

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING  
ASSEMBLY AUGUST 6, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on August 6, 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 (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 Ladere, Assembly District No. 7 (arrived at 6:06 p.m.)

Staff in attendance were:

Ms. Sandra A. Dillon, Borough Clerk  
Mr. John Duffy, Borough Manager  
Mr. David Germer, Assistant Borough Manager  
Mr. Michael Gatti, Borough Attorney  
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

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda.

Mayor Anderson stated that AM No. 02-051 was pulled from the consent agenda at the request of administration, and Ordinance Serial No. 02-138 was pulled from introductions at the request of Assemblymember Ladere.

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

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Art Skates, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: July 16, 2002

Mayor Anderson referenced the regular assembly meeting minutes of July 16, 2002, and asked if there were any corrections.

Assemblymember Colver:

- stated that on page 3 of the minutes, under Mayor Cooper's comments, the second bullet currently reads "underwater

wastewater facilities,” but should read “water and wastewater facilities;” and

- clarified that halfway down page 4 of the minutes, the statement should read “Assemblymember Colver stated that some of the school projects are short of money and inquired what approach would be considered to obtain the additional funds.”

[After clerk’s research these statements were confirmed and corrections were made to the July 16, 2002, minutes.]

(Assemblymember Ladere entered at 6:06 p.m.)

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

## VI. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

#### 1. Reports from cities

(There were no reports presented from the cities.)

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

Kim Floyd, Public Information Specialist:

- discussed the recruiting of students who live in the Lake Louise area who have been attending the Copper River Elementary School, which is closing;
- stated that the school district is working with families in the area to provide transportation to bring the students to Glacier View School because it is felt that the students would best be served in Mat-Su schools;
- informed that there is a bus contract to provide the services; and
- spoke to the new home school support program that is operated through the correspondence study school.

Assemblymember Simpson inquired as to how this program will be funded.

Ms. Floyd responded that the program will be funded through foundation funding.

Assemblymember Ladere applauded the school district on this program.

Assemblymember Jansen queried whether there is a mailing list of the 1,700 students in order to allow the school district to distribute the information.

Ms. Floyd:

- stated that the school district is working with numerous agencies, including the borough, to get resident addresses for mailing the information;
- announced that the school district is scheduled to meet with both of their unions to continue negotiations the week of August 19, and they are very positive about settling the negotiations that week;
- informed the assembly that school begins September 3, and staff returns to the school the week prior; and
- stated that during her next report to the assembly she will have assessment information on all of the summer school programs.

### B. COMMITTEE REPORTS

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

Assemblymember Jansen:

- stated that she, Assemblymember Colver, Mr. Duffy, and Ms. Clayton met with Acting Superintendent Doyle, School Board Member Rob Wells, and Marion Romano regarding the new school nutritional center facility, a processing center for valley vegetables, and the idea of a community kitchen;
- informed that Ms. Romano is in the process of writing a grant agreement which was referenced in the manager’s

report;

- asserted that there is now information that can be sent to Senator Stevens;
- commented that the group is looking at a USDA grant that would enable a trade association to represent all resources that are not timber or fish; and
- stated that there is money available at the federal level.

Assemblymember Kelly queried regarding where the money for funding would come from during the following year.

Assemblymember Jansen:

- stated that this is still an item of discussion;
- informed that the kitchen facility would continue to be run by the school district;
- discussed the need for a non-profit agency to work with the farmers who would be doing the value-added process and people who would want to use the small community kitchen;
- stated that management of the facility would be paid for by users; and
- informed that the school district will have \$2.3 million surplus of their budget and the borough will get \$1.15 million returned.

Discussion ensued as to why there will be a surplus lapsing out of the school district's entire budget.

## 2. Intergovernmental Liaison Committee

Mayor Anderson stated that the next meeting for this committee is scheduled for August 30, 2002, at noon in the assembly chambers.

[Note: This meeting has been rescheduled for September 12, 2002, at noon.]

## 3. Regional Transportation Steering Committee/Planning Organization

(No report was presented.)

## C. MANAGER COMMENTS

Mr. Duffy:

- stated that the Port Mackenzie project is continuing with a number of subprojects, including the rail corridor study, the commodity report, deep-water dock design, and gravel studies;
- informed that an email was received from Economics Research Associates (ERA) on the recommended approach for the Hatcher Pass Ski Area; ERA has decided to complete the study at no cost to the borough;
- referenced the annual summer cleanup;
- informed that the borough has received a letter from Triad Hospitals stating that they are ready to move to step 2, which will be a more detailed analysis of locating a facility in the borough;
- commented that a review of animal care and regulation was completed which resulted in a redirection of the management to ensure more accountability and improve customer service;
- spoke to the changes which will take place at the animal care and regulation shelter;
- referenced the briefing paper on the shared-use central kitchen facility;
- spoke to the USDA grants noting that the applications are due August 8, the borough is working on putting two applications together, and the grants require matching funds;
- commented that one grant which the borough is partnering with the school district and division of agriculture on, requires a \$15,000 match that would be shared equally and would require \$5,000 from the borough; a second grant would seek funds to create the food producers association, requiring a match of \$10,000;
- informed that these funds would only be used if the USDA approved the application and that the funds would come out of the manager's budget with assembly approval;
- spoke to the current progress on the South Denali Visitor Center; and
- informed that once a proposed interagency agreement is drafted, a complete action memorandum will be forwarded to the assembly.

