR 2003 OPERATING BUDGET, FOR THE PURPOSE OF HIRING A SITE SUPERVISOR AND AN ASSISTANT TO CONDUCT KNIK TOWNSITE ARCHEOLOGICAL EXCAVATIONS AND LABORATORY WORK TAKING PLACE WITHIN SUMMIT ALASKA INC. PROPERTY FOR THE 2002 SUMMER FIELD SEASON.

a. IM No. 02-169

11. Ordinance Serial No. 02-107: AN ORDINANCE ADOPTING MSB 19.08.023 ESTABLISHING A SITE APPROVAL PROCESS FOR LEASE OF CHARTER SCHOOL FACILITIES.

a. IM No. 02-171

12. Ordinance Serial No. 02-108: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,360 FROM THE CITY OF WASILLA TO FUND 410, ROAD SERVICE AREA CAPITAL PROJECT NO. 35229, FOR PAVING TAMARAK AVENUE.

a. Resolution Serial No. 02-061: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE TAMARAK AVENUE PAVING PROJECT.

(1) IM No. 02-172

13. Ordinance Serial No. 02-110: AN ORDINANCE ACCEPTING AND APPROPRIATING \$50,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30079, FOR THE SITZE ROAD BRIDGE.

a. IM No. 02-177

14. Ordinance Serial No. 02-111: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$44,000 TO FISCAL YEAR 2003 OPERATING BUDGET, FUND 200, ANIMAL CARE AND REGULATION DIVISION, FOR THE PURPOSE OF OPERATING THE CREMATORY.

a. Resolution Serial No. 02-062: A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR THE ANIMAL CARE AND REGULATION DIVISION CREMATORY.

(1) IM No. 02-179

15. Ordinance Serial No. 02-112: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$35,000 FROM THE BIG LAKE FIRE SERVICE AREA OPERATING BUDGET FUND 256, TO THE FIRE SERVICE CAPITAL PROJECT FUND 405, PROJECT 10054, FOR COMPLETION OF THE HORSESHOE LAKE FIRE STATION 82.

a. IM No. 02-180

16. Ordinance Serial No. 02-113: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,400 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30075, SAWYER CREEK BRIDGE.

a. Resolution Serial No. 02-063: A RESOLUTION APPROVING A REVISED SCOPE OF WORK AND BUDGET FOR SAWYER CREEK BRIDGE.

(1) IM No. 02-183

17. Ordinance Serial No. 02-114: AN ORDINANCE APPROPRIATING \$60,000 FROM FUND 276 FUND BALANCE, TO FUND 410, FOR PAVING IN WILLOW ROAD SERVICE AREA NO. 20.

a. IM No. 02-185

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to introduce the legislation as read into the record by the clerk and set the public hearing for August 6, 2002.

MOTION: Assemblymember Simpson moved to divide the question and separate Ordinance Serial No. 02-109.

GENERAL CONSENT: The motion to divide the question passed without objection, and the assembly took up Ordinance Serial No. 02-199 first.

Assemblymember Simpson:

- voiced her opposition to the introduction;
- opined that it is premature to move forward on the Hatcher Pass project;
- stated that this proposal does not support all communities;
- commented that she doesn't believe that the borough can fund the ice for the proposed ice arena;
- stated that she supports the projects in general, but not in the current proposed package.

Assemblymember Colver:

- objected to pulling legislation at introduction;
- commented that the ordinance will move the Hatcher Pass project along;
- opined that the public should have a chance to debate this item; and
- continued to speak in favor of the introduction of the ordinance.

Assemblymember Jansen:

- commented regarding items being stopped at introduction; and
- spoke in opposition to the ordinance.

Assemblymember Colberg queried Assemblymember Colver regarding the importance of the timing for these projects.

Assemblymember Colver:

- responded that the proposal for Hatcher Pass has been going for many years;
- stated that he would agree to a special election to give time to work on the proposed ordinance, but he would like to get the projects moving; and
- indicated that the assembly is already past its deadline as to when it was to discuss the Hatcher Pass options.

Assemblymember Colberg requested that the manager provide a staff report on the timing for this ordinance.

Mr. Duffy responded that time is not of the essence in this matter.

Discussion continued regarding the introduction of the ordinance.

VOTE: The motion to introduce Ordinance Serial No. 02-109 failed with Assemblymembers Colver, Ladere, and Kelly in support.

MOTION: Assemblymember Kelly moved to divide the question and remove Ordinance Serial No. 02-111 and Resolution Serial No. 02-062 from introduction.

