

MATANUSKA-SUSITNA BOROUGH REGULAR MEETING  
ASSEMBLY NOVEMBER 7, 2002

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on November 7, 2002, at the Borough Gymnasium, 350 E. Dahlia Avenue, 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  
Mr. Talis J. Colberg, Assembly District No. 3  
Ms. Mary Kvalheim, 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

Assembly members absent and excused were:

Ms. Sara Jansen, Assembly District No. 2 (Deputy Mayor)

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. Michelle M. McGehee, Deputy Borough Clerk  
Mr. Jim Swing, Public Works Director  
Mr. Ron Swanson, Community Development Director  
Ms. Tammy Clayton, Finance Director  
Ms. Sandra Garley, Planning Director  
Mr. Jack Krill, Interim Public Safety Director

III. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved as presented.

IV. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ben Daniels, Dan Bartell, Tye Steadman, Chris Borj, and Brys Dean, students from Su-Valley High School.

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: October 8, 2002

Mayor Anderson reference the October 8, 2002, special assembly meeting minutes and asked if there were any corrections thereto.

No corrections were noted.

GENERAL CONSENT: The minutes were approved as presented.

## B. Regular Assembly Meeting: October 15, 2002

Mayor Anderson referenced the October 15, 2002, regular assembly meeting minutes and asked if there were any corrections thereto.

No corrections were noted.

GENERAL CONSENT: The minutes were approved as presented.

## C. Special Assembly Meeting: October 22, 2002

Mayor Anderson referenced the October 22, 2002, special assembly meeting minutes and asked if there were any corrections thereto.

No corrections were noted.

GENERAL CONSENT: The minutes were approved as presented.

## VI. REPORTS/CORRESPONDENCE

### A. AGENCY REPORTS

#### 1. Reports from cities

##### Wasilla City

Wasilla City Mayor Diane Keller:

- stated Pioneer Drive and trailheads in Wasilla have been completed; and
- reported that the city of Wasilla has gone to bid for the multi-use sports complex.

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

Kim Floyd, Public Information Specialist:

- noted that Monday and Tuesday, November 11 and 12, 2002, are in-service days and that parent/teacher conferences will be held at this time;
- reported that the automotive programs at Palmer and Wasilla have been certified by the National Institute for Automotive Service Excellence and the National Automotive Technicians Education Foundation;
- stated that Mat-Su has the only K-12 certified automotive program in Alaska;
- recognized AK Auto Dealers Association for providing paid internships, mentors, and up-to-date equipment;
- noted that students in the automotive program will graduate with an Automobile Technician certification;
- reported the reorganization of the school board at the October 16, 2002, meeting, Mike Chmielewski, president; Linda Medard, vice-president; and Larry DeVilbiss, clerk;
- referred to the passage of Proposition C and projects that may be feasible due to legislation;
- stated that the school board is looking forward to the joint assembly meeting on December 10, 2002, to discuss the capital improvement project list;
- informed that November 17 – 23, 2002, is American Education week; and
- stated that on November 19, 2002, the school district will be recognizing teachers with over 20 years of service.

### B. COMMITTEE REPORTS

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

Mr. Duffy discussed Proposition C and a potential schedule for the school bond election.

#### 2. Intergovernmental Liaison Committee

Mayor Anderson stated that there have been no recent meetings and that the next meeting is scheduled in January.

### 3. Regional Transportation Planning Organization

Mayor Anderson:

- reported that transportation projects were discussed at the meeting including: Port MacKenzie, Knik Arm Crossing, and the long-range transportation plan; and
- stated that no decisions were made and that they will meet again on December 16, 2002.