Assemblymember Kelly:

- queried whether this land is going to come out of the borough's normal land selection; and
- commented that this was supposed to be a state project and opined that the borough should not have to give up potential land selection by helping the state with the project.

Mr. Duffy responded that this depends on how the assembly wants the project moved forward.

Assemblymember Kelly queried how much land would be used.

Mr. Duffy responded that this would be approximately one square mile.

Mr. Duffy acknowledged that the city of Wasilla had received an award from the Government Finance Officers Associations for financial reporting for six years in a row, and informed that the borough has received this same award for 17 consecutive years.

#### D. ATTORNEY COMMENTS

Mr. Gatti had no comments to present.

#### E. CLERK COMMENTS

Ms. Dillon:

- stated that the next assembly meeting is scheduled for August 13, 2002, at 6 p.m.
- informed that the meeting has been noticed for 6 p.m. to allow the public more time to speak regarding the proposed conditional use permit ordinance (Ordinance Serial No. 02-116);
- commented that she has distributed the agenda for the August 13 meeting;
- informed the public that if they would like copies of the conditional use permit package, they will be available at the public hearing and can be obtained in the clerk's office;
- remarked that the next regular assembly meeting is August 20, 2002, which will have a work session with two items: the CIP process and review of the borough's investment policy;
- stated that the joint assembly/school board meeting will be held on September 10, 2002;
- referenced the precinct maps and stated that she has displayed the overall borough map for assembly viewing;
- spoke to district splits in the precincts, informing that there are 12 splits this year, last year the borough only had one split;
- stated that the borough grew from 25 precincts to 33 precincts;
- offered that the public may come to clerk's office to review maps;
- spoke to the candidacy filing period which will be closing on Friday at 5 p.m.; and informed that the web page will be updated that evening with the information;
- asserted that ballot propositions must be adopted tonight;
- informed that early absentee voting begins September 17;
- offered some information from AML/JIA in the clerk's report; and
- reminded the assembly members to bring their codebooks to the clerk's office to have them updated.

Assemblymember Kelly:

- updated the assembly on the energy plan which was referenced in the tracking report;
- stated that he and Mr. Lancaster discussed the energy plan target, which will be given to the legislators at the opening session this coming year;
- informed that in 1999 a resolution was passed in support of the energy plan; and
- stated that he would like to add a work session to the tracking report to discuss the feasibility of changing the status of the Matanuska-Susitna Borough from a second class borough to a first class or home rule borough, including details, definitions, and expenses.

#### F. CITIZEN AND OTHER CORRESPONDENCE

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

- a. Animal Care and Regulation Board: 06/10/02
- b. Greater Talkeetna Road Service Area No. 29: 06/12/02
- c. Knik Road Service Area No. 17: 06/30/02
- d. Midway Road Service Area No. 9: 07/18/02
- e. Parks, Recreation, and Trails Advisory Board: 07/23/02
- f. Planning Commission: 06/24/02, 06/26/02, 07/01/02, 07/08/02, 07/15/02

2. Community Council Correspondence:

- a. South Knik River Community Council: 05/18/02, 07/20/02

G. INFORMATIONAL MEMORANDUMS

- 1. IM No. 02-204: EMERGENCY CONTRACT FOR SLOPE PROTECTION ON THE HATCHER PASS SKI AREA ACCESS ROAD.

IX. NEW BUSINESS

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

- 1. Ordinance Serial No. 02-129: AN ORDINANCE AUTHORIZING THE SALE AND RECLASSIFYING AS “AGRICULTURAL LANDS” FOUR PARCELS PREVIOUSLY CLASSIFIED “AGRICULTURAL LANDS” UNDER MSB TITLE 13.

- a. IM No. 02-186

- 2. Ordinance Serial No. 02-130: AN ORDINANCE CLASSIFYING AS “GENERAL PURPOSE LANDS” AND APPROVING THE SALE OF A TRACT OF LAND IN THE WILLOW AREA NEAR LI’L HONEYBEE LAKE. (MSB003355)

- a. IM No. 02-187

- 3. Ordinance Serial No. 02-131: AN ORDINANCE CLASSIFYING 18 PARCELS OF LAND LOCATED THROUGHOUT THE BOROUGH AND APPROVING THOSE LANDS FOR SALE.

- a. IM No. 02-188

- 4. Ordinance Serial No. 02-132: AN ORDINANCE CLASSIFYING AS “GENERAL PURPOSE LANDS” AND “PUBLIC RECREATION LANDS” TWO TRACTS OF LAND IN THE WILLOW AREA NEAR BOOT LAKE APPROVING ONE TRACT FOR SALE. (MSB003356)

- a. IM No. 02-189

- 5. Ordinance Serial No. 02-133: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$25,000 GRANT FROM THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE TO FUND 440, PROJECT NO. 45117, FOR CONSTRUCTING A BOARDWALK, VIEWING PLATFORMS, EDUCATIONAL/INFORMATIONAL KIOSKS, AND FOREST REHABILITATION WORK ON BOROUGH-OWNED PROPERTY AT JORDAN LAKE NEAR THE NEW BIG LAKE LIBRARY (T17N, R3W, SEWARD MERIDIAN, ALASKA, TAX PARCELS C8 AND C9).