GENERAL CONSENT: The motion to divide the question passed without objection, and the assembly addressed Ordinance Serial No. 02-111 and Resolution Serial No. 02-062 first.

Assemblymember Kelly stated that he feels that it would be premature to give money to the animal care and regulation shelter when there are currently other ongoing problems at the shelter.

Assemblymember Simpson:

- stated that this ordinance is different because it deals with the code; and
- commented that she is confident that the manager will look into the issues at the shelter.

VOTE: The motion to introduce Ordinance Serial No. 02-111 and Resolution Serial No. 02-062 passed with Assemblymembers Colberg, Ladere, and Kelly in objection.

GENERAL CONSENT: The motion to introduce the remaining legislation as read into the record by the clerk and set the public hearing for August 6, 2002, passed without objection.

C. INTRODUCTION (For public hearing - 08/20/02, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 02-076: AN ORDINANCE CREATING SALVAGE WAY NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 363, 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.

a. IM No. 02-130

2. Ordinance Serial No. 02-077: AN ORDINANCE CREATING IDLE WILD NO. 1 REVISED NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 364, 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.

a. IM No. 02-140

3. Ordinance Serial No. 02-078: AN ORDINANCE CREATING BAR-BAR-A SUBDIVISION AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 365, 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.

a. IM No. 02-141

4. Ordinance Serial No. 02-079: AN ORDINANCE CREATING VISTA VIEW ESTATES AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 367, 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.

a. IM No. 02-142

5. Ordinance Serial No. 02-094: AN ORDINANCE CREATING WEST LAKE VIEW CIRCLE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 357, 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.

a. IM No. 02-164

6. Ordinance Serial No. 02-097: AN ORDINANCE CREATING NORTH WEST VISNAW LAKE AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 368, 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.

a. IM No. 02-167

7. Resolution Serial No. 02-064: A RESOLUTION NAMING THE NEW PUBLIC SAFETY BUILDING IN WASILLA THE "PAT CARTER CENTRAL MAT-SU PUBLIC SAFETY BUILDING" AND THE NEW TRAINING TOWER THE "KNIK-GOOSE BAY FIRE TRAINING FACILITY."

a. IM No. 02-174

8. Resolution Serial No. 02-065: A RESOLUTION NAMING THE NEW PUBLIC WORKS BUILDING THE "ROBERT VROMAN PUBLIC WORKS BUILDING."

a. IM No. 02-175

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to approve the legislation as read into the record by the clerk and set for

public hearing on August 20, 2002.

GENERAL CONSENT: The motion passed without objection.

MOTION: Assemblymember Jansen moved to reconsider Ordinance Serial No. 02-109.

VOTE: The motion to reconsider passed with Assemblymembers Bush, Colberg, and Simpson in opposition.

Assemblymember Jansen acknowledged that there are problems with introducing the ordinance at this time, but stated that she feels it is in the best interest of the borough assembly to allow the ordinance to be introduced.

MOTION: The motion to introduce Ordinance Serial No. 02-109 and set for public hearing on August 6, 2002, passed with Assemblymembers Colberg and Simpson in opposition.

D. CONSENT AGENDA

(Resolution Serial No. 02-067, AM Nos. 02-126 and 02-130 were pulled from the consent agenda. See pages 26 and 27.)

1. RESOLUTIONS

a. Resolution Serial No. 02-066: A RESOLUTION APPROVING A LOAN OF \$35,000 FROM THE REVOLVING LOAN FUND, FUND 605, TO THE BIG LAKE FIRE SERVICE AREA OPERATING BUDGET, FUND 256, AND AMENDING THE SCOPE OF WORK AND BUDGET FOR THE COMPLETION OF IMPROVEMENTS AT HORSESHOE LAKE FIRE STATION 82.

(1) AM No. 02-129: AWARD OF BID NO. 02-221 TO AXBERG BUILDERS IN THE AMOUNT OF \$69,800; HORSESHOE LAKE PUBLIC SAFETY BUILDING DESIGN/BUILD BATHROOM ADDITION AND APPROVE REVOLVING LOAN.

c. Resolution Serial No. 02-068: A RESOLUTION APPROVING A PARTIAL SCOPE OF WORK AND BUDGET FOR THE CENTRAL LANDFILL EXPANSION PROJECT.