### C. MANAGER COMMENTS

Mr. Duffy:

- referred to the Knik Arm Crossing PowerPoint presentation in the manager's report that focuses on comparisons of the 1984 population and traffic estimates to today's actual figures;
- stated that there will be a Veterans Day ceremony on November 11, 2002, at the Veterans Wall of Honor;
- noted that the dock has been inspected since the recent earthquake and that no problems were identified;
- reported that space will be lost in the existing assembly chambers due to the recent earthquakes, as modifications are needed to correct the failing foundation walls of the DSJ Building;
- explained that due to the loss of space and the need for additional office space, we are contracting with an architect/engineer to evaluate the idea of renovating the existing gym into an assembly chambers;
- stated that Congress will consider 2003 appropriation in January, 2003;
- noted that an action memorandum (AM) will be presented at the November 19, 2002, assembly meeting for consideration regarding issuing a request for proposal for a new lobbyist or to consider extending our current contract;
- informed that resolutions and memorandums describing the proposed federal and state legislative priorities for 2003 are in the supplemental managers report;
- stated that they are mailing to all MTA members and placing a flyer in the newspaper addressing how individuals can help keep accurate address information in our 911 databases;
- informed that he would be meeting with Senators Green, Ogan, Mr. Gillespie, Ms. Cronen, and Mr. Rapport of North Star Behavioral to discuss the North Star proposal; and
- advised that he would be taking a 12 working day vacation beginning on November 19 to December 5, 2002, and that he will miss two Assembly meetings on November 19 and December 3, 2002.

Assemblymember Colver inquired about the scope of work involved with repairing the assembly chambers.

Mr. Swing:

- stated that they had bids from three different contractors and that F&E was chosen, as they had the lowest quote;
- explained that they are excavating the outside wall and moving the sewer in order to push the wall back up;
- noted that a support wall will be built to keep the concrete from slanting again once the wall is in place; and
- stated that no gravel was found under the footings.

Mr. Duffy:

- stated that the borough was awarded \$1.6 million from the Economic Development Administration for the industrial waste disposal site;
- stated that he has given the Economic Development Administration a letter accepting the grant due to time constraints and if the assembly should decide to decline the award, he will retract the letter;
- spoke to the Willow Creek restoration project; and
- presented the assembly with a plaque from the National Guard thanking the assembly for their support and resources for Operation Bumper Drag, which was a part of Cleanup 2002.

Assemblymember Ladere inquired as to the status of application for T-21.

Mr. Duffy stated that there is no application for T-21, instead coming forward are recommendations through the Transportation Advisory Board and Planning Commission for changes.

Assemblymember Ladere:

- stated that Congressman Young had inquired regarding the borough's list of federal funding projects; and
- noted that she has some projects for District 7 that she wants added to the list.

Mr. Duffy replied that the list of federal funding priorities must be turned in by the first of January.

Assemblymember Colver:

- requested a work session to discuss individual district priorities; and
- asked the manager if a district priority list can be drafted before it is sent to the federal level.

Mr. Duffy stated that Sandra Garley has sent out a request for a list of federal funding priorities.

Assemblymember Colberg inquired as to whether the reports from Mr. Silver are received directly from him or if Mr. Duffy is involved as a mediator in the process.

Mr. Duffy stated that the report is received directly from Mr. Silver.

Assemblymember Ladere asked if other facilities across the borough have been examined for earthquake damage.

Mr. Duffy stated that a structural engineer has not inspected borough facilities but a visual look of the facilities has been made.

Assemblymember Ladere requested a work session to improve immediate emergency response due to natural disasters.

#### D. ATTORNEY COMMENTS

Mr. Aschenbrenner stated that he had no comments.

#### E. CLERK COMMENTS

Ms. Dillon:

- noted that the clerk's report with the tracking report was provided in the packet;
- stated that a number of items were taken off of the tracking report as they have been completed;
- informed that the Alaska Municipal League (AML) Newly Elected Officials seminar is scheduled for November 11-12, followed by the AML annual conference November 13-15 in Valdez;
- advised that she will be at the AML annual conference to assist and will be a presenter for the newly elected officials training for the first two days;
- stated that Deputy Clerk Michelle M. McGehee, will also be at the conference for a one day training session for her professional certification and will be returning to the office on Wednesday;
- reported that she has been working on codification and that this project has been moving slowly since we have been waiting for the new borough attorney;
- advised that the codification project will be moving forward within the next couple of months;
- stated that some code titles are being looked at individually;
- thanked John Claprich for helping with the sound at tonight's meeting and commented that there is no audio system that will work well in the gym; and
- reminded that there will be a special assembly meeting on November 21, 2002.