- a. IM No. 02-202

- 6. Ordinance Serial No. 02-134: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 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. 02-071: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SETTLEMENT AVENUE DRAINAGE, UPGRADE, AND CULVERT RESTORATION, PROJECT NO. 30078.

- (1) IM No. 02-203

- 7. Ordinance Serial No. 02-135: AN ORDINANCE ACCEPTING AND APPROPRIATING \$25,000 FROM THE

UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30080, LUPINE LANE CULVERT RESTORATION.

a. Resolution Serial No. 02-072: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE LUPINE LANE CULVERT RESTORATION, PROJECT NO. 30080 AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

(1) IM No. 02-205

8. Ordinance Serial No. 02-136: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE, TO FUND 410, PROJECT NO. 30081, CARDIFF ROAD CULVERT RESTORATION.

a. Resolution Serial No. 02-073: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CARDIFF ROAD CULVERT RESTORATION PROJECT, PROJECT NO. 30081, AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE.

(1) IM No. 02-206

9. Ordinance Serial No. 02-137: AN ORDINANCE ACCEPTING AND APPROPRIATING \$70,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 440, PROJECT NO. 15009, BRETT MEMORIAL ICE ARENA EXPANSION AND UPGRADE.

a. Resolution Serial No. 02-074: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BRETT MEMORIAL ICE ARENA EXPANSION AND UPGRADE PROJECT, PROJECT NO. 15009.

(1) IM No. 02-211

Ms. Dillon read the above legislation into the record.

MOTION: Assemblymember Jansen moved to approve the introductions as read into the record by the clerk and to set the public hearings for August 20, 2002.

GENERAL CONSENT: The motion passed without objection.

## B. CONSENT AGENDA

(Resolution Serial Nos. 02-076, 02-077, and 02-078, and AM No. 02-133 were pulled from the consent agenda. See page 28.)

### 1. RESOLUTIONS

a. Resolution Serial No. 02-075: A RESOLUTION APPROVING AN AMENDED SCOPE OF WORK AND BUDGET FOR THE MEADOW LAKES PUBLIC SAFETY SUBSTATION BUILDING PROJECT.

(1) IM No. 02-192

e. Resolution Serial No. 02-079: A RESOLUTION SUPPORTING PARTICIPATION IN THE REGIONAL TRANSPORTATION PLANNING ORGANIZATION.

(1) IM No. 02-209

### 2. ACTION MEMORANDUMS

a. AM No. 02-132: VACATION OF THAT PORTION OF EAST GARDNER WAY THAT IS MORE THAN 50 FEET FROM THE NORTH EDGE OF BOGARD ROAD RIGHT-OF-WAY ALONG THE SOUTH SIDE OF LOT 1A, BLOCK 2, ELSINORE VILLAGE SUBDIVISION, LOCATED WITHIN SECTION 02, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA.

c. AM No. 02-134: VACATION OF THE 10-FOOT NON-MOTORIZED TRAIL EASEMENT ADJACENT TO SOUTH BALD EAGLE WAY AND EAST GOSHAWK WAY IN EAGLE'S NEST AT KASHWITNA ADDITION NO. 3, LOCATED WITHIN SECTION 25, TOWNSHIP 22 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE "Y" COMMUNITY COUNCIL AREA.

d. AM No. 02-135: VACATION OF THE 10-FOOT UTILITY EASEMENT ALONG THE SOUTH SIDE OF LOT 1A, BLOCK 2, ELSINORE VILLAGE SUBDIVISION, LOCATED WITHIN SECTION 02, TOWNSHIP 17 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA.

e. AM No. 02-137: WASILLA HIGH SCHOOL REMODEL CHANGE ORDER APPROVAL TO JANSSEN CONTRACTING COMPANY, INC. IN THE AMOUNT OF \$115,755.58.

f. AM No. 02-144: AWARD OF PROPOSAL NO. 02-172 TO AMC ENGINEERS FOR AN AMOUNT NOT TO EXCEED \$74,456; DISTRICTWIDE COMPUTER TECHNOLOGY UPGRADES, MATANUSKA-SUSITNA BOROUGH SCHOOLS PROJECT NO. 40139.

g. AM No. 02-145: AWARD OF PROPOSAL NO. 02-110 TO HDR ALASKA, INC. FOR AN AMOUNT NOT TO EXCEED \$205,590; ENVIRONMENTAL ASSESSMENT OF THE FERRY AND DEEP-WATER PASSENGER DOCK PORT OF ANCHORAGE AND PORT MACKENZIE.

h. AM No. 02-146: CHANGE ORDER TO DOWL ENGINEERS IN THE AMOUNT OF \$14,920 FOR ADDITIONAL DESIGN SERVICES REQUIRED FOR THE INFILTRATION GALLERY AT HATCHER PASS SKI AREA.

i. AM No. 02-147: AWARD OF PROPOSAL NO. 02-207 TO E-TERRA, LLC, FOR AN AMOUNT NOT TO EXCEED \$38,200; ENTERPRISE PLAN FOR DATABASE DEVELOPMENT.