(1) IM No. 02-178

d. Resolution Serial No. 02-069: A RESOLUTION SUPPORTING THE DEVELOPMENT OF A PUBLIC BOAT LAUNCH AND DOCK AT LAKE LUCILLE. (Sponsor: Assemblymember Kelly)

(1) IM No. 02-182

e. Resolution Serial No. 02-070: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE LAZY MOUNTAIN RECREATION AREA PAVING PROJECT, PROJECT NO. 15017.

(1) IM No. 02-184

2. ACTION MEMORANDUMS

a. AM No. 02-114: VACATION OF THE RIGHT-OF-WAY OF WEST ARCTIC CIRCLE AND RENDEZVOUS LANE, IN SNOWSHOE WEST ADDITION NO. 2, LOT 1A SUBDIVISION, LOCATED WITHIN SECTION 31, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, AK. LOCATED IN THE KNIK FAIRVIEW COMMUNITY COUNCIL AREA.

b. AM No. 02-115: VACATION OF THE 15-FOOT UTILITY EASEMENT ALONG THE WEST SIDE OF ARCTIC CIRCLE, THE NORTH SIDE OF RENDEZVOUS LANE, AND THE 20-FOOT UTILITY EASEMENT AT THE END OF THE CUL-DE-SAC, IN SNOWSHOE WEST ADDITION NO. 2, LOT 1A SUBDIVISION, LOCATED WITHIN SECTION 31, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, AK. LOCATED IN THE KNIK FAIRVIEW COMMUNITY COUNCIL AREA.

- c. AM No. 02-116: VACATION OF THE 20-FOOT RIGHT-OF-WAY ALONG THE WEST SIDE OF LOT 1 SUBDIVISION IMPOSSIBLE, LOCATED WITHIN SECTION 09, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, AK. LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.
- d. AM No. 02-117: AWARD OF BID NO. 02-215 TO BUZDOR ENGINEERING IN THE AMOUNT OF \$26,860; FIELD TESTING, INSPECTION, AND LABORATORY SERVICES FOR THE NEW SHERROD ELEMENTARY SCHOOL.
- e. AM No. 02-119: ALLOWING THE CONTINUED PURCHASE OF MEDICAL SUPPLIES FROM PROVIDENCE HEALTH SYSTEMS, ALASKA, IN AN AMOUNT ANTICIPATED TO EXCEED \$15,000 DURING FISCAL YEAR 2003 AND FISCAL YEAR 2004.
- f. AM No. 02-120: ALLOWING CONTINUED USE OF VALLEY HOSPITAL FOR AMBULANCE LINEN CLEANING FOR THE CURRENT FISCAL YEAR.
- g. AM No. 02-121: APPROVAL OF CHANGE ORDER TO INCREASE OWNER'S PROJECT REPRESENTATIVE CONTRACT AT HOUSTON HIGH SCHOOL FOR AN AMOUNT NOT TO EXCEED \$44,000.
- h. AM No. 02-122: AWARD OF BID NO. 02-219, RSA NO. 16 AND 25; TO ALCO CONSTRUCTION IN THE AMOUNT OF \$170,841; ROADS UPGRADE PROJECT.
- i. AM No. 02-123: CHANGE ORDER TO LOUNSBURY & ASSOCIATES, INC. IN THE AMOUNT OF \$50,000 FOR THE 49TH STATE STREET DESIGN PROJECT TO PERFORM ADDITIONAL WORK FOR COMPLETION OF THE DESIGN AND TO PERFORM CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES.
- j. AM No. 02-125: AWARD OF PROPOSAL NO. 02-109 TO PERATROVICH, NOTTINGHAM AND DRAGE, INC. IN AN AMOUNT NOT TO EXCEED \$225,750; DESIGN AND PRELIMINARY ENGINEERING OF THE DEEP-DRAFT DOCK AT POINT MACKENZIE.
- l. AM No. 02-127: AWARD OF BID NO. 03-001 TO LITTLE SUSITNA CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED \$329,404; DOROTHY SWANDA JONES ADMINISTRATION BUILDING REMODEL.
- m. AM No. 02-128: AWARD OF BID NO. 02-220 TO KOPPERUD TRANSPORTATION IN THE AMOUNT OF \$71,688; BIG LAKE BOAT LAUNCH.
- o. AM No. 02-131: AWARD OF BID NO. 03-007 TO PERATROVICH, NOTTINGHAM, AND DRAGE, INC. IN AN AMOUNT NOT TO EXCEED \$90,000 FOR ENGINEERING AND INSPECTION SERVICES FOR COMPLETION OF THE PORT MACKENZIE PHASE II DOCK CONSTRUCTION.