#### F. CITIZEN AND OTHER CORRESPONDENCE

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

- a. Animal Care and Regulation Board: 09/09/02, 09/25/02
- b. Emergency Medical Services Advisory Board: 10/02/02
- c. Enhanced 9-1-1 Advisory Board: 09/10/02
- d. Historic Preservation Commission: 08/02/02, 09/06/02
- e. Local Emergency Planning Committee: 09/25/02

- f. Knik Road Service Area No. 17: 10/10/02
- g. Parks, Recreation, and Trails Advisory Board: 09/24/02
- h. Planning Commission: 10/07/02

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

## G. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

## VIII. UNFINISHED BUSINESS

A. AM No. 02-185: VACATION OF JIM CREEK TRAIL WITHIN STARR ESTATES, LOCATED WITHIN SECTION 30, TOWNSHIP 17 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BUTTE COMMUNITY COUNCIL AREA. (Postponed from 10/15/02)

MOTION: Assemblymember Bush moved to approve AM No. 02-185.

VOTE: The motion passed without objection.

## IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 11/19/02, 7 p.m., Palmer Community Center - Railroad Depot, 610 S. Valley Way, Palmer)

1. Ordinance Serial No. 02-193: AN ORDINANCE APPROPRIATING \$83,100 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 450, PROJECT 20161, FOR OBTAINING TOPOGRAPHIC AND GEOTECHNICAL DATA AND CONCEPTUAL LAND USE PLANNING FOR THE HATCHER PASS SKI AREA.

a. AM No. 02-176

2. Ordinance Serial No. 02-194: AN ORDINANCE AMENDING THE PUBLIC FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE MATANUSKA-SUSITNA BOROUGH BY CHANGING THE SOLID WASTE ELEMENT OF THE PLAN.

a. IM No. 02-269

3. Ordinance Serial No. 02-195: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, TO FUND 440, PROJECT NO. 15027, WEST LAKES BOULEVARD TRAIL UNDERPASS.

a. IM No. 02-271

4. Ordinance Serial No. 02-196: AN ORDINANCE ACCEPTING AND APPROPRIATING \$18,200 FROM THE STATE OF ALASKA, MUNICIPAL CAPITAL PROJECT MATCHING GRANT PROGRAM, TO FUND 440, PROJECT NO. 20203, FOR HISTORIC PRESERVATION.

a. Resolution Serial No. 02-108: A RESOLUTION APPROVING THE ALPINE HISTORICAL SOCIETY'S SCOPE OF WORK AND BUDGET FOR GRANT FUNDS OF \$18,200 AND MATCH OF \$7,800 FOR THE CONSTRUCTION OF THE ALPINE PARK ATHABASKAN LODGE.

(1) IM No. 02-272

5. Ordinance Serial No. 02-197: AN ORDINANCE REAPPROPRIATING \$48,000 FROM THE GREATER WILLOW ROAD SERVICE AREA CAPITAL PROJECTS, FUND 410, PROJECT NO. 30042, TO FUND 276 GREATER WILLOW OPERATING BUDGET, TO PAY OFF THE REVOLVING LOAN.

a. IM No. 02-280

6. Ordinance Serial No. 02-198: AN ORDINANCE ACCEPTING AND APPROPRIATING \$22,000 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES TO FUND 480, PROJECT NO. 20330, MATANUSKA-SUSITNA BOROUGH GIS PROPERTY WEB SITE PROJECT.

a. Resolution Serial No. 02-109: A RESOLUTION APPROVING THE REVISED SCOPE OF WORK AND BUDGET FOR THE MATANUSKA-SUSITNA BOROUGH GIS PROPERTY WEB SITE PROJECT, PROJECT NO. 20330, AND AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES FOR MANAGEMENT OF THE GRANT.