j. AM No. 02-148: AWARD OF PROPOSAL NO. 02-161 TO TRYCK NYMAN HAYES, INC. FOR AN AMOUNT NOT TO EXCEED \$793,415; DESIGN AND PRELIMINARY ENGINEERING FERRY LANDINGS, TERMINAL BUILDINGS AND PARKING LOTS.

k. AM No. 02-149: AWARD OF PROPOSAL NO. 02-108 TO TRYCK NYMAN HAYES, INC. FOR AN AMOUNT NOT TO EXCEED \$203,443; FERRY SYSTEM FEASIBILITY STUDY.

l. AM No. 02-150: AWARD OF BID NO. 03-009 TO MILLER SERVICES, INC. IN THE AMOUNT OF \$26,729; SURFACE SEAL, REPAIR, AND STRIPE PARKING LOTS.

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.

The regular meeting recessed at 6:45 p.m. and reconvened at 7 p.m.

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. 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 ICEARENA 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

Mayor Anderson opened the public hearing.

The following spoke in opposition to Ordinance Serial No. 02-109: Barbara Miller, Jim Turner, and Jay Nolfi.

The following spoke regarding the Hatcher Pass portion of Ordinance Serial No. 02-109: Joe Irvine, Brian Kincaid.

The following spoke regarding the cross-country ski trail development: Ed Strabel.

The following spoke in favor of Ordinance Serial No. 02-109: Cindi Payne (Borough Planning Commissioner), Angela Rosas (Houston Councilmember), Ron Richards, Brad Hanson (Palmer Councilmember), Charles Blaylock, and Loriela LaFrance.

Assemblymember Simpson queried Councilmember Hanson regarding whether the city of Palmer has supported a proposal for this package.

Councilmember Hanson affirmed that the city has supported a proposal.

Assemblymember Ladere queried Councilmember Rosas as to whether the city of Houston would be willing to assist the borough with the projects.

Councilmember Rosas responded that the city of Houston would be willing to assist the borough.

Assemblymember Colberg queried Councilmember Hanson regarding the timing of the \$15,000 proposition whether it was in response to this proposed ordinance.

Jill Reese questioned the timing of the ordinance and stated that all concerns indicate people would like to see more planning before it goes to the public.

Councilmember Pippel spoke regarding the ice arena in the city of Palmer.

Assemblymember Jansen:

- discussed the city of Palmer putting together a bond proposal for an ice rink; and
- stated that it is only a perception that the city will move forward with the proposal.

Councilmember Pippel discussed the location of the proposed ice rink in the city of Palmer and expenses related to its construction.

Discussion ensued regarding the expense of constructing an ice arena in Palmer.

Assemblymember Colberg queried if there is a difference between having the item come forward at this October election or the next election.

Councilmember Pippel responded that they would rather not wait.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-109.

Assemblymember Colver:

- thanked everyone for coming and testifying; and
- further commented on the ordinance.

Mayor Anderson stated that he would be enforcing Robert's Rules of Order -- that no member may speak more than twice to the same question.

Assemblymember Jansen:

- commented that the city of Palmer has \$15,000 set aside, and it is her firm belief that the city council will go forward with the possibility of putting together funding mechanisms for an ice arena;
- stated that if the city of Palmer wants funding, she will do what she can to find funding, but that she does not support the ordinance;
- commented that Mr. Turner made a good point in stating that there is more infrastructure in the Hatcher Pass area than we've seen in 50 years;
- opined that the borough should look at developing cross-country trails because this would be a great marketing opportunity;
- commented that this proposal is premature;
- discussed the parks and recreation bond that passed two years ago; and
- summarized that she will not vote in favor of ordinance.

Assemblymember Ladere:

- discussed the city of Palmer's desire to have an ice arena;
- referenced the previous bond package;
- stated that she is in support of this ordinance because she trusts that the city of Palmer, the skate coaches, and the people she serves will spend the funding well; and
- queried staff regarding the impact of this proposed GO bond - if it would negatively impact the borough's bonding capability, and what the administrative reasoning would be for not supporting this issue going to the voters in October.

Ms. Clayton responded that this proposal would not negatively impact the bonding capacity.

Mr. Duffy:

- agreed that if there were negative impacts they would be the type of impacts mentioned by Ms. Reese, Mr. Turner, and perhaps Mr. Miller;
- addressed the fact that borough voters turned down the bond issue for port development;
- stated that people who vote against the bond package may interpret this as a vote against the project; and
- noted that the people do not know exactly what they are getting for \$4.2 million.

Assemblymember Simpson:

- stated that she does not support this bond package because people do not have all of the information;
- commented that she does not dispute that Palmer wants an ice rink, the borough needs trails, and Hatcher Pass should be developed, but that she does dispute this combination of the projects; and
- referenced the trails and stated that this money does not pay for staff support.

Assemblymember Kelly:

- suggested that the city of Palmer use Raven Hall at the state fair grounds for an ice arena;
- commented that the hockey rink and Hatcher Pass are great ideas, but that the bond proposed is not just for a hockey rink;
- informed that Brett Memorial was built with state grant funds;
- stated that the money that the borough put into the Brett Memorial Ice Arena was for upgrading, not for a new facility;
- stated that the borough has received state and federal funding for the Hatcher Pass development and the public has been told that the borough will not put any more of our own money into it that has not already been allocated; and

- summarized that he will be voting against this proposal.