Ms. Dillon read the remaining consent agenda items into the record.

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

Assemblymember Colver queried when the 49th State Street project would be completed.

Mr. Swing stated that the project will be completed this year, but may need to be paved in the spring.

GENERAL CONSENT: The motion to approve the legislation passed without objection.

b. Resolution Serial No. 02-067: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE REMODEL OF THE ANIMAL CARE AND REGULATION PROJECT.

(1) IM No. 02-159

MOTION: Assemblymember Ladere moved to approve Resolution Serial No. 02-067.

Assemblymember Ladere queried the administration as to whether this work was to move the horse stables at the animal shelter or if the work will be done to rebuild the stables.

Mr. Swing responded that this work involves moving the building and converting the electrical system.

GENERAL CONSENT: The motion passed without objection.

k. AM No. 02-126: CHANGE ORDER TO WILDER CONSTRUCTION COMPANY IN THE AMOUNT OF \$19,000 FOR THE 2002 ROADS PAVING PROJECT TO ADD THE PAVING OF THE ACCESS DRIVEWAY AND PARKING AREA AT HORSESHOE LAKE PUBLIC SAFETY BUILDING.

CONFLICT OF INTEREST: Assemblymember Colver asked to be recused due to a conflict of interest.

Mayor Anderson approved Assemblymember Colver's request for recusal.

(Assemblymember Colver left chambers at this time.)

MOTION: Assemblymember Jansen moved to adopt AM No. 02-126.

Assemblymember Ladere queried whether a loan for \$35,000 was approved for the same building.

Mr. Swing responded that this is the same building, however, the funding is separate.

GENERAL CONSENT: The motion passed without objection.

(Assemblymember Colver returned to chambers at this time.)

n. AM No. 02-130: AWARD OF PROPOSAL NO. 02-204 TO THE CORNELL GROUP FOR AN AMOUNT NOT TO EXCEED \$98,840; COMMODITIES STUDY FOR PORT MACKENZIE.

MOTION: Assemblymember Colberg moved to approve AM No. 02-130 and requested a staff report.

Mr. Duffy:

- responded that the port commission has seen this item but no formal action was taken, and further stated that requiring formal port commission action may delay the project.

Assemblymember Colberg voiced concerns that this issue bypassed the port commission.

Assemblymember Ladere stated that she is interested in seeing a recommendation come forward from the port commission.

Discussion ensued regarding remanding the issue to the port commission.

VOTE: The motion to approve AM No. 02-130 passed with Assemblymember Bush in opposition.

E. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

(There was no vacancy report presented.)

F. OTHER NEW BUSINESS

(There was no other new business.)

XI. RECONSIDERATION

(There were no reconsiderations pending.)

XII. VETO

(There were no vetos pending.)

XIII. EXECUTIVE SESSION

(There was no executive session held.)

XIV. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Ladere:

- thanked the manager for legislation which was presented regarding the emergency medical services; and
- commented on the port commission and stated that she would like to hear from the port commission on issues which are occurring.

Assemblymember Bush:

- stated that he is supportive of Hatcher Pass, but feels that this proposed ordinance may be harmful to the project; and
- commented on the port commission.

Assemblymember Kelly:

- stated that he appreciates the number of people who came to meeting;
- discussed his concerns regarding the animal shelter; and
- stated that he would like the manager to take a good look at the crematory expense and the disposal of animals.

Assemblymember Colver:

- complimented the mayor on moving through the agenda efficiently;
- discussed matching funds in the paving of roads; and
- stated that he is interested in information on the gravel opportunity at Point Mackenzie.

Assemblymember Simpson:

- commented that she is pleased at the success of the regional transportation efforts, that the steering committee has passed the work to the standing committee (Regional Transportation Planning Organization); and
- thanked Ron Swanson for his work on Fish Creek Park.

Assemblymember Jansen discussed her earlier vote on the reconsideration to allow an item to be introduced.

Mayor Anderson:

- informed that he will be attending AML next week in Bethel;
- stated that he will be speaking at the rotary club next week;
- discussed animal control issues and stated that he feels the manager needs to investigate the issues;
- commented that he receives a lot of telephone calls from people complaining about the animal care and regulation shelter; and
- stated that he is very concerned about the double standard for mayor and assembly regarding the 40 percent runoff requirement.

XV. ADJOURNMENT

The regular meeting adjourned at 10 p.m.

ATTEST:

SANDRA A. DILLON, Borough Clerk

(SEAL)

Minutes approved: August 6, 2002