(1) IM No. 02-283

B. INTRODUCTION (For public hearing - 12/03/02, 7 p.m., Palmer Community Center - Railroad Depot, 610 S. Valley Way, Palmer)

1. Ordinance Serial No. 02-183: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE COTTONWOOD SHORES/ALDER DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 356 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-184: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$99,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE COTTONWOOD SHORES/ALDER DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 356 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-276

2. Ordinance Serial No. 02-185: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE FOREST HILLS ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 352 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-186: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$43,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE FOREST HILLS ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 352 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-277

3. Ordinance Serial No. 02-187: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE MONTE VISTA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 347 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-188: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$45,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE MONTE VISTA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 347 AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 02-278

4. Ordinance Serial No. 02-189: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE WESWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 342 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-190: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT-TO-EXCEED \$33,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE WESWOOD SHORES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 342 AND FIXING THE DETAILS OF SAID BONDS.

(1) IM No. 02-279

C. INTRODUCTION (For public hearing - 12/17/02, 7 p.m., Palmer Community Center - Railroad Depot, 610 S. Valley Way, Palmer)

1. Ordinance Serial No. 02-191: AN ORDINANCE CREATING DISCOVERY BAY AREA ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 375, 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. 02-281

2. Ordinance Serial No. 02-192: AN ORDINANCE CREATING WEATHERVANE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 376, 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. 02-282

Ms. Dillon read the above legislation into the record.

**MOTION:** Assemblymember Simpson moved to approve the introductions as read into the record by the clerk and set the public hearings for November 19, December 3, and December 17, 2002, respectively.

**GENERAL CONSENT:** The motion passed without objection.

#### D. CONSENT AGENDA

(Resolution Serial Nos. 02-112 and 02-113 and AM No. 02-109 were pulled from the consent agenda and addressed separately.) (See pp. 11 and 19)

##### 1. RESOLUTIONS

a. Resolution Serial No. 02-110: A RESOLUTION AMENDING THE BUDGET FOR THE DESHKA RIVER PROJECT AND PLAYGROUND EQUIPMENT PROJECT, ADOPTING A NEW SCOPE OF WORK AND BUDGET FOR BUILDING NEW PUBLIC SOFTBALL FIELDS AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE MAT-SU SOFTBALL ASSOCIATION FOR THE CONSTRUCTION OF THIS FACILITY.

(1) IM No. 02-275

b. Resolution Serial No. 02-111: A RESOLUTION AUTHORIZING THE MANAGER TO SUBMIT TO THE STATE OF ALASKA, AN APPLICATION FOR A GRANT TO FUND PHASE II OF THE INTERPRETIVE SIGNS PROJECT FOR MATANUSKA COLONY HISTORIC DISTRICT.

(1) IM No. 02-284

##### 2. ACTION MEMORANDUMS

a. AM No. 02-187: VACATION OF HILLSIDE DRIVE IN KETTLE RIM SUBDIVISION, LOCATED WITHIN SECTION 9, TOWNSHIP 24 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED WITHIN THE "Y" COMMUNITY COUNCIL AREA.

b. AM No. 02-188: FILE AN AMICUS BRIEF IN CASCADIA vs. STATE DEPARTMENT OF NATURAL RESOURCES SUPPORTING THE STATE'S TRANSFER OF LAND TO THE MATANUSKA-SUSITNA BOROUGH AT HATCHER PASS.

d. AM No. 02-193: CONTINUATION OF A JOINT ASSEMBLY/SCHOOL BOARD COMMITTEE ON SCHOOL ISSUES.

e. AM No. 02-194: APPROVAL OF PAYMENT TO DENNIS BOUWEN AND VIRGINIA JENSEN IN THE AMOUNT OF \$17,950 TO ACQUIRE RIGHT-OF-WAY FOR MEADOW LAKES LOOP ROAD REALIGNMENT.

f. AM No. 02-195: AWARD PURCHASE ORDER TO BOB'S SERVICE INCORPORATED FOR THE PURCHASE OF ONE VAPOR CORP MODEL 4992 (STEAM GENERATOR) IN THE AMOUNT OF \$71,979.