MOTION: Assemblymember Colver moved to amend Ordinance Serial No. 02-109 by striking the proposed \$4.1 million for the Hatcher Pass infrastructure and making the resulting financial changes throughout the ordinance, including a reduction of \$100,000 for bond issuance costs.

Assemblymember Colver voiced his support for the ordinance.

Assemblymember Colberg:

- stated that he would support the amendment, but would not support the whole package; and
- commented that taking the package to the voters and having the voters defeat it would be a major setback.

VOTE: The motion to amend the ordinance passed with Assemblymembers Jansen, Kelly, and Simpson in opposition.

MOTION: Assemblymember Colver moved the previous question (to stop debate).

Mr. Gatti clarified that if the ordinance passes, administration will go through the ordinance and delete references to Hatcher Pass.

VOTE: The motion for the previous question (to stop debate) failed with Assemblymembers Bush, Jansen, Colver, and Ladere in support.

(The passing of a motion for the previous question requires five votes in favor.)

The regular meeting recessed at 8:12 p.m. and reconvened at 8:17 p.m.

Assemblymember Kelly:

- referenced the trails and stated that he does not want to have co-ownership of the ice rink; and
- noted that the borough would have \$1 million worth of ownership in the ice rink.

Assemblymember Simpson:

- reiterated that this bond money will not do what people are expecting it to do;
- commented that the borough has a plan for trails work, but that there is no staff to do the work;
- stated that she has been working with borough staff Pat Owens and Ron Swanson, and state employee Jim Reichert for two years and that 14 miles of trails have been dedicated for the Iron Dog Trail; and
- noted that progress is slow and that until people are hired, the borough will not make the progress that the public is expecting regarding trails.

Assemblymember Colberg:

- stated that he is in agreement with Assemblymember Simpson; and
- opined that there has to be a better approach.

Assemblymember Ladere:

- commented that the trails would be recognized as a priority project; and
- opined that the assembly should not deny the partnership with Palmer when they have stepped forward with an overwhelming percentage of the cost and the resulting responsibilities of the ice arena.

Assemblymember Bush stated that although he is in favor of an ice arena in Palmer, he favors a better approach, therefore, he will be voting against the proposition.

MOTION: Assemblymember Bush moved the previous question (to stop debate).

VOTE: The motion for the previous question (to stop debate) passed with Assemblymembers Colver and Ladere in objection

VOTE: The main motion to adopt Ordinance Serial No. 02-109, as amended, failed with Assemblymembers Colver

and Ladere in support.

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

VOTE: The motion to reconsider failed with Assemblymember Colver in support.

Mayor Anderson opined that although this was a premature piece of legislation, he fully supports bonds and recreation propositions.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-098.

Assemblymember Jansen:

- stated that this is something that the city and the borough have been working together on for many months; and
- commented that the assembly currently gives the city of Palmer \$10,000 in a contract for maintenance, and that they spend much more than that in developing and maintaining the parks.

MOTION: Assemblymember Jansen moved to amend Ordinance Serial No. 02-098, MSB 1.10.121(C), to insert the words “is through a grant that” after the word “facilities.”

Assemblymember Jansen:

- stated that the reason for the amendment is to protect the borough’s rights; and
- commented that this would allow the city to manage their own parks.

Assemblymember Simpson queried Mr. Gatti if he would support the amendment.

Mr. Gatti responded that, with respect to the impact of the amendment, it basically allows the city to add parks to its inventory and in the event that the borough chooses to take that power back, it would also include any additional parks the city created.

Discussion ensued regarding the legal impacts of this amendment.

Assemblymember Jansen queried Mr. Gatti as to whether the city of Wasilla has to come before the assembly before building a new park.

Assemblymember Simpson stated that she has a fundamental problem with the city of Palmer being able to add parks that may become borough parks without consent.

Mr. Duffy:

- confirmed that assembly approval is necessary; and
- remarked that what Assemblymember Jansen is proposing would address parks built with federal funds.

Mr. Gatti stated that MSB 1.10.122 and MSB 1.10.123 address parks in Wasilla and read the code into the record.

Assemblymember Jansen encouraged the assembly to consider the passage of the amendment.

GENERAL CONSENT: The motion to amend Ordinance Serial No. 02-098 passed without objection.

Discussion ensued regarding the purpose for bringing this ordinance forward.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-098, as amended, passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-099.

MOTION: Assemblymember Jansen moved to amend section 4 of the ordinance to change the effective date from December 31, 2002 to June 30, 2003.

Assemblymember Jansen stated that the city of Palmer is hopeful that everything will be completed by December 31, 2002, but the extension of time will allow for unexpected delays.

GENERAL CONSENT: The amendment passed without objection

Assemblymember Kelly queried regarding the operating budget for the expansion.

Mr. Duffy responded that the money will come out of the city of Palmer budget.

GENERAL CONSENT: The motion to adopt Ordinance Serial No. 02-099 passed, as amended, without objection.

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

Mayor Anderson opened the public hearing.