g. AM No. 02-196: AWARD OF QUOTE 03-065 TO ALASKA SAFETY IN THE AMOUNT OF \$21,250 FOR THE PURCHASE OF 50 COMPOSITE II AIR CYLINDERS.

h. AM No. 02-198: AWARD OF BID NO. 03-056, MEDICAL ITEMS TO MDS/MATRIX, BOUND TREE MEDICAL, ARMSTRONG MEDICAL INDUSTRIES, MOORE MEDICAL, AND SAFETY INCORPORATED FOR AN AMOUNT ANTICIPATED TO EXCEED \$15,000.

i. AM No. 02-199: AWARD OF BID NO. 03-059 TO ALASKA PREMIER EXERCISE EQUIPMENT IN THE AMOUNT OF \$22,501 FOR EXERCISE EQUIPMENT FOR THE SUTTON FIRE SERVICE AREA.

j. AM No. 02-200: APPROVAL OF CHANGE ORDER TO INCREASE OWNER'S PROJECT REPRESENTATIVE CONTRACT AT HOUSTON HIGH SCHOOL IN THE AMOUNT OF \$35,000 FOR ADDITIONAL WORK BEYOND THE CURRENT CONTRACTED AMOUNT.

Ms. Dillon read the above legislation into the record.

**MOTION:** Assemblymember Simpson moved to adopt the consent agenda as read into the record by the clerk.

**GENERAL CONSENT:** The motion passed without objection.

c. Resolution Serial No. 02-112: A RESOLUTION REQUESTING APPROVAL OF STATE SUPPLEMENTAL FUNDS FOR THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR WINTER MAINTENANCE ACTIVITIES WITHIN THE MATANUSKA-SUSITNA BOROUGH. (Sponsors:

Assemblymembers Ladere and Colver)  
(1) IM NO. 02-286

MOTION: Assemblymember Ladere moved to adopt Resolution Serial No. 02-112.

Assemblymember Ladere thanked staff for putting the resolution forward so quickly.

Assemblymember Colver asked Ms. Dillon to draw up a whereas on Resolution Serial No. 02-112 to add McCarthy Highway.

Mayor Anderson noted that the title is borough specific and that McCarthy Highway is not in the borough.

Assemblymember Simpson:

- stated that she does not like requesting additional funds from the state legislature when they are at odds with administration; and
- informed that she will support the request due to their necessity.

Assemblymember Ladere stated that we should ask the state legislature for help since the Parks Highway has such a huge impact on the borough.

Assemblymember Colver noted that he is also concerned about traveler safety on the Parks Highway.

VOTE: The motion passed without objection.

The regular meeting recessed at 6:55 p.m. and reconvened at 7:02 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. 02-152: AN ORDINANCE CREATING MCCORMICK LANE & MCADOO WAY ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 372, 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. 02-232

Ms. Clayton:

- stated that there are 22 parcels in the LID and that 64 percent of those parcels responded that they were in favor of Ordinance Serial No. 02-152; and
- noted that administration recommends approval.

Mayor Anderson opened the public hearing.

The following spoke regarding the need for stop signs on both sides of McAdoo Way to prevent automobile accidents: Patricia Sentz.

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

MOTION: Assemblymember Colver moved to adopt Ordinance Serial No. 02-152.

Assemblymember Colver asked administration to following up on the public safety concern raised regarding the

intersection of McAdoo Way.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 02-153: AN ORDINANCE CREATING LANI DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 373, APPROVING THE LOCAL 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. 02-233

Ms. Clayton:

- reported that less than half the ballots mailed were returned in favor; and
- recommended denial of the ordinance.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-153.

Assemblymember Simpson restated that administration recommended denial of the ordinance.

VOTE: The motion failed without objection.

3. Ordinance Serial No. 02-154: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CAUDILL & WALLING ROAD AREA REVISED NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 344 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 02-155: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$107,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE CAUDILL & WALLING ROAD AREA REVISED NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 344, AND FIXING DETAILS OF SAID BONDS. (Postponed from 10/15/02 with public hearing to reopen)  
(1) IM No. 02-242

Ms. Clayton reported that all work has been completed.

Assemblymember Ladere questioned the attorney and manager on how much longer the assembly will continue to approve gas LIDs.

Mayor Anderson advised that the question was not appropriate to bring up at the time.

Assemblymember Colberg stated that Assemblymember Ladere may feel that there should be a process for LIDs in place.

Mayor Anderson confirmed that there is a process in place and that it can be altered.

Mayor Anderson opened the public hearing.

The following spoke against Ordinance Serial Nos. 02-154 and 02-155: Steve Sherrod.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-154 and 02-155.

MOTION: Assemblymember Bush moved a primary amendment to remove the word "Revised" from Ordinance Serial

No. 02-154 and 02-155.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bush moved a primary amendment to strike out 7.155 and insert 7.355 percent.

Ms. Clayton informed that the percentage rate had gone up due to the public hearing delay being past the 60-day period.

Assemblymember Ladere stated that she was under the impression that the prime rate was decreasing, not increasing.

Ms. Clayton advised that the prime rate had been reduced, but that these rates were based on the bond rates, which had increased.

VOTE: The primary amendment passed without objection.

Assemblymember Ladere queried staff on why the statement on page 68, section 1, of the packet: “an assessment levied under this ordinance may exceed 25 percent of the assessed value for real property taxation of the property assessed,” is noted in the ordinance.

Mr. Ashenbrenner:

- referenced the code; and
- stated that it the provision allows assessment to exceed 25 percent notwithstanding the existing code provision.

Assemblymember Ladere noted that she found it surprising that one section of code is inconsistent with another section of code.

VOTE: The main motion as amended passed with Assemblymember Ladere in opposition.

4. Ordinance Serial No. 02-170: AN ORDINANCE ACCEPTING AND APPROPRIATING \$36,400 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, TO FUND 430, PROJECT NO. 35246, LAKE LOUISE ROADS IMPROVEMENT.

a. Resolution Serial No. 02-102: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE LAKE LOUISE ROADS IMPROVEMENT PROJECT, PROJECT NO. 35246, AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

(1) IM No. 02-215

Mr. Duffy:

- reports that this legislation is part of last years Capital Grant Matching request; and
- stated that it will improve the roads in the Lake Louise area.

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Bush moved to adopt Ordinance Serial No. 02-170 and Resolution Serial No. 02-102.

VOTE: The motion passed without objection.

5. Resolution Serial No. 02-103: A RESOLUTION TERMINATING THE REGIONAL TRANSPORTATION ADVISORY BOARD.

a. IM No. 02-255

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Resolution Serial No. 02-103.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 02-171: AN ORDINANCE APPROPRIATING \$45,000 OF INTEREST EARNINGS ON THE 1999 SERIES A, GENERAL OBLIGATION SCHOOL BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40132, TO FUND A SHORTFALL IN THE ALTERNATIVE SCHOOL (BURCHELL) ADDITION/ALTERATION PROJECT.

a. IM No. 02-259

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Kvalheim moved to adopt Ordinance Serial No. 02-171.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 02-172: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE ALASKA DIVISION OF EMERGENCY SERVICES TO THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE FUND 480, PROJECT 20259, FOR FISCAL YEAR 2003 OPERATIONS.

a. IM No. 02-262

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Simpson moved to adopt Ordinance Serial No. 02-172.

VOTE: The motion passed without objection.

8. Ordinance Serial No. 02-173: AN ORDINANCE CLASSIFYING A TRACT OF LAND NEAR LITTLE WILLOW CREEK AS RESIDENTIAL LANDS/PRIVATE RECREATION LANDS AND APPROVING THE LAND FOR FUTURE SALE.

a. IM No. 02-263

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-173.

VOTE: The motion passed without objection.

9. Ordinance Serial No. 02-174: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION OF \$27,000 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO THE MEADOW LAKES FIRE SERVICE AREA FISCAL YEAR 2003 OPERATING BUDGET, FUND 257, FOR RESPONDER COMPENSATION.

a. IM No. 02-266

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-174.