Larry Devilbiss spoke in favor of Ordinance Serial No. 02-100

Dan Contini spoke against Ordinance Serial No. 02-100.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-100.

Assemblymember Bush stated that the people should be allowed to decide.

Assemblymember Colver queried Mr. Gatti regarding whether this would require a majority vote of the existing fire service area and the new annexed area.

Mr. Gatti referred to Ms. Dillon.

Ms. Dillon stated that the statute does not require a majority, however, the borough requires that it go to both areas for a dual vote in both the existing service area and the proposed annexation.

GENERAL CONSENT: The motion passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-101.

GENERAL CONSENT: The motion passed without objection.

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

a. IM No. 02-147

Mr. Duffy:

- stated that the staff is recommending the proposed changes in order to provide the public with more information regarding proposed land management action; and
- commented that this will provide wider public notice coverage.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-102.

Assemblymember Jansen spoke in favor of the ordinance.

MOTION: Assemblymember Simpson moved to amend Ordinance Serial No. 02-102, item 3.1, first line, by inserting the words "permit, lease, or" before the word "sale," so that the first line would read: "Any proposed permit, lease, or sale of borough owned property, or . . ."

Assemblymember Ladere questioned administration regarding the fiscal impacts of this amendment.

Mr. Duffy responded that this would depend on the length of time that the award is granted.

GENERAL CONSENT: The amendment passed without objection.

MOTION: Assemblymember Simpson moved to amend Ordinance Serial No. 02-102, item 3.1, third line, by inserting the phrase "land management or natural resource" before the word "action."

Assemblymember Simpson stated that the reason for her amendment is that this could theoretically require public notice to go out on every single road project that is up for summer maintenance because it would trigger the appropriation of the money by ordinance.

GENERAL CONSENT: The amendment passed without objection.

Assemblymember Colver:

- stated that he is concerned about the 600-foot notice; and
- commented that he would like to see the public receive more notice.

Mr. Duffy stated that the borough would be allowed to expand the public notice.

MOTION: Assemblymember Colver moved to strike the word “within” and insert the words “adjacent to.”

Discussion ensued regarding the consequences of adding this amendment.

VOTE: The amendment failed with Assemblymembers Colver and Ladere in support.

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

The regular meeting recessed at 8:58 reconvened 9:05

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

Mr. Duffy:

- stated that the borough presently offers two direct incentives for economic development, to include a tax deferral incentive as well as the ability to purchase or lease land for less than fair market value;
- commented that the borough does not have a standard review process to determine when to recommend an award of either of those two incentives;
- set forth that the ordinance would establish a review and standards for determining when to recommend an award of the incentives;
- stated that this would also add a number of other incentives to new and expanding businesses; and
- summarized what the proposed ordinance will accomplish.

Assemblymember Ladere queried as to define the word “means” in the portion of the sentence “provide the means to compete with other local government.”

Mr. Duffy responded that this provides us with the same, and in some cases with slightly more, tools to offer new businesses to locate in the Mat-Su Borough.

Mayor Anderson opened the public hearing.

Lucille Frye spoke in favor of Ordinance Serial No. 02-103.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-103.

Assemblymember Jansen:

- stated that she attended the economic development conference;
- informed that many entities work on attracting businesses, where 80 percent of your economic development comes from expanding local businesses;
- opined that this ordinance is an important part of our overall economic development program; and
- summarized that she is very supportive of the ordinance.

MOTION: Assemblymember Colberg moved to amend Ordinance Serial No. 02-103 by inserting a new subsection (B)

to read as follows: “The borough assembly shall appropriate funds for the incentives authorized under this part of the borough code during the annual budget process or by special appropriation.

Assemblymember Colberg:

- stated that this amendment is meant to create a mechanism to limit the program for the year; and
- commented that the assembly would decide on a year-by-year basis in the budgeting process, through this amendment, how to address how much money is set aside for this program.

Assemblymember Colver queried whether the intent of the amendment is for the pool of funds or the individual incentives.

Assemblymember Colberg responded that the intent is for the pool of funds and this would be allocated by the staff as the applications come forward.

GENERAL CONSENT: The amendment passed without objection.

MOTION: Assemblymember Colberg moved to amend Ordinance Serial No. 02-103 by inserting a new subsection (A) to read as follows, “Applications will be reviewed in the order in which they are received until the appropriated funds are exhausted.”

Assemblymember Colberg stated that once the funding is set aside, in order to avoid additional problems, the idea of processing applications in the order they are received sets forth a policy that makes it less likely that people will be concerned that favorites are being picked.

Discussion continued on the order for processing the applications and appropriation of funds.

GENERAL CONSENT: The amendment passed without objection.

Assemblymember Simpson queried which account would fund this project.

Mr. Duffy responded that the funds would come from the manager’s budget or perhaps the department of finance.

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

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt of Ordinance Serial No. 02-104 and Resolution Serial No. 02-059.

Assemblymember Ladere:

- stated that Willow Creek has become heavily used during the summer months;
- commented that the stream bank has become seriously degraded; and
- set forth that this is a heavily impacted area and is in need of improvement.

GENERAL CONSENT: The motion passed without objection

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-105 and Resolution Serial No. 02-060.