Assemblymember Ladere queried staff as to why additional responder funding was needed.

Mr. Krill stated that with reorganization and redistricting there has been an increase in new levels of participation of personnel in the system.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 02-175: AN ORDINANCE ACCEPTING AND APPROPRIATING \$375,000 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, TO FUND 415, PROJECT NO. 30082, GARDEN TERRACE WATER SYSTEM UPGRADES.

a. Ordinance Serial No. 02-176: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM FUND 291, FUND BALANCE TO FUND 415, PROJECT NO. 30082, GARDEN TERRACE WATER SYSTEM UPGRADES.

b. Resolution Serial No. 02-104: A RESOLUTION APPROVING A PARTIAL SCOPE OF WORK AND BUDGET FOR GARDEN TERRACE WATER SYSTEM UPGRADES, PROJECT NO. 30082, AND AUTHORIZING THE MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

(1) IM No. 02-267

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Colberg moved to adopt Ordinance Serial Nos. 02-175 and 02-176 and Resolution Serial No. 02-104.

Assemblymember Colberg stated that this would hopefully bring the water system into compliance with ADEC drinking water regulations.

Assemblymember Ladere informed that she would be supporting this legislation and would like to discuss it further in general comments.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 02-177: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$10,000 GRANT TO FUND 480, PROJECT 20322, FROM THE NATIONAL ASSOCIATION OF COUNTIES FOR PHASE II OF THE STREAM BANK RESTORATION AT WILLOW CREEK.

a. Resolution Serial No. 02-105: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING A STREAM BANK RESTORATION PROJECT ALONG WILLOW CREEK.

(1) IM No. 02-268

Mayor Anderson opened the public hearing.

The following spoke in favor of Ordinance Serial No. 02-177: Ben Daniels.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-177 and Resolution Serial No. 02-105.

Assemblymember Ladere:

- stated that she is proud to ask for support; and
- noted that phase II will be addressing the north side of the creek, which serves thousands of people during the fishing

season.

VOTE: The motion passed without objection.

12. Ordinance Serial No. 02-178: AN ORDINANCE REQUESTING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$60,390 FROM THE MEADOW LAKES FIRE SERVICE AREA FUND BALANCE, FUND 257, TO THE MEADOW LAKES FIRE SERVICE AREA OPERATION BUDGET 257, TO PAY OFF THE REVOLVING LOAN.

a. IM No. 02-270

Mayor Anderson opened the public hearing.

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

MOTION: Assemblymember Ladere moved to adopt Ordinance Serial No. 02-178.

Assemblymember Ladere:

- stated that we are attempting to catch up with the growth in the area west of Wasilla;
- noted that we need funds to serve the community; and
- restated that volunteerism is greatly improved in this area.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

There were no persons present who wished to testify.

D. CONSENT AGENDA (Continued from pg. 9 )

d. Resolution Serial No. 02-113: A RESOLUTION SETTING THE SCOPE OF WORK AND BUDGET FOR IMPLEMENTATION OF THE WORKFORCE INVESTMENT ACT YOUTH AND ADULT PROGRAMS GRANT.  
(1) IM No. 02-287

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

Assemblymember Ladere reported that a similar project, the Willow Creek Streambank Restoration Project, has had an invaluable impact on students.

VOTE: The motion passed without objection.

c. AM No. 02-189: TEELAND MIDDLE SCHOOL CLOSEOUT CHANGE ORDER APPROVAL TO ALCAN GENERAL, INC. IN THE AMOUNT OF \$39,229.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest regarding AM No. 02-189.

(Assemblymember Colver exited the meeting at this time.)

MOTION: Assemblymember Simpson moved to approve AM No. 02-189.

VOTE: The motion passed without objection.

(Assemblymember Colver returned to the meeting at this time.)

E. MAYORIAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor Anderson made the following recommendations:

Local Emergency Planning Committee

Kevin Koechlein

Planning Commission

Faye Palin

School Site Selection Committee, Vocational Education Center (High School)

Jody Simpson

School Site Selection Committee, Wasilla Area Elementary School

Talis Colberg

Mary Kvalheim

Transportation Advisory Board

K. Allan Linn

Talkeetna Flood Control Service Area No. 7

Roberta Sheldon

Greater Willow Road Service Area No. 20

Jim Norcross

Greater Butte Road Service Area No. 26

Michael Shields

Greater Talkeetna Road Service Area No. 29

Mark C. Smith

Meadow Lakes Fire Service Area No. 34

William A. Brown

Mayor Anderson requested the following confirmations:

Enhanced 911 Advisory Board

Jack Krill

Library Board

Kevin FitzGerald (resignation)

Planning Commission

Mary Kvalheim (vacancy due to election to borough assembly)

Helen Kaye (resignation)

Transportation Advisory Board

Leo Americus (resignation)

Caswell Lakes Road Service Area No. 15

Ron R. Wilson

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

GENERAL CONSENT: The motion passed without objection.

#### F. OTHER NEW BUSINESS

(There was no other new business.)

#### X. RECONSIDERATION

(There were no reconsiderations.)

#### XI. VETO

A. Resolution Serial No. 02-107: A RESOLUTION SUPPORTING THE ISSUANCE OF A RIGHT-OF-WAY PERMIT IN THE KENAI NATIONAL WILDLIFE REFUGE. (Issued 10/23/02)

1. IM No. 02-260

MOTION: Assemblymember Bush moved to override the mayor's veto of Resolution Serial No. 02-107.

Assemblymember Bush stated that he believes that this is a very good resolution and that it will support economic growth.

Assemblymember Ladere:

- stated that she also intends to vote to override the veto;
- noted that similar right-of-way permits have passed in other parts of South Central Alaska with no detriment to the wildlife population;
- informed that she believes that this resolution is in the interest of building South Central Alaska; and
- opined that we are being a poor neighbor by vetoing this resolution.

Assemblymember Simpson:

- informed that she is in support of the veto; and
- stated that she was not presented with all the perspectives that would fall into the legislative package presented.

Assemblymember Kvalheim stated that she also would be supporting the veto due to lack of information.

Assemblymember Ladere:

- noted that the advantage of reviewing this resolution again has given the assembly more time to research the issue; and
- stated that the information was readily accessible.

Assemblymember Colberg:

- informed that he would be voting to override the veto; and
- noted that this is an opportunity to show support of development in a reasonable way.

Assemblymember Colver stated that he would support the override.

VOTE: The motion to override failed with Assemblymembers Bush, Ladere, Colberg, and Colver in favor. (Five votes are required to override the veto)

## XII. EXECUTIVE SESSION

(There was no executive session held.)

## XIII. MAYOR AND ASSEMBLY COMMENTS

Assemblymember Ladere:

- referenced her earlier discussion of gas LIDs;
- opined that the assembly has been inconsistent with support of commerce across the borough;
- stated that with each assembly vote, we are putting a stamp of approval on public money going to private profit-making corporations;
- informed that we have justification to do this in code, but that it is time to readdress subsidy;
- stated that we have chosen to terminate a project which has seen 20 years of investment by borough staff and elected officials; and
- stated that this problem needs to be addressed.

Assemblymember Kvalheim had no comments to present.

Assemblymember Bush had no comments to present.

Assemblymember Simpson had no comments to present.

Assemblymember Colver requested to be placed on the School Site Selection Committee, Wasilla Area Elementary

Schools, as these schools are part of his district.

Assemblymember Colberg stated that he had no issue with Assemblymember Colver taking his place on that committee.

Assemblymember Colver noted that he looks forward to working with the assembly members and mayor on continued project work.

Mayor Anderson:

- referenced the ceremony in Anchorage with Governor Murkowski;
- noted that he is excited about the grant the borough was presented with for the new industrial waste disposal site; and
- informed that he would not be present at the November 19 and 21 meeting.

#### XIV. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

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SARA JANSEN, Deputy Borough Mayor

ATTEST:

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SANDRA A. DILLON, Borough Clerk

Minutes approved: November 19, 2002