Assemblymember Ladere:

- stated that this borough works in conjunction with Wasilla Soil and Water Conservation District and the Upper Susitna Soil and Water Conservation District in this volunteer water quality monitoring program;
- commented that this program has been successful for a number of years and is increasing its volunteers;
- remarked that the state board of natural resource conservation and development has been awarded \$500,000 by the legislature to address a clean water program across the state and there will probably be more money coming into the borough through the conservation districts to further address this program; and
- summarized that this is a growing program and addresses a real need.

GENERAL CONSENT: The motion passed without objection.

10. Ordinance Serial No. 02-106: AN ORDINANCE ACCEPTING AND APPROPRIATING \$7,000 FROM SUMMIT ALASKA INC. TO THE AREA WIDE 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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-106.

GENERAL CONSENT: The motion passed without objection.

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

Mr. Duffy stated that the proposed ordinance is an attempt to provide assembly oversight in site selection of charter schools and to ensure that there is a competitive process in the site selection.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-107.

Assemblymember Jansen:

- reminded the assembly of problems with other charter schools in the past;
- opined that it is incumbent upon the borough to make sure that they are using a competitive process; and

- queried the manager regarding the requirement for a charter school being required to encompass an area of approximately two square miles.

Mr. Duffy stated that this requirement is an attempt to set boundaries in terms of enrollment.

Ms. Garley:

- stated that the borough looked at the locations of charter schools and population that would be served;
- commented that this was felt to be a sufficiently large geographic area to give a general vicinity; and
- set forth the reasons for choosing two miles as a number for the radius.

Mr. Gatti addressed the wording “at least” in the ordinance, and stated that this may be expanded.

MOTION: Assemblymember Colver moved a primary amendment to change the charter school representation from one member to two members.

Discussion ensued regarding having an equal number of members on the committee.

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

MOTION: Assemblymember Colver moved a primary amendment to strike “two representatives from the borough” and insert “one planning commissioner and one assemblymember.”

MOTION: Assemblymember Jansen moved a secondary amendment to strike “one planning commissioner and one assemblymember” and insert “two assemblymembers.”

MOTION: The secondary amendment passed without objection

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

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Kelly moved to adopt Ordinance Serial No. 02-108 and Resolution Serial No. 02-061.

GENERAL CONSENT: The motion passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-110.

Assemblymember Colver stated that the borough would like federal money to replace bridges and culverts for

improving stream habitat.

Assemblymember Simpson:

- spoke in opposition to the ordinance;
- discussed the allocation of the money;
- stated that this item is number 15 on the road service areas priorities list and it displaces a number of drainage upgrades, road upgrades, paving projects, etc. that are in line; and
- commented that she can't justify the balance that is out of the public funds to leverage a \$50,000 grant in this case.

Mr. Swing:

- stated that the borough is looking at other grant funds to assist in this project;
- commented that there are some grant funds that may come in from a new program which is sponsored by Fish and Wildlife; and
- stated that there is private funding that may come in through grants that have not yet been identified.

Discussion ensued regarding whether this money needs to be used during this fiscal year.

Mr. Colver queried Mr. Swing if this project will displace any paving projects or LIDs with the \$50,000 capital.

Mr. Swing:

- explained the reasons why this project was lowered on the priority list;
- stated that this is the number one project that Fish and Wildlife wants to accomplish;
- commented that the culverts are perched and the salmon cannot get through this crossing; and
- summarized that the borough was pushed by Fish and Wildlife to make this project a top priority from the standpoint of receiving their money.

Assemblymember Ladere:

- contended that this is an important project;
- informed that the culvert currently impairs salmon; and
- questioned Mr. Swing as to whether this is a project that the local road service area board of supervisors has asked him to bring forward.

Mr. Swing:

- responded that this item is on the list of approved projects; and
- stated that the local road service area board of supervisors agrees that the borough should accept this money.

Discussion continued regarding the funding for the project.

VOTE: The motion passed with Assemblymember Simpson in opposition.

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

Mr. Duffy:

- stated that the borough is establishing a fee structure for use of the animal crematory; and
- commented that it is being requested that the funds obtained through the fees be placed back into the animal care and regulation shelter for operation of the crematory.

Mayor Anderson opened the public hearing.

Betty Vehrs spoke in support of the ordinance and resolution.

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

MOTION: Assemblymember Jansen moved to adopt Ordinance Serial No. 02-111 and Resolution Serial No. 02-062.

GENERAL CONSENT: The motion passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-112.

GENERAL CONSENT: The motion passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-113 and Resolution Serial No. 02-063.

Assemblymember Ladere spoke in support of the legislation.

GENERAL CONSENT: The motion passed without objection.

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

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-114.

Assemblymember Ladere spoke to the recent work done in the Willow Road Service Area and stated that this funding is a carry over to finish the work.

GENERAL CONSENT: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

Jeannie Whitlatch spoke regarding her neighbors' horses destroying her yard and the response by animal control.

Barbara Miller spoke regarding a wide array of borough issues.

Betty Vehrs spoke regarding people running for offices giving political speeches, and read a letter from Jeannie Whitlatch's neighbor, Kathy Williams.

Assemblymember Jansen queried as to the liability of the borough in relation to the horse incident.

Discussion ensued regarding the liability of the borough in this incident and the changes in administration at the animal care and regulation shelter.

Mayor Anderson publicly thanked Betty Vehrs for being involved with animal control.

Brandy Prize spoke regarding the customer service and cleanliness at the animal control prior to the changes.

Michelle Church spoke in favor of the junk cleanup this weekend.

There being no others who wished to speak, Mayor Anderson closed audience participation.

## VIII. UNFINISHED BUSINESS

There was no unfinished business

### B. CONSENT AGENDA (Continued from page 8)

b. Resolution Serial No. 02-076: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SKWENTNA SOLID WASTE FACILITY, PROJECT NO. 25030.

(1) IM No. 02-193

MOTION: Assemblymember Ladere moved to adopt Resolution Serial No. 02-076

GENERAL CONSENT: The motion passed without objection.

c. Resolution Serial No. 02-077: A RESOLUTION ESTABLISHING FEES FOR PARK AND RECREATIONAL FACILITIES.

(1) IM No. 02-194

MOTION: Assemblymember Kelly moved to adopt Resolution Serial No. 02-077.

MOTION: Assemblymember Kelly moved to amend the resolution to exempt all senior citizens 55 years and older.

Discussion continued on the advisability of the proposed amendment.

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

Assemblymember Ladere queried staff as to why the fees are being raised at this time.

Mr. Duffy responded that most of the fees at this time are out of compliance with fees in other municipalities and this would bring the borough fees into alignment with the services and fees offered in other municipalities to prevent these facilities from operating at a deficit.

GENERAL CONSENT: The motion to adopt Resolution Serial No. 02-077 passed without objection.

d. Resolution Serial No. 02-078: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE SCHOOL DISTRICT RENEWAL AND RENOVATION PROJECTS.

(1) IM No. 02-195

(2) AM No. 02-124: CHANGE ORDER TO WILDER CONSTRUCTION COMPANY IN THE AMOUNT OF \$75,000 FOR THE 2002 ROADS PAVING PROJECT TO ADD THE PAVING OF THE GLACIER VIEW SCHOOL

ACCESS ROAD AND PARKING AREA.

CONFLICT OF INTEREST: Assemblymember Colver stated that he would like to recuse himself from the discussion due to a conflict of interest.

[Assemblymember Colver exited assembly chambers at this time.]

MOTION: Assemblymember Jansen moved to adopt Resolution Serial No. 02-078 and AM No. 02-124.

GENERAL CONSENT: The motion passed without objection.

[Assemblymember Colver entered chambers at this time.]

b. AM No. 02-133: VACATION OF THE 15-FOOT UTILITY EASEMENT ADJACENT TO SOUTH BALD EAGLE WAY AND EAST GOSHAWK WAY IN THE EAGLE'S NEST AT KASHWITNA ADDITION NO. 3, LOCATED WITHIN SECTION 25, TOWNSHIP 22 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE "Y" COMMUNITY COUNCIL AREA.

MOTION: Assemblymember Ladere moved to adopt AM No. 02-133.

Assemblymember Ladere queried staff as to where the easements would be moved.

Ms. Garley responded that the new easements would be on the west side of Bald Eagle Way and on both the north and south side of Gottschalk way.

GENERAL CONSENT: The motion passed without objection.

#### C. MAYORAL NOMINATIONS AND APPOINTMENTS

##### 1. VACANCY REPORT

Mayor Anderson requested the following confirmations:

Local Emergency Planning Committee

Joanne Smith

Senior Citizens Advisory Board

Joanne Lund

Ms. Dillon stated that there was an administrative error where the person listed under the agricultural and forestry board should have been moved to the left on the vacancy report, not to the right.

MOTION: Assemblymember Jansen moved to confirm the mayor's appointments up for confirmation this evening.

GENERAL CONSENT: The motion passed without objection

#### D. OTHER NEW BUSINESS

#### X. RECONSIDERATION

(There were no reconsiderations.)

#### XI. VETO

(There were no vetos presented.)

#### XII. EXECUTIVE SESSION

(There was no executive session held.)

## XII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Ladere:

- thanked Ms. Garley for her assistance during the bluegrass festival in Talkeetna;
- stated that she has discovered that the borough libraries now have 15 minute limits on computers in her area due to the fact that so many people are using the computers to find jobs;
- stated that she believes that there is a borough road decertification process, and if this information is true, she would like to see a change in borough policy.

Assemblymember Colver requested that administration bring forward a resolution to discuss the right-of-way through Waldo Reed's property.

Assemblymember Kelly requested the expenditures for the boat launch and dock at Lake Lucille.

Assemblymember Jansen:

- voiced concern that the Talkeetna bluegrass festival did not have a permit; and
- clarified her perception of Palmer's action regarding the bond legislation.

Mayor Anderson:

- thanked everyone who participated in the junk car cleanup;
- applauded Jane Dale for the great job she did in the cleanup;
- commented that the National Guard was active in the project;
- stated that Kenai will pattern something after the project; and
- stated that the manager will work on appreciation for the work done.

## XIV. ADJOURNMENT

The regular meeting adjourned at 10:35 p.m.

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TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

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SANDRA A. DILLON, Borough Clerk

(SEAL)

Minutes approved: September 3, 